



Utility Regulation and Competition Office

Board Meeting Minutes - General Meeting #07 of 2023

Minutes

Meeting Details

Team Name:	Board of Directors
Meeting Date:	10 Aug 2023
Time:	9.50am – 4.20pm
Venue:	OfReg Conference Room
Attendees:	Samuel Jackson, Chair Frank Balderamos, Deputy Chair Bonnie Anglin, Non-Executive Director Gavin Baxendale, Non-Executive Director Colin Berryman, Non-Executive Director Osbert Francis, Non-Executive Director Mike Gibbs, Non-Executive Director Stacy-Ann Kelly, Non-Executive Director Peter Gough, Interim Chief Executive Officer Alison Maxwell, Assistant General Counsel/Acting Secretary Christen Suckoo, Chief Operating Officer, for item 6 Louis Boucher, Deputy Executive Director E&U, for item 7.1 Ken Springer, Deputy Chief Fuels Inspector, for item 7.2 John Epp, General Counsel, for item 7.2.1 Sonji Myles, Executive Director ICT, for item 7.3
Zoom Attendees:	N/A
Apologies/excused:	Gavin Baxendale, Director Natasha Bodden, Non-Executive Director Wrendon Timothy, Non-Executive Director Joanne Conolly, Board Secretary
Minute Taker:	Alison Maxwell

Agenda Details

AGENDA OVERVIEW
1. Welcome/Agenda Approval/Chair's Remarks
2. Declarations of Interest
3. Minutes of Previous Meetings
4. Bail
5. ICEO Report
6. Administration Report
7. Sector Matters
8. Board Matters
9. Any other Business
10. Adjournment and Date of next meeting

Meeting Minutes

1. **General**

1.1 Welcome & Chair's Remarks

The Chair welcomed all attendees.

1.2 Approval of Agenda

Motion to approve the agenda. Moved by Director Balderamos; Seconded by the Chair.

2. **Declarations of Interest**

The Chair gently reminded the Board of Directors to complete the Standards of life interest form if they have not done so already.

Agenda item 7.3.1 (Compass) Redacted under S23 (1) FOI Act 2201 revision

If any decisions to be made, in respect of matters pertaining to the [REDACTED], [REDACTED] will recuse himself. If any decisions to be made, in respect of matters

pertaining to [REDACTED] will recuse himself.

3. **Minutes of Previous Meetings**

3.1 **Approval of the Minutes of:**

3.1.1 General meeting #06 held on 13 July 2023

Minutes approved with amendments. ***No objections; motion carried.***

3.2 **Matters Arising from the Minutes – NONE.**

4. **BAIL**

Deferred. BAIL will be addressed by each sector head going forward and will be added as an agenda item under each sector section.

5. **Interim Chief Executive Officer's Report**

The report of the Interim Chief Executive Officer ('ICEO') was included in the Board papers. The ICEO conferred a summary of the report.

National Energy Policy - The ICEO informed the Board that he attended the recent virtual town hall on the draft National Energy Policy ('NEP'). The ICEO noted that OfReg was mentioned approximately 60 times in the draft NEP. The draft NEP and Implementation Plan are presently being reviewed by the Senior Management Team ('SMT') in order to determine if the actions expected of OfReg are within our remit and whether we have the finances and staff resources to deliver on the plan. The ICEO will provide a report to the Board once the SMT's review is completed.

The Chair would like to have a special board meeting to discuss the national energy policy, and OfReg's role on 24 August 2023. Director Anglin informed the Chair that she will have to attend the meeting via Zoom.

The ICEO informed the Board that laws and regulations that were submitted to the Ministry of Border Control and Labour will be re-submitted to the new Ministry for informational purposes or for further action. The Assistant General Counsel confirmed whether the documents were sent to the Ministry for Planning, Agriculture, Housing and Infrastructure as per the ICEO's instructions.

6. **Administration Report** - Christen Suckoo, COO

The Chief Operating Officer ('COO') conferred a summary of the Administration Report, which was included in the Board papers.

Media training – The COO informed the Board that he is waiting on Tower to propose new dates for the media training to take place and there will most likely be two sessions. Tower is presently looking at venues and times. Director Berryman was concerned about the participation of Board members in relation to

the training, and expressed his view that the training may only be relevant for the Chair and Deputy Chair. The Chair requested that the COO clarify the type of media training that will be taking place so that the Board could better understand who the appropriate audience would be. The Chair also requested that the media training take place in September.

The COO also informed the Board that the minutes of the April 2023 and May 2023 General Board Meetings have been published on the website.

7. **Sector Matters**

7.1.1 Redacted under S19(4) Public Authorities Act (2020 revision)

7.1 **E&U** – Louis Boucher, DEDE

7.1.1

[Redacted]

[Redacted]

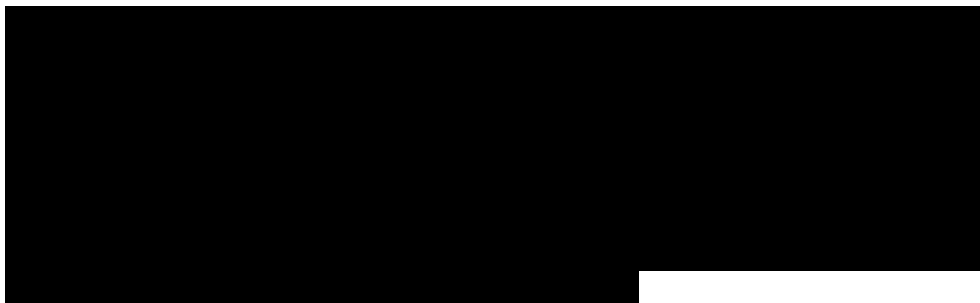
[Redacted]

