



24 June 2021

Grootfontein Country Estates Home Owners' Association

Per email: afslaanvo@gmail.com;
simonndukwana@gmail.com

Attention : David Williams (Legal)
: Simon Ndukwana (Chairperson)

Your reference: Fibre Rollout

Dear Sirs,

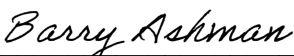
**GROOTFONTEIN COUNTRY ESTATE // ELECTRONIC COMMUNICATIONS NETWORK
INSTALLATION**

We refer to previous communications herein, your letter of 11 June 2021 and the conference call/ Microsoft Teams meeting held on 15 June 2021 at 17h00 with all parties attending (“**the meeting**”). We apologise for the delay in our response.

1. We do not intend to deal with all the allegations made in your letter received on 11 June 2021 in this letter and this omission should not under any circumstances be construed as an admission of the correctness or accuracy of any such statement or allegation. However, we reserve our rights to address any and all actions, allegations and/or statements made by the Grootfontein Country Estates Home Owners Association (the “**HoA**”), at the appropriate time and in the appropriate forum.
2. Further to the meeting, the HoA stated that 3 (three) fixed network operators (“**FNO**”) were involved in the estate, all of which had suspended operations at the instance of the HoA.
3. In answer to questions from the HoA, MetroFibre advised that:
 - a. the poles were typically placed between 50 and 80 metres apart; and
 - b. MetroFibre would site and place its own poles along the routes stipulate in the map attached below which may mean the erection of a MetroFibre pole next to the pole of a competitor FNO. MetroFibre stated that it was not averse to entering into an agreement to share poles with the competitor FNO’s provided that the terms of such lease were acceptable to MetroFibre in its sole discretion.
4. MetroFibre stated that it would engage with all interested residents in the form of a “electronic survey” as due to the current state of COVID, an “in person” meeting or participation is not advisable. As per communication from Amelia to Simon on 6 June 2021, MetroFibre will distribute communication to resident via the link <https://forms.office.com/r/eY37M1EqRp>. MetroFibre will appreciate assistance from the “HoA” to distribute this link to all residents.

5. Finally, Metro Fibre Network Proprietary Limited (“**MetroFibre**”) confirmed that it would not proceed with the aerial phase of the build until the HoA provided feedback to MetroFibre from a questionnaire sent out to residents of the estate on the nature/type of network that was required. The HoA stated that the residents’ feedback would be shared with MetroFibre early this week.
6. At the date of this letter no feedback has been provided. MetroFibre would therefore request the cooperation from the HoA to ensure that construction can commence by no later than Monday 28 June as further delays will add to the already mounting costs.
7. MetroFibre has reasonably complied with all the requirements of the HoA and has acted in good faith and will continue to co-operate with the HoA to resolve all issues in the best interests of all parties.
8. Accordingly, MetroFibre therefore informs you that it intends to commence with civil works on the network in the Estate, as detailed in clause 6 above, to connect those customers in the Estate whom have ordered its services and are being prejudiced by the current delay caused by the HoA. If the HoA continues to frustrate its legitimate business interests and statutory rights it will have no option but to approach an appropriate court to seek an order to enforce its rights whereupon the HoA may become liable for costs of suite.
9. We look forward to hearing from you and trust that the HoA will agree to permit the project to complete without further cost and delay.

Yours faithfully



Barry Ashman
Senior Legal Advisor

