



**Board of Directors Meeting of the
Utility Regulation and Competition Office
("OfReg")
meeting held on Thursday, 06 April 2017,
at its Offices, 3rd Floor Alissta Towers
Meeting # 5/2017**

Present:

Dr. the Hon. Linford Pierson	Chairman
Mr. J. Paul Morgan	CEO
Mr. Alea Fa'amoe	Deputy CEO / Executive Director ICT (DCEO/ExDICT)
Mr. Charles Farrington	Executive Director Energy & Utilities (EDEU)
Mr. Louis Bouchard	Deputy Director Energy & Utilities (EDEU)
Mr. Duke Munroe	Chief Fuels Inspector/Dir Fuel Markets (CFI)
Mr. Sonji Myles	Deputy Director ICT/Acting Secretary (DDICT)
Ms. Alison Maxwell	Legal Analyst (AM)
Mr. Echard McLaughlin	HR/OPS
Ms. Tessa Ryan	Manager Economics (Present for Item 4.4.1. only)

Meeting called to order by Chair: 10:19am

Apologies
Nil

1. General

1.1. Prayer

AM offered a word of prayer.

1.2. Adoption of the Agenda

CEO moved motion to adopt agenda.
Chair seconded.

1.3. Welcome

Chair and CEO welcomed DDEU to the meeting.

Chair and CEO remarked that EDEU will be retiring at the end of April. They thanked him for his years of service and commented that he will be greatly missed.

1.4. Minutes of Previous Meeting

1.4.1. Approval

CEO moved motion to accept minutes subject to a minor amendment to Item 4.2.2, Chair seconded.

1.4.2. Matters Arising

Nil

1.5. Board Matters

1.5.1. Risk & Audit Committee

Nil

2. Administration

2.1. Dashboard

2.1.1. HR Update

2.1.1.1. CFO Recruitment

HR/Ops: Recruitment is ongoing. Closing dates is 28 April 2017.

Board and HR/Ops: There appears to be some difficulty attracting suitable candidates because the salary range does not appear to fall within acceptable market ranges.

Board advised staff to consider better aligning salary ranges with industry standards to ensure that suitable candidates are attracted.

2.1.1.2. General Counsel Recruitment (no applicants)

HR/Ops: Recruitment is ongoing. Closing dates is 28 April 2017.

Board and HR expressed concern that there appears to be some difficulty attracting suitable candidates because the salary range does not appear to fall within acceptable market ranges.

Board advised staff to consider better aligning salary ranges with industry standards to ensure that suitable candidates are attracted.

2.1.1.3. EDEU Recruitment

CEO confirmed that plans are being considered for transitioning-out of current post holder due to retirement, including a social.

2.1.1.4. Fuels Sector Analyst Post

CFI confirmed to the Board that a candidate has been identified. Steps to onboard are to begin.

2.1.1.5. Fuels HR Transition

CFI: Fuels staff HR files have not been handed over from the Ministry as yet.

Chair suggested that CEO follow up.

2.1.1.6. OfReg Draft Employee Policy Handbook

CEO commented that input has been received on Handbook. CEO recommends that the signing off of this work will be the first task of the Board HR committee when formed.

2.1.1.7. Job Descriptions & Evaluations Update

HR/Ops: Job Evaluations should be back within the next week.

2.1.2. Operations Update

Nil

2.1.3. Finance Update

2.1.3.1. ICTA Funds transfer to OfReg accounts

To be finalised.

2.1.3.2. Board Resolution – Close ICTA Accounts

DDICT suggested that the ICTA resolution (14 Jan 2017) to transfer funds to OfReg as a result of the coming into force of the URC Law satisfies this.

Board Agreed.

2.1.3.3. Fuels Budget Transfer

CEO commented that budget is to be transferred from CIG to OfReg accordingly. As such, the mechanism to support this is being defined.

2.1.3.4. Consolidated OfReg Ownership Agreement



Mechanism to support this is being defined.

2.1.4. Corp Comms Update

2.2. Transition

Complete (To be removed from agenda)

2.3. Office Search

Ongoing

2.4. Interim Office Arrangements

Ongoing

3. Consumer Affairs

Nil

4. Regulatory

4.1. ICT

4.1.1. Fiber Rollout – Update

DCEO/ExDICT and DDICT provided an update on the pole attachments working group which impacts the determination regarding rollout. Final Working Group submissions to be made by 21 April 2017.

