



**Board of Directors Meeting of the
Utility Regulation and Competition Office ('OfReg')
Held on Thursday 14 April 2022, 9.30am
at the Office of the Utility Regulation and Competition Office
General Meeting #4 of 2022**

Minutes

Present:

Mr Rudy Ebanks (Chair)
Mr Frank Balderamos (Deputy Chair)
Mr Leroy Whorms, Non-Executive Director (LW)
Mr Alric Lindsay, Non-Executive Director (AL) via Zoom
Ms Natasha Bodden, Non-Executive Director (NB)
Ms Bonnie Anglin, Non-Executive Director (BA)
Mr Peter Gough, Interim Chief Executive Officer (ICEO)
Mr Sonji Myles, Executive Director ICT (EDI)
Mr Duke Munroe, Chief Fuels Inspector (CFI)
Mr Gregg Anderson, Executive Director E&U (EDE) via Zoom
Ms Joanne Conolly, Board Secretary (BS)
Mr Christen Suckoo, Chief Operating Officer (COO), by Invitation

Meeting called to order 9.37am.

1. General

1.1 Welcome

1.2 Approval of Agenda

Motion to approve by FB, Seconded by LW. Agenda approved as amended.

1.3 Chair's Remarks

None.

2. Declarations of Interest

AL wished to declare an interest in respect of item 6 on the Agenda.

3. Minutes of previous meeting

3.1 Approval of the Minutes

a) General Meeting #3 of 2022 held 10 March 2022

Moved by LW, Seconded by AL. Minutes of General Meeting #3, held 10 March 2022, approved as amended. Motion carried.

b) Special Meeting #3 of 2022 held 7 April 2022

Moved by LW, Seconded by BA. Minutes of Special Meeting #3, held 7 April 2022, approved as amended. Motion carried.

CFI recused himself from discussions around points 1 and 2 of the Minutes of Special Meeting #3.

3.2 Matters Arising from Minutes

None.

4. ICEO's Report

ICEO confirmed his style of report will be concerned with those areas around the strengthening of the organisation: improving capability, working together and accountability.

- Online learning platform now set up and everyone has joined. ICEO has capability to see who is using it.
- Met with every member of staff individually to find out aspirations, like a SWOT analysis – 16 people want to join the civil service college and undertake courses to help career development.
- Had an all-staff meeting for introductions, and to meet the Board and have further training in procurement and Law.
- Putting a team together to undertake the Deputy Governor's 5K walk, and also a community beach clean-up.
- Once we have an IT Manager, they will undertake an investigation into our IT systems. For example we had 3 e-mail systems being used, this is now changed to 1 system.
- Engagement survey started and employees have until 8 May 2022 to complete.
- In some areas there are no performance agreements and this will be the next focus.
- Performance management system appears to be old-fashioned and the new concept would be continual performance management to correct behaviours and deadlines ahead of a one-off annual appraisal.
- ICEO received an email from the Ministry of Housing and Infrastructure requesting OfReg be involved in a discussion on the sub-sea cable initiative, for which Government had advertised for a project manager in the newspaper. The CO was not aware we had an application for a sub-sea cable and requested OfReg share information.
- Deputy Premier sent an email to the ICEO to offer assistance by way of consultants from the UK (as per the newspaper article in the Compass). This was a directive from the Governor's office, and the Deputy Premier will keep OfReg informed. Some discussion ensued in respect of previous contact EDI had with a former Minister in respect of a project to partner with an entity to establish a sub-sea cable in 2017/18.

NED Bodden joined the meeting at 10.35am.

Chair remarked that the ExDirs should continue to post their monthly sector updates (dashboards) to the Dropbox folder for consideration by the Board prior to meetings and be prepared to give a short presentation on the dashboard each month. Sector reports will continue to be provided to the ICEO, but important regulatory sector matters would also be presented by the ExDirs to the Board. All were in agreement.

Meeting was adjourned for a break at 10.45am.

Meeting reconvened at 10.53am.

Following the moment's silence held in respect of his loss at the last Board meeting, the Chair invited Members to share condolences directly with FB, who was in attendance at this meeting.

