

NOVEMBER 29, 2023

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STRICTLY PRIVATE & CONFIDENTIAL
DRAFT MINUTES OF BOARD MEETING HELD
12 OCTOBER 2023

BOARD SECRETARY
OFREG

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Utility Regulation and Competition Office

Board Meeting Minutes - General Meeting #09 of 2023

Minutes

Meeting Details

Team Name:	Board of Directors
Meeting Date:	12 October 2023
Time:	9.30 am – 4.30 pm
Venue:	OfReg Conference Room
Attendees:	Frank Balderamos, Deputy Chair Osbert Frances, Member Colin Berryman, Member Gavin Baxendale, Member Mike Gibbs, Member Stacy-Ann Kelly, Member Wrendon Timothy, Member Peter Gough, ICEO Christen Suckoo, COO, by invitation Sonji Myles, EDI, by invitation Louis Boucher, EDE, by invitation Ken Springer, DCFI, by invitation John Epp, GC, by invitation
Zoom Attendees:	Samuel Jackson, Chair
Apologies/excused:	Natasha Bodden, Member Bonnie Anglin, Member
Minute Taker:	Joanne Conolly (BS)

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Agenda Details

AGENDA OVERVIEW
1. Welcome & Chair's Remarks
2. Declarations of Interest
3. Minutes of Previous Meetings
4. ICEO Report
5. Administration Report
6. Sector Matters
7. Board Matters
8. AOB

Meeting Minutes

1. Welcome & Chair's Remarks

Chair called the meeting to order at 9.39am.

2. Declarations of interest

None.

3. Minutes of previous meetings

3.1 Approval of the minutes of:

3.1.1 General Meeting #9 of 2023 held on 21 September 2023

Chair confirmed more work was needed on the draft minutes from the September meeting, to ensure declarations were sufficiently well-worded, and more detail included in the discussions which followed the two visits which were made to the meeting by outside companies. The Board discussed technology which could be used to record meetings. Discussion around voice recordings; confidentiality and security issues; FOI laws; disposal schedules. BS to place as item on next meeting agenda.

3.1.2 Matters arising from minutes

None.

4. ICEO report

PG read through highlights from his report in DB.

4. Redacted under PAA (2020 Revision) S19(5)(b)

Highlights:

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Now looking at the legislative frameworks with the drafting team for consumer protection regulations.

Member Gibbs pointed out that with several legal issues pending, it would be beneficial for the Board to receive a regular legal update each month. BS to invite GC for a Board meeting 'legal update section' each month.

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GC attended the meeting and gave short updates on the current legal matters pending:

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Redacted under PAA (2020 Revision) S19(5)(b)

5. COO report

Christen Suckoo gave highlights of report:

- [REDACTED]
- [REDACTED] OfReg will assist the council in setting up their public meetings to collect information from the public who are reluctant to make complaints directly to OfReg. ICEO suggested starting with the Brac as consumers have well-attended meetings. Chair asked for the council's mandate and COO confirmed URCA states there shall be a consumer council but does not go into detail on the role. Member Balderamos provided a background of the idea of the council; the Chair confirmed he could see a possible disconnect as the Board and council have no contact/connecting work direction.
- Tower has confirmed that this week they will have the latest version of the consumer research project complete for approving, so this can be released.
 - ERM delayed. Still working to finalise registers, targeting the week after next with training next week so the registers can be finalised and presented to the Board.
 - RIAs – doing regulatory training next week and part of it includes RIAs. Once training done, we will come up with a framework to satisfy the OAG's audit.
 - Strategic plan complete. Sent off to everyone.
 - CEO post. The advertisement is going to media tomorrow. Chair wished to see the advert before it went out, and to be kept in the loop, along with the Deputy Chair.
 - Deputy water post – due to budget constraints, recruitment will commence, but start date will be delayed.
 - Chief economist – an offer is going out tomorrow to the preferred candidate.

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- ICEO spoke to the acting positions. Energy Section currently have additional personnel seconded for data analysis, and there is an acting appointment to Deputy Director. If that internal move works out, then the full time appointment of a Deputy Director Energy will be delayed.
- COO PR report from TOWER is now available and is in the board folder, showing OfReg in a net positive position.
- Website project is going well. Consumer forms for applications for licences for aircraft are currently being tested.
- IT strategy. An IT Manager is now in post, who is going through OfReg's IT strategy proposal and framework. COO confirmed there will be a mixture of back-up on premises and cloud-based. Member Baxendale requested a copy of the strategy and timeline.
- Complaints and FOI – a few complaints o/s so CAPE will be speaking to sector heads to resolve.

[Redacted]

Redacted under PAA (2020 Revision) S19(5)(b)

6. Sector Matters

6.1 E&U

6.1.1 CUC Licence

[Redacted]

6.1.2

[Redacted]

6.1.1-6.1.3 Redacted under PAA (2020 Revision) S19(5)(b)

6.1.3

[Redacted]

6.1.4 Temporary Power Generation

[Redacted]

[Redacted]
Redacted under PAA (2020 Revision) S19(4)

[Redacted]

Redacted under PAA (2020 Revision) S19(5)(a)

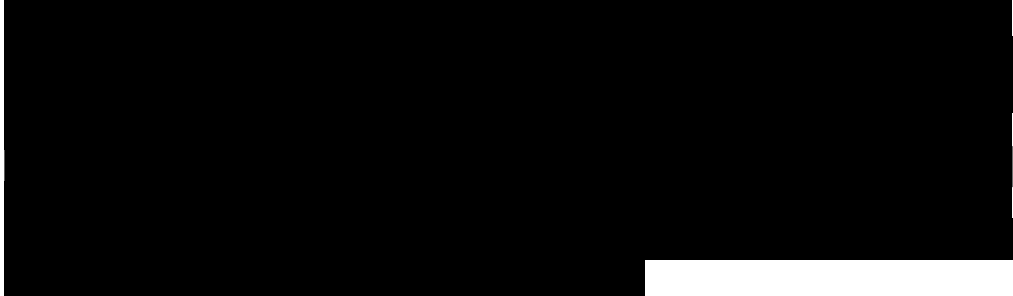
6.2 Fuels

6.2.1

[Redacted]

6.2.1 Redacted under PAA (2020 Revision) S19(5)(b)

[Redacted]



6.2.3 Automation of Fuel Charges
Deferred to next meeting.

6.2.2 Redacted under PAA (2020 Revision) S19(4)

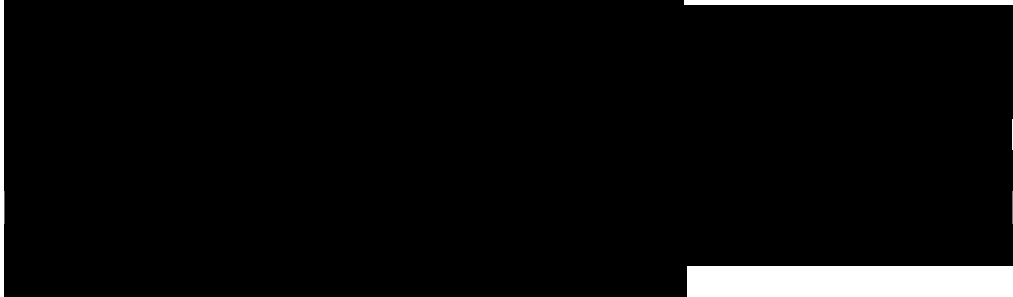
DCFI informed the Board the Fuels Team were going to consultation with the fuel quality standards document, as an FYI.