Board instructed staff to make recommendations on a resolution to this matter as soon after submissions are made and noted its previous resolution of 1 February 2017 to:

(1) Come to a determination based on final submissions of the Working Group.

(2) Make recommendations/considerations for development of infrastructure aimed at bringing choice to un-serviced areas by use of a Universal Service Network.

4.1.2. 23(2) Notice – Update

DDICT confirmed that draft is complete save for amendments to WiFi class allowances. Staff to vet one last time prior to publishing for consultation.

4.1.3. Illegal WiFi – Update

DDICT: Cease and Desist is currently being drafted by legal team. Next step is to confirm details of actors and issue notices.

4.1.4. Consumer Complaints – Update

DDICT update board on practice regarding complaints. Noted that complaints process is currently facilitated by a consultant.

CEO briefly commented on need to work across all sectors to manage consumer interests.

4.1.5. QOS – Update

Nil

4.1.6. EY Audit Update

DDICT update Board on process. Particularly that legal team is reviewing material towards approach.

4.1.7. Cybersecurity Update

CEO and DCEO/ExDICT- updated the Board on CIRT-KY appointments made by previous ICTA Board.

DCEO/ExDICT: Was appointed as MD of CIRT-KY

DDICT: Appointed Deputy Director of CIRT-KY

DCEO/ExDICT and DDICT commented on various initiatives ongoing to build national cyber resilience.

4.1.8. Digicel NXX Request – License Amendment

DCEO/ExDICT- updated Board on the Licensee's application for allocation of ten new NXX central office codes (in blocks of 10,000).

Board approved a limited allocation of five NXXs setting the balance aside for six months. The Board determined that the Licensee could apply for the remaining five if it could demonstrate a need based on growth.

4.1.9. IMT Licence Application reconsideration decision

DCEO/ExDICT and DDICT presented observations related to applicant's request for reconsideration and presented a draft response in which the reconsideration request is denied. Board advised staff to issue response as drafted.

4.2. Energy and Utilities

4.2.1. Energy/Electricity

4.2.1.1. Consumers – Update

EDEU- Sector has consulted with CREA on core prices. They agree with idea of reducing capacity. Talks are ongoing.

4.2.1.2. QOS – Update

EDEU informed Board that the sector has responded to CUC on their proposed consumer performance standards. Generally, issues include better balance of rewards vs penalties.

4.2.1.3. Renewables – Update

EDEU gave a general update on Renewables as set out in the attached E&U Dashboard presentation.

4.2.1.4. Fuel Price – Update

EDEU gave a general update on fuel pricing, as set out in the attached E&U Dashboard presentation.

4.2.2. Water

4.2.2.1. Implementation of the Law

CEO spoke generally about the developments.

4.2.2.2. Consumers – Update

Nil

4.2.2.3. QOS – Update

Nil

4.3. Fuels

4.3.1. Implementation of the Law

4.3.2. Consumers – Update

4.3.3. QOS - Update

4.3.4. Fuel Price – Update

4.3.5. Fuels Markets Sector Rules

CPI gave a general update presentations (as set out in attached presentations) on:

- Local Supplier and general Price Comparisons
- Crude vs LPG Comparison

4.4. Regulatory General

4.4.1. Significant Market Power – Update

TR gave update on the development of the Draft SMP Guidelines. Draft to be circulated to Executive Staff week of 17 April 2017

4.4.2. General Statutory Obligations of the Office

4.4.2.1. Consultation on Consultation Process

AM informed the Board that the Consultation had been published on the website.

5. Any Other Business

5.1. New BOD Members induction

Board commented that the recruitment process was ongoing.

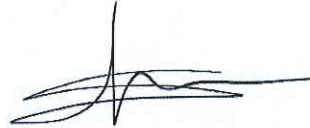
DCEO/ExDICT commented on fact that ICT has started steps to prepare for expiration of several licences.

6. Date of Next Meeting

Thursday 04 May 2017

Meeting concluded at 5:23pm

The below certifies that these minutes were approved by the Board on:
25 April 2017



Chairman, Board of Directors, OfReg