5. Regulatory Matters

S5.1 Redacted under Public Authorities Act (2020 Revision) s19(4)

5.1

[Redacted content]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EDE presented his dashboard to the Chair.

Deputy Chairman took over as Chair 12.47pm – 13.35pm.

Further talks on E&U dashboard ensued.

The meeting broke for lunch 13.02pm - 13.37pm.

5.2 ICT

EDI presented his sector report to the Board.

[REDACTED]

- Publication of the consultation on significant market power review is delayed by 2-3 weeks due to external consultants being unavailable.
- Consumer Protection Regulations were submitted to former ministry in 2018. Awaiting response from the new ministry who have had the CPRs since 2021.
- An idea from 2017 is being investigated (formerly known as experiemental licence).
Team preparing to have discussions with PR company to promote the availability of that innovation.
- Development of national broadband policy.

NED Lindsay joined the meeting at 1.49pm.



- Reporting rules are being drafted.
- Dispute relating to pole access ongoing. It was noted the Board would wish to review the determination when complete, prior to send-out.

2.00pm-Tower PR Strategy Presentation.

6. Tower PR Strategy Presentation

AL left the meeting at 2.09pm regarding his earlier declaration of an interest.

Presentation by Tower was made in respect of the PR strategy. COO introduced Ms Lynne Byles and Mr Darryl Greer.

Break at 3.26pm. / Back at 3.44pm.

7. Website update

- CAPE presented an update on the current status of the new website, and the 4 social media sites.
- ICEO confirmed the new site will be up and running in 1 month.

4.30pm Resumed agenda.

5.2 S5.2 Redacted under Public Authorities Act (2020 Revision) s19(5)(b)





5.3 FUELS

5.3.1 Fuel Prices Update

CFI informed the Board that fuel prices were monitored in accord with global changes in prices, and local elements. Discussions around import, storage, and prices (Rubis v SOL) ensued. Chair noted some elements were not disclosed to the public. In terms of transparency, CFI to build a list of items which could be disclosed to better inform the public.





8. Board matters S5.3.2 Redacted under Public Authorities Act (2020 Revision) s19(4) 8.1 BAIL

Regularly updated. Board members to check this document outside of the Board meeting.

8.2 Board and Management Communications Framework Policy

Moved by LW; Seconded by BA. Matter 8.2 'Board and Management Communications Framework Policy' approved as amended with EDE's comments. With no objections, and with all in agreement, Motion carried.

8.3 Board Directives and Policy for Secretary – Board approval for amendment

COO explained to the Board further amendments to remove CEO from consideration of redactions.

Moved by NB; Seconded by FB. Matter 8.3 'Board Directives and Policy for Secretary' approved as amended. With no objections, and with all in agreement, Motion carried.

8.4 Board Minutes Publication policy – Board approval for amendment

As above.

Moved by NB; Seconded by FB. Matter 8.4 'Board Minutes Publication Policy' approved as amended. With no objections, and with all in agreement, Motion carried.

8.5 Efficiency & Effectiveness in Conducting Board Meetings

Discussion around length of time members spoke on topics; time delay in sending documents for inclusion in the Board folder; length of reports to the Board, etc. To ensure more efficient meetings.

8.6 Correlation between Government's Broad and Specific Outcomes

ICEO took the Board through the Report in the Board folder discussing the involvement of OfReg in achieving the Government's broad and specific outcomes.

9. AOB

9.1 Robert's Rules Notes

Presentation was given to the Board on the decorum expected during meetings, in accordance with Robert's Rules.

9.2 OAG

Discussion around the audit process. It was decided that the Office of the Auditor General should continue to receive full, unredacted minutes of all Board meetings, sent by the Board Secretary.

10. Adjournment and Date of next meeting

Date and time of next meeting 9.30am on Thursday 12 May 2022.

Meeting adjourned at 7.06pm.

Signed  Rudy Ebanks, Chairman

Signed  Joanne Conolly, Secretary

Digitally signed by Joanne Conolly
DN: cn=Joanne Conolly, o=OfReg, ou=Board of Directors, email=Secretary@ofreg.lj, c=US
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