



**Board of Directors Meeting of the
Utility Regulation and Competition Office (“OfReg”)
held on Thursday, 22 October 2020, 9:00 am
(Via Virtual Conference)
General Meeting 8 of 2020**

Minutes

In attendance:

Dr. the Hon. Linford Pierson, Chair (Chair)
Mr. Ronnie Dunn, Non-executive Director (RD)
Mr. Rudy Ebanks, Non-executive Director (RE)
Mr. Paul Byles, Non-executive Director (PB)
Mr. Phillip Ebanks, Non-executive Director (PE) (left at 2:30 pm)
Mr. Gene Banks, Non-executive Director (GB)
Mr. Malike Cummings, Chief Executive Officer (CEO)
Mr. Gregg Anderson, Executive Director Energy & Utilities (EDEU)
Mr. Sonji Myles, Acting Executive Director ICT (AEDICT)
Ms. Alison Maxwell, Assistant General Counsel/Secretary (AGC/S)
Mr. Christen Suckoo, Chief Operating Officer (COO) (by board directive)

Apologies:

Mr. Duke Munroe, Chief Fuels Inspector/Director Fuels Markets (CFI)

Start: 9:05 am End: 3:52 pm

1. General

1.1 Welcome and Prayer

The Chair welcomed everyone and, on behalf of the Board, expressed condolences to PE regarding the recent passing of his Father. The Chair also expressed apologies on behalf of the CFI. The COO said the prayer.

1.2 Approval of Agenda

Moved by RD and seconded by RE.

1.3 Chair’s Remarks

None.

2. Declaration of Interest

N/A

3. Minutes of Previous Meetings and Round Robin Resolutions

3.1 Approval of the Minutes of:

- General Meeting no. 7, held 24 September 2020

Moved by RE and seconded by GB.

3.2 Matters arising from the Minutes

N/A

3.3 Round Robin Resolutions

[REDACTED]

4. Chief Executive Officer Report

The CEO presented a summary of his report.

- Speed Test

Lengthy discussion ensued and the majority of the Board agreed that the speed test being used for trial should remain in place and that there was no need for any press releases as the trial will conclude in approximately two weeks.

- The Fire Suppression System in Cayman Brac

[REDACTED]

- C3 and Cayman 27

[REDACTED]

4.1 Draft OfReg Credit Card Policy

The final draft policy was included in the Board papers for the Board's review.

4.2 Draft OfReg Petty Cash Policy

The final draft policy was included in the Board papers for the Board's review and approval.

5. Regulatory Matters

5.1 Energy and Utilities

5.1.1. Approval of lighting rates for GT Revitalisation Project

The EDEU requested that this matter be deferred, and recommended that he be allowed to submit the Board paper to the Board for approval by round-robin due to the urgency. The Chair agreed.

5.1.2. Approval of Fuel Hedging Plan

The EDEU requested that the matter be deferred, and be allowed to submit a Board paper to the Board for approval by round-robin.

5.1.3 CUC COVID-19 Cost Recovery Proposal

The EDEU requested that the matter be deferred until the next Board Meeting. The EDEU informed the Board that the Office received the updated submission from the Caribbean Utilities Company Limited. The E&U Team will review and provide analysis in due course.

5.2 Fuels

5.2.1. Fuel Price investigation

The report, once completed, will be submitted to the Board in due course.

5.2.2. Fuel Market Definition Determination

The CEO provided an update as part of his report under agenda item #4. The draft determination and the market definition report were submitted for the Board's review as a part of the Board papers.

5.2.3. Consumer Protection Regulations Final Determination -Update

The CEO provided an update as a part of his report under agenda item #4.

5.3 ICT

5.3.1. Update on C3 Disputes was provided by the AEDICT

5.3.2. AEDICT provided an update on the Cabinet Memo -Achieving Full Liberalisation of the Cayman Islands Telecommunications Market and Developing a Robust Internet Infrastructure –

5.3.2.1

[REDACTED]

5.3.3 Infinity Broadcasting "C3 " Share Transfer Approval

[REDACTED]

The Chair asked about Maya 1. The AEDICT advised that the Ministry of CPI is spearheading a committee to assess the feasibility of an underwater submarine cable project and OfReg is providing support to the best of its ability.

[REDACTED]

6. Board Matters

6.1 Board Administration

6.1.1 Implementation of OAG's E&E Report Recommendations 2 & 9

The CEO submitted a paper with an appendix to the Board for review.

6.1.2 Board Action Item Log ('BAIL')

The CEO presented a status update of the BAIL.

- The IT Acceptable Use and Security Policy was submitted but GB suggested to the COO that the resolution referred to a Security Breach policy. The Office will need to put in place a bespoke policy/framework.
- The CEO notified the Board that the Fuels Team's Board paper on Price Controls has been drafted, and will be reviewed before it is presented to the Board.
- Recruitment of Recording Secretary – The Chair suggested that a committee of the Board is established to recruit a secretary. NEDs RD and PB were nominated along with the COO. The Board agreed.
- RE thanked the CEO and Board Secretary for addressing the issues related to the BAIL.

6.1.3 OfReg Procurement Manual

The Procurement Manual was revised and referred to the Finance Committee at the September Meeting. RD shared the Committee's comments. Discussion ensued.

6.1.4 [REDACTED]

[REDACTED]

6.1.5 OTEC Next Steps

The CEO stated that he will provide relevant documentation to PB, Innovation Committee Chair.

6.1.6 FC's Financial Report and Analysis

The FC presented a summary of the Quarterly Financial Report. Motion: The proposed Credit card and Petty Cash policies be approved. Motion by GB. All agreed. CARRIED

6.2 Board Committee reports



6.2.1 Risk and Audit Committee (PB (Chair), RD and PE) - The signed minutes dated 21 October 2020 was submitted to the Board Secretary. GB expressed his willingness to serve on the Committee.

Motion: The Board to approve GB joining the Risk & Audit Committee. Moved by PB and seconded by RE. CARRIED.

6.2.2 Public Relations Committee (RD (Chair), PB, PE, RE and CEO). Minutes of the committee were submitted by RD.

6.2.3 Innovation Committee (PB (Chair), PE, RE, EDEU) – the Committee plans to discuss the OTEC Issue. The EDEU notified the Board of his desire to resign from the Innovation Committee. The Chair instructed him to discuss with the Committee Chair and members of the Committee, as well as submit his resignation in writing.

6.2.4 Remuneration and Human Resource Committee (PE (Chair), RD, RE, PB).

GB expressed his willingness to serve on the Committee.

Motion: The Board to approve GB joining the Remuneration and Human Resource Committee.

Moved by PB and seconded by RE. CARRIED.

6.2.5 Finance Committee (RD (Chair), PB and FC)

7. Any Other Business

7.1 Resignation of Board Secretary

The Chair, on behalf of the Board, thanked the Board Secretary for her service, for doing a sterling job, and recognizing her willingness to always work with the Board. RE echoed the Chair's comments. The AGC/S thanked the Chair and RE.

8. Adjournment: Date of next meeting

The next meeting will be scheduled on 19 November 2020, at 9 am. The meeting was adjourned at 3:52 pm.

H. C. S.
9 December 2020