



**Board of Directors Meeting of the
Utility Regulation and Competition Office
("OfReg")
held at on Wednesday, 01 February 2017,
at its Offices, 3rd Floor Alissta Towers**

Minutes

Present:

Dr. the Hon. Linford Pierson	Chairman
Mr. Jeffery P. Morgan	CEO
Mr. Alee Fa'amoe	Executive Director ICT (EDICT)
Mr. Charles Farrington	Executive Director Energy & Utilities (EDEU)
Mr. Duke Munroe (CPI)	Chief Petroleum Inspector/Dir Fuel Markets
Mr. Sonji Myles	Deputy Director ICT/Acting Secretary (DDICT)
Alison Maxwell	Legal Analyst (AM)
Tessa Ryan	Manager Economics (<i>present for Item 4.1.4 only</i>)

Apologies

Nil

Meeting called to order by Chair: 10:24am

1. General

1.1. Prayer

CPI offered word of prayer

1.2. Welcome

Chair welcomed everyone

1.3. Minutes of Previous Meeting

1.3.1. Approval of Minutes

Draft minutes were amended to include the names of the Executive Directors as being appointed at Item 4.1 of the minutes and to include the name of the Acting Secretary as appointed at Item 4.2 of the minutes.

CEO moved motion to accept minutes as drafted without further amendments. The Chairman seconded the motion.

Minutes were approved.

1.3.2. Matters Arising

'Item 2 To approve Vision and Mission Statement for the Office'-

AM updated board on ideas on how to display these.

Executives agreed to discuss further.

'Item 5 Office Space'- The Board noted that the Flowers group had engaged consultants to maximize current temporary workspace as well as identify other more permanent space. Executives will examine another space today at Cricket Square and report at next Board meeting.

'Item 6 Banking Resolutions'- Board commented that the process to open accounts is ongoing.

Item: 8.3 Employee Handbook & Policy Manual' - EDICT informed the Board that a draft previously created for the ICTA is being updated to account for the new structure and authority of Ofreg.

1.4. Board Matters

1.4.1. Declaration of Interests/Conflicts

Secretary reminded the Board of the obligations in the URCO Law to avoid and declare conflicts of interest.

EDEU shared a draft register of interest declaration form to be signed and completed by Board and Staff members.

Actions: AM to update form making versions applicable to the Office's Board members and Staff.

Executives to ensure all staff complete register of interest.



1.4.2. Board Member Appointments – Update

CEO informed the Board that advertisements for board member positions had been published. Due date for submission of applications is 10 February 2017.

1.4.3. Board Members - Gazette Update

Office is waiting of appointments of Chairman and CEO to be gazetted.

2. Administration

2.1. Transition

2.1.1. Move to Alissta Towers – Update

Ongoing

2.2. Office Search

2.2.1. Update

Ongoing- Discussed under Matters Arising

2.3. HR Update

CEO presented views on organisational structure setting out roles and reporting channels as they develop.

2.4. Operations Update

Nothing to report

2.5. Finance Update

2.5.1. Bank Accounts

EDEU updated on transition of bank accounts.

Board considered and approved:

Resolution 3 of 2017 "Authorise BBCL Online Banking" as drafted

Resolution 4 of 2017 "Authorise BBCL Business Mastercards" as drafted



3. Consumer Affairs

3.1. Complaints – Update

3.1.1. Process

EDICT and DDICT- Updated Board on current LTE complaint between FLOW and Digicel which is ongoing as well as 'Directories Dispute between the Office and Cable and Wireless which is ongoing.

DDICT informed the Board that a Complaints appeal process is currently being drafted and will be circulated to Board upon completion.

3.2. FOI – Update

DDICT informed board of the two FOI requests relating to: 1. Outstanding FM Broadcasting Fees and 2. Penetration rates for mobile users and device types. Responses are being drafted for these.

3.3. Consumer Protection Regulations – Update

Action: Board directed staff to consider whether current draft Consumer Protection Regulation which is ICT sector specific can be amended to be sector neutral.

4. Regulatory

4.1. ICT

4.1.1. Approval to update Section 23(2) Notice

EDICT and DDICT updated Board on new amendments and the reasons for same.

Board made recommended changes (references wording etc...)

Amended draft to be presented to the Board once more for final sign off.

4.1.2. Approval of Determination to develop plan to address failures of Licensees to meet Fiber Rollout Obligations

EDICT- Explained existing dispute issues and failures of licensees to meet their roll-out obligations and highlighted several thoughts on how to address the issues.

Board Resolved that staff must examine a more practical manner towards addressing the problems. Board recommended a two-part solution for Grand Cayman:

- 1- Addressing current issues (working group)
- 2- Universal Service Network Plan

Board agreed that levying administrative fines is an option, but encouraged a more beneficial and productive approach.

4.1.3. Universal Service Network

Addressed under 4.1.2

4.1.4. Consider Draft Decision re: Flow's Application for rate increase ("Charging for Paper Bills")

Tessa Ryan, Manager of Economics presented the staff's considerations and recommended draft decision- denying approval of rate increase.

Board agreed with the decision to deny the rate increase application.

4.1.5. IXP – Update and possible need for interim BOD decision/meeting in mid-February.

EDICT Provided update on IXP advancements.

4.2. Energy and Utilities

4.2.1. Approval of Demand Rates proposal by CUC

Board Approved

4.2.2. Approval of reallocation of CORE capacity from Commercial to Residential

Board Approved

4.2.3. Approval of ICF request re Conflict of Interest

Board Approved

4.3. Fuels

CPI- Updated Board on the coming into force of fuels Laws which are to be gazetted in the next few days.

4.4. Regulatory General *****DEFERRED until 15 February 2017 *****

4.4.1. Procedures

- 4.4.1.1. To discuss development of Consultations process
- 4.4.1.2. To discuss development of Determinations Process
- 4.4.1.3. To discuss development of Regulations
- 4.4.1.4. To discuss development of Guidelines
- 4.4.1.5. License Applications
- 4.4.1.6. Disputes
- 4.4.1.7. To discuss development of Complaints Process
- 4.4.1.8. To approve update to Type Approvals framework
 - 4.4.1.8.1. Process
 - 4.4.1.8.2. Fees

5. Any Other Business

5.1. Public Relations Policy

Board directed staff to devise Public Relations Policy- to be approved by the Board.

5.2. Cable and Wireless Cayman Islands Limited- Financial Audit

EDICT Updated Board on CWCIL Audit. With expectation to have the auditors present to the Board at the next meeting.


6. Date of Next Meeting

Next Meeting- 15 February 2017

Chair noted he will be off Island 23-27 February 2017

Meeting Concluded: 3:20

The below certifies that these minutes were approved by the Board on 15 February 2017



Chairman, Board of Directors, OfReg