

DECEMBER 20, 2023



STRICTLY PRIVATE & CONFIDENTIAL
DRAFT MINUTES OF BOARD MEETING HELD
09 NOVEMBER 2023

BOARD SECRETARY
OFREG

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Utility Regulation and Competition Office

Board Meeting Minutes - General Meeting #10 of 2023

Minutes

Meeting Details

Team Name:	Board of Directors
Meeting Date:	09 November 2023
Time:	9.30 am – 6.00 pm
Venue:	OfReg Conference Room
Attendees:	Samuel Jackson, Chair Osbert Frances, Member Colin Berryman, Member Gavin Baxendale, Member Mike Gibbs, Member Natasha Bodden, