



**Board of Directors Meeting of the
Utility Regulation and Competition Office ('OfReg')
held on Thursday 25 May 2023
at the Offices of the Utility Regulation and Competition Office
Boardroom**

Minutes

In attendance:

Mr. Frank Balderamos, Acting Chairman (AC)
Ms. Bonnie Anglin, Non-Executive Director (NED Anglin)
Ms. Natasha Bodden, Non-Executive Director (NED Bodden)
Mr. Osbert Francis, Non-Executive Director (NED Francis)
Mr. Peter Gough, Interim Chief Executive Officer (ICEO)
Ms. Alison Maxwell, Assistant General Counsel/Acting Secretary (AGC/AS)
Mr. Christen Suckoo, Chief Operating Officer (COO) (by invitation. Present from item 6 onwards.)
Mr. Sonji Myles, Executive Director of ICT and Acting CFI (EDI) (by invitation. Items 5 and 7 only.)
Mr. Louis Boucher, Deputy Director of Energy (DDEU) (by invitation. Items 5 and 7 only.)
Mr. Ken Springer, Deputy Chief Fuels Inspector ('DCFI') (by invitation. Present from Items 5 until Item 8 (stayed for items 8.4 and 8.5 only.)
Mrs. Melissa Powery, Financial Controller (FC) (by invitation - items 8.1, 8.3, 8.4, 8.5 and 8.6 only.)
Mr. Matthew Bishop, Dart Enterprises Ltd. (by invitation – item 5 only.)
Mr. Andrew Small, Island Energy Ltd./Cayman Brac Power & Light Ltd. (by invitation – item 5 only.)
Mr. Jonathan Tibbetts, Island Energy Ltd./Cayman Brac Power & Light Ltd. (by invitation – item 5 only.)

Apologies:

Mrs. Joanne Connolly, Board Secretary (BS)

START: 10:00 AM [Lunch Break: 1:00 pm to 1:45 am]

1. General

- 1.1 Welcome
The AC welcomed everyone.
- 1.2 Approval of Agenda
Motion to approve: NED Bodden. Seconded by NED Anglin.
- 1.3 Acting Chair's Remarks
The Nomination committee met yesterday (24 May 2023) to review the applicants for the Non-executive Director positions on the Board of the Utility Regulation and Competition Office ('the Office' or 'OfReg'). There were 13 applicants, and the committee agreed on 5 finalists. Interviews with the finalists will occur on Friday (26 May 2023), and final decisions will be made on the same day. The AC expects that the new Non-executive Directors attend the July Meeting, if they are able to complete the orientation process prior to the meeting date. The Board will be updated on the process during the next board meeting. It was agreed that a Board policy regarding attendance be formulated, finalised and agreed prior to the new Non-Executive Directors formally joining the Board.

2. **Declarations of Interest**

NONE

3. **Minutes of Previous Meeting**

3.1 Approval of the Minutes of:

3.1.1 General meeting #3 of 2023, held on 13 April 2023 and 20 April 2023

The AC and NED Anglin made some amendments to the draft minutes of General meeting #3. Approval of minutes deferred until next meeting.

3.1.2 Matters Arising from Minutes

N/A

4. **Chief Executive Officer Report (at 11:15 am)**

4. Redacted under PAL (2020 Revision) s19(5)(b)

The CEO's Report was included in the Board Papers. [REDACTED]

5. **Island Energy ('IEL')/Cayman Brac Power & Light (until 10:54 am)**

Mr. Matthew Bishop, Mr. Andrew Small and Mr. Jonathan Tibbetts ('IEL') joined the meeting, and the AC introduced them to the Board members and the AS. IEL gave a presentation to the Board. During its presentation, IEL provided a status update in Cayman Brac. [REDACTED]

6. **Administration Report**

5. Redacted under PAL (2020 Revision) s19(5)(b)

The Administration Report was included in the Board Papers. The COO provided a summary of the report. The Consumer Council toured the Primitive Greens' premises on 29 April 2023, and there were no further updates from the council at present. The Senior Management Team (the 'SMT') will meet on Monday (29 May 2023) to discuss various PR projects and provide questions to Tower. *The Enterprise Risk Management project is almost complete. At present, a couple of risk registers were still outstanding, PWC will provide its final report once all the risk registers have been reviewed. The Public Utility Research Center has training on regulatory impact assessments and the SMT will do the training along with other chosen staff members. Updates from the Ministry on the 2019 and 2020 Annual Reports have not yet been received. The Strategic Plan and Annual Report 2023 were reviewed and discussed during the meeting. The COO and FC will incorporate the AC's remarks and suggested amendments and provide the final drafts to Tower for finalisation and publication in several weeks. A summary of the recruitment updates was also shared and discussed during the meeting. The website project is presently in the testing phase. An update on ongoing FOI and Consumer Complaints was also provided.* The COO also shared that no negative PR stories about OfReg were published in April.

The COO plans to have a discussion with Tower regarding the Office's public education plan and will provide a copy of the public education plan at the next board meeting.

7. **Sector Matters**

7.1 **E&U**

7.1.1 Monthly dashboard

7.1.2 Redacted under PAA (2020 Revision) s19(5)(b)

E&U May 2023 Dashboard in the Board Papers.

7.1.2

7.1.3

7.1.3 redacted under PAA (2020 Revision) s19(5)(b)

7.1.4

7.1.4 redacted under PAA (2020 Revision) s19(4)

7.1.5

7.1.6

7.1.5 Redacted under PAA (2020 Revision) s19(5)(b)

7.1.6 redacted under PAA (2020 Revision) s19(5)(b)

7.2 **ICT**

7.2.1 Monthly dashboard

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7.1.2 redacted under PAA (2020 Revision) s19(5)(b)

7.2.2

[Redacted]

[Redacted] 7.2.2 redacted under PAA (2020 Revision) s19(4)

- [Redacted] Redacted under PAA (2020 Revision) s19(5)(b)
- The EDI informed the Board that it re-launched its ICT Consultation 2016-2. Logic requesting that the Office finish the consultation process and issue its draft and final determinations as soon as possible. The Office responded to Logic's letter and provided Logic with its planned timeline to complete the process.

7.3 Fuels

7.3.1 Monthly dashboard

- The Fuels Monthly Dashboard was included in the Board Papers. The DCFI provided a summary of the report.
- A meeting with the retailers in Grand Cayman was held but was poorly attended. A meeting with the retailers in Cayman Brac will be organised in due course. The DCFI is presently reviewing the first draft of the paper outlining the proposed Fuels Licence framework. Upon completion of the DCFI's review, the draft will be sent to the General Counsel for his review. 7.3.1 Redacted under PAA (2020 Revision) S19(5)(b)
- [Redacted]
- The DCFI also provided a brief update on the safety matter in relation to Refuel's use of ISO storage tanks on a property close to its gas station.

8. Board Matters

8.1 Redacted under FOI Act s23(1)

8.1

[Redacted]

8.2 Governance Issues

The ICEO's paper was included in the Board Papers. The ICEO gave summary of paper, and informed the Board that the Office's proposed draft of the revised URC Act is presently being reviewed by the General Counsel before it is presented to Cabinet.

8.3 Annual Report

The Acting Chair circulated the final draft of his remarks to the Board for review. The Board members shared their suggested edits in relation to the AC's remarks and the draft 2022 Annual Report. The COO recorded suggested amended edits. The COO and FC will update the Annual Report with the AC's remarks and circulate the new version for the Board's approval.

8.4 Board Self-Assessment

Deferred to next meeting.

8.5 Strategic Plan

The ICEO informed the Board that the strategic plan was reviewed and edited. The plan is now more concise and was updated to clarify the Office's responsibilities in relation to its regulated sectors. Tower will be sent the final draft, incorporating the Board's suggested amendments, for finalisation and publication. Both the Senior Management Team and Staff contributed to drafting of the Strategic Plan.

8.6 Draft Sexual Harassment Policy

The ICEO informed the Board that the Office didn't have comprehensive sexual harassment policy, and the Government recently introduced a Sexual Harassment Bill. Therefore, the SMT looked at the the existing civil service policy as well as had a meeting with staff to discuss the content of a draft policy. Upon completion and finalisation of the policy, the staff will be required to sign the policy in order to confirm their agreement.

8.7 Change URCA & ICT Re Cyber Security

The ICEO informed the Board of the proposed amendments to the URC Act in order to clarify the Office's national cyber-security responsibilities.


8.8 CNI U Protection Rules (information only)

Paper is in the Board Papers folder. Deferred to next board meeting.

8.9 BAIL

Deferred until next board meeting.

9 Any other Business

-  Redacted under PAA (2020 Revision) s19(5)(b)
- The Innovation Committee will consider issues in relation to exporting excess energy to the grid.
- Some residents in Cayman Brac recently experienced a water shortage, and the supply has since been replenished, and the affected households were informed.

10 Adjournment and Date of next meeting

Adjourned at 5:36 pm

Next Board Meeting: 15 June 2023 at 10AM.

Signed: Frank Balderamos Dated 17 July 2023
Frank Balderamos
Acting Chairman

Signed: Alison Maxwell Dated 17 July 2023
Alison Maxwell Acting
Board Secretary