6.3 ICT
6.3.1

6.3.1 Redacted under PAA (2020 Revision) S19(5)(b)



6.3.2



6.3.3 BAIL

6.3.2 Redacted under PAA (2020 Revision) S19(5)(b)

EDI went through the complaints which had been highlighted, to provide clarity to the Board on the current complaints situation for the ICT sector. EDI wished to bring to the Board's attention, those licensees who are doing the right thing when faced with a complaint, versus those who not as responsive when dealing with complainants. He will continue to work with the CAPE in providing further clarity and closure. One major complaint is referenced in a matter which has been outstanding since April 2022. This was an anonymous complainant who

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claimed [REDACTED] was charging all customers for a landline when they had their internet service, when one would appear to not be required. Even though this was not a specific complaint and was from an anonymous source, the ICT department looked into the claim and OfReg received a response from [REDACTED] stating this was the way in which they provisioned their services. Other members of the Board confirmed they had been informed by [REDACTED] that they were required to have a landline in order to facilitate their internet provision, however EDI maintained this was not the case, and consumers should be more aware of their options.

EDI informed the Board that there was a consultation going out before tomorrow on the proposed restricting of spectrum fee pricing mechanism. Currently, there is a mechanism that is first-come, first-served, based on the cost of the Office's expense of the management of the spectrum. This is now being tweaked, by OfReg's Spectrum Manager, who has come up with a new formula. Licensees have 30 days to respond to the consultation and hopefully the final determination will be issued before end 2023.

Regulatory training will be held next week, for some staff and Board members, which is a key focus area as confirmed by the ICEO, and which will be rolled out to cover all employees and members. This training is required for two reasons: to let the Board and staff see how utility regulatory sectors need to function; and the considerations which need to be had, for decisions in this space.

7. Board Matters

7.1

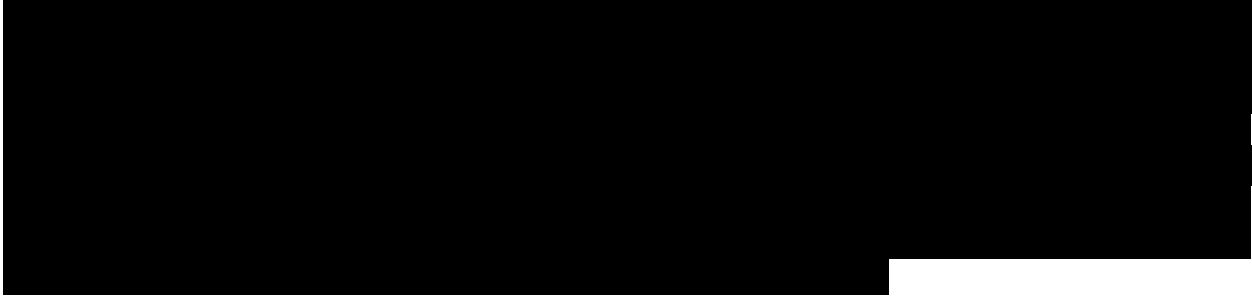
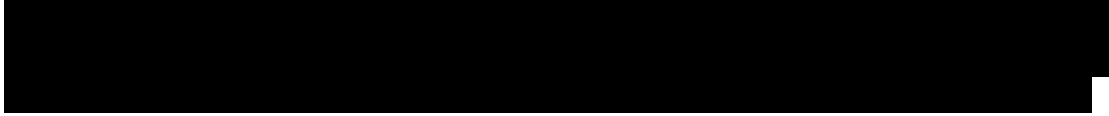
[REDACTED]

7.1 Redacted under PAA (2020 Revision) S19(5)(b)

7.2

[REDACTED]

7.2 Redacted under PAA (2020 Revision) S19(5)(b)



Redacted under PAA (2020 Revision) S19(5)(a)

8. AOB

8.1 Proposed Amendments to Board Directives and Policy for Secretary

Deferred to next meeting.

There being no other business, the meeting was brought to a close at 5.11pm.

Signed



Samuel Jackson, Chairman



Joanne Conolly, Board Secretary

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