



**Board of Directors Meeting of the  
Utility Regulation and Competition Office ('OfReg')  
Held on Thursday 18 March 2021, 9:00 am  
(Via Virtual Conference)  
General Meeting 3 of 2021**

**Minutes**

**In attendance:**

Dr. the Hon Linford Pierson, Chair (Chair)  
Mr. Paul Byles, Deputy Chair/Non-executive Director (PB)  
Mr. Rudy Ebanks, Non-executive Director (RE)  
Mr. Gene Banks, Non-executive Director (GB)  
Mr. Phillip Ebanks, Non-executive Director (PE)  
Mr. Malike Cummings, Chief Executive Officer (CEO)  
Mr. Duke Munroe, Chief Fuels Inspector/Director Fuels Markets (CFI)  
Mr. Gregg Anderson, Executive Director Energy (EDE)  
Mr. Sonji Myles, Acting Executive Director Information (AEDI)  
Mr. Christen Suckoo, Chief Operating Officer (COO) (by Board directive)  
Ms. Joanne Conolly, Board Secretary (BS)

Meeting commenced: 9.07am

Meeting ended: 3.18pm

**1. General**

- 1.1 Welcome and Prayer  
Chair welcomed everyone and said prayer.
- 1.2 Approval of Agenda  
**Motion: Approval of Agenda as amended. RE moved, GB seconded.  
Motion Carried.**
- 1.3 Chair's Remarks  
None

**2. Declaration of Interest**

None

**3. Minutes of Previous Meetings and Round Robin Resolutions**

- 3.1 Approval of the Minutes of:
  - General meeting #2, held 26 February 2021**Motion: To approve minutes of the General meeting #2, as amended, held 26 February 2021. RE moved, GB seconded. Motion Carried.**
- 3.2 Matters arising from Minutes  
None.
- 3.3 Round Robin Resolutions
  - 3.3.1 Ratification of IXP Regulatory Framework document

Redacted under S19(4)  
PAL- Regulatory Decision

[REDACTED]



Discussion about recording of round robin decisions. Board agreed going forward to say who moved and seconded.

#### 4. Chief Executive Officer Report

CEO gave a summary of his report. Report has already been circulated.

##### 4.1 Approval of new Post Director of Economics and Regulatory Affairs

CEO spoke to having a new post 'Director of Economics and Regulatory Affairs'. He felt it was a critically important resource that needs to be housed at OfReg, if we are to effectively and efficiently satisfy our mandate. Business case will be sent to the Board.

#### 5. Regulatory Matters

##### 5.1 Energy and Utilities

- 5.1.1 CUC's 16ft new Pole and double Luminaire rates for GT Revitalisation Project  
[Redacted]  
[Redacted]  
[Redacted] Redacted under S19(4) PAL - Regulatory Decision

- 5.1.2 CWC Cost of Service Study Update  
[Redacted]  
[Redacted]

Redacted under S19(4) PAL - Regulatory Decision

##### 5.2 Fuels

- 5.2.1 Fuel Market Definition & Competition Assessment Update  
CFI took the Board through the Fuel Market Study 2020 presentation.  
Comments were made that the Government tax is significant. When prices are around \$4 at the pump, tax in the Cayman Islands is lower than a number of jurisdictions across the Caribbean. When prices go below \$3 and the Government tax stays where it is, it would be a more significant contributor to the price build-up. Changing from per unit to ad velorum tax would make a difference. Discussion ensued around Government taxes being published like CUC do on their bills, to provide transparency around pump prices.  
It was also noted that Jackson Point is unable to be expanded and therefore alternate fuel berthing facilities in other locations on island will need to be considered.

##### 5.3 ICT

- 5.3.1 Flow Datalink/CUC Unauthorised Pole Attachment- Update.  
AEDI told the Board the department had received information on 15Mar21 from FLOW confirming all outstanding 23 customers had been reconnected. AEDI, CEO and Manager of Infrastructure went to physical locations to confirm connections. This was not the case. This creates an issue and we have drafted a demand for information letter to be sent out. Due Friday 19Mar21 COB for them to submit information to us.





- 5.3.2 Preliminary Discussion- Licensing of non-domiciled Not for Profit Public Service Broadcasting entities- [REDACTED] Redacted under Sec 23 (1) of FOI law 2020 revision Personal Info  
Discussion around the benefits or otherwise of allowing the [REDACTED] to have a not-for-profit public broadcast service in the Cayman Islands. Redacted under Sec 23 (1) of FOI law 2020 revision Personal Info.

5.3.3 Approval of Salt IXP Licence application

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Redacted under S19(4) PAL -  
Regulatory Decision

Meeting broke for lunch 12.53.  
Meeting resumed 1.30pm

## 6. Board Matters

### 6.1 Board Administration

- 6.1.1 Board Action Item Log ('BAIL')  
CEO: shared screen to view BAIL.
- 6.1.2 Draft Board Rules for Approval  
Deferred until next meeting.
- 6.1.3 Strategic Plan – what's the hold-up?  
Covered in CEO report at 4.0.
- 6.1.4 Status of post-retirement benefit (impacting OfReg financials and 2020 annual report)  
Covered in CEO report at 4.0.
- 6.1.5 Status of Director indemnity insurance  
Covered in CEO report at 4.0.
- 6.1.6 OfReg Ownership Agreement dated November 2019  
Board had some questions as to finalised, signed document. CEO to circulate signed documents for placement in DB.
- 6.1.7 Director individual Board self-assessments.  
All self-assessments to be sent to the BS for forwarding to PB. PB to complete a summary of average scores, to be presented at the next Board meeting. Item to be placed in BAIL by BS.
- 6.1.8 Independent Testing of Electric kWh Meters.  
Paper in Board folder. Result of Board having some concerns over the independent verification of the accuracy of kWh meters and of bills during the lockdown period. Discussion around feasibility of testing meters, and costs.

### 6.2 Board Committee reports

- 6.2.1 Risk and Audit Committee (PB (Chair), PE and GB)  
Nothing to report. The committee will meet next month.
- 6.2.2 Public Relations Committee (GB (Chair), PB, PE, RE, CEO, COO, CAPE)



It was noted that CAPE and COO are also members of Public Relations Committee. Nothing to report. The committee will meet before the next Board meeting.

6.2.3 Innovation Committee (PB (Chair), PE, RE, GB and AEDI)

Nothing to report. It was noted there will not be a meeting of the committee until end March.

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

There will be a meeting to consider the HR manual and related matters on 24 March 2021, and this will be reported at the next Board meeting.

6.2.5 Finance Committee (RE (Chair), PB, GB and FC)

6.2.5.1 Approval of General Reserve Fund Policy

Policy document is in the Board papers. It is a statutory obligation to create a reserve fund. Discussion followed in respect of the reserve fund policy.

**Motion: To approve the General Reserve Fund Policy. RE moved, PE seconded. Motion carried.**

**7. Any Other Business**

Following deferral at last Board meeting of approval the Customer Satisfaction Framework Survey, CEO requesting approval at this meeting.

**Motion: To approve the Customer Satisfaction Framework Survey v2, as amended. GB moved, PB seconded. Motion carried.**

No other business

**8. Adjournment and Date of next meeting**

There being no further business, the Chair declared the meeting adjourned at 3:18pm. The next General Meeting is scheduled to occur at 9:00am on 15 April 2021.

*[Signature]*  
19 April 2021