7.1.2 redacted under S19(5)(c) Public Authorities Act (2020 revision)

[Redacted]

7.1.2

[Redacted]

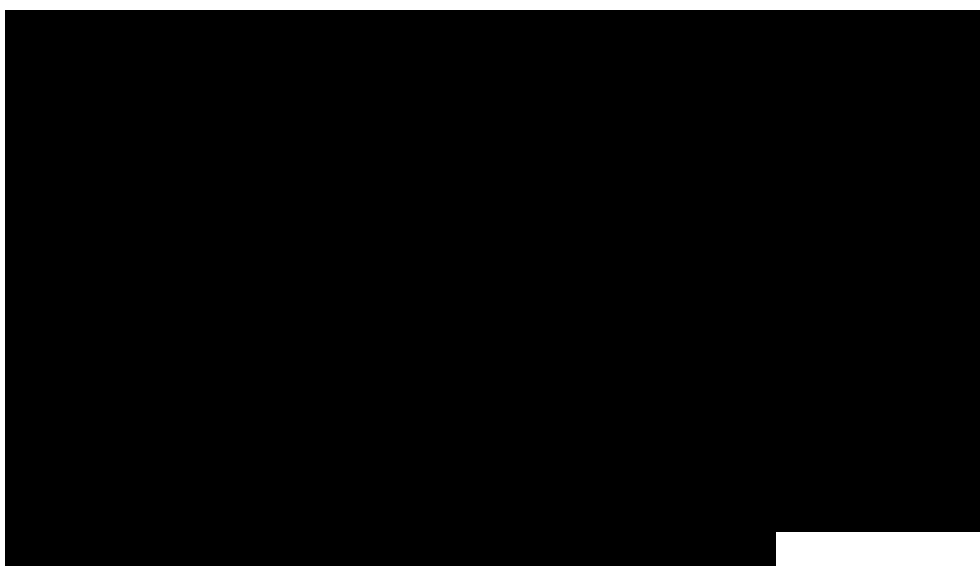


7.1.3 No monthly dashboard provided.

7.2.1 redacted under S19(5)(c) Public Authorities Act (2020 revision)

7.2 **Fuels** – Ken Springer, DCFI

7.2.1



7.2.2 Fuel Committee review of the Market Assessment Study

For information only. The report was included in the Board papers. Director Anglin highly encouraged the Directors to read the report if they have done so already.

7.2.3. Monthly Dashboard

The DCFI submitted a board paper in order to inform the Board about the Office’s request for information in the form of Regulatory Financial Reports for the wholesale (bulk) as well as the retail gasoline and diesel operations in Cayman Brac. The paper was included in the Board papers. The Fuels Teams plans to establish and implement regulatory accounts for gas stations within the jurisdiction in order to understand the margins. The Fuels Team decided to launch in

Cayman Brac due to small sample size and confidentiality issues. The Fuels Team visited Cayman Brac last month and met with the retailers. They introduced the regulatory accounts template to the retailers. Retailers had already established similar accounts and was willing to share information in response to the Office's requests.

7.2.3

[Redacted]

7.2.3 redacted under S19(5)(c) Public Authorities Act (2020 revision)

[Redacted]

7.3.1 redacted under S19(4) Public Authorities Act (2020 revision)

7.3 **ICT – Sonji Myles, EDI**

7.3.1

[Redacted]

7.3.2 redacted under S19(4) Public Authorities Act (2020 revision)

7.3.2

[Redacted]

[Redacted]

[Redacted]

7.3.3 redacted under S19(4) Public Authorities Act (2020 revision)

7.3.3

[Redacted]

7.3.4

[Redacted]

7.3.4 redacted under S19(5)(c) Public Authorities Act (2020 revision)

8. Board Matters

8.1 The Board was informed that the Office of the Auditor General’s Report to those charged with governance on the 2022 Audit was completed, and it was presented to the Office for review and comment. The Management Team prepared draft responses, and it was recommended that the Risk and Audit Committee review the responses before the report was finalised and submitted. The Office has requested an extension so that the Risk and Audit Committee can review the responses. It was noted that Director Timothy has agreed to be the Chair of the Risk and Audit Committee. Directors Anglin,

Balderamos and Francis will be members.

- 8.2 The Board were reminded that the site visit to the Caribbean Utilities Company is scheduled to take place on 17 August at 10 am.
- 8.3 The ICEO and GC discussed the roles of the board versus technical staff. As a part of the discussion, they analysed the URC Act as well as the Public Authorities Act (as revised) ('PAA'). For ease of reference, the ICEO read out section 4 of the PAA. The Board paper on governance was included in the board papers.
- 8.4 The Board discussed and agreed that committees, with the exception of the Risk and Audit Committee, will be created on an ad-hoc basis.

9. **Any other Business**

The Chair requested that the meeting with SOL Petroleum Cayman Limited be re-arranged, and preferably be held on a Thursday.

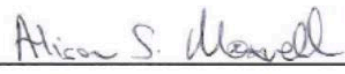
The Board briefly discussed whether the Office should be regulating solar equipment. It was noted that the Planning Department regulates solar equipment in terms of structure and installation approvals. It was concluded that the Department of Commerce & Investment would be in the best position to regulate solar equipment from a business perspective.

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

The Meeting was adjourned at 4:20 pm. A special board meeting is scheduled to be held on 24 August 2023 at 10 am.

Signed: 

Samuel Jackson
Chairman

Signed: 

Alison Maxwell
Minute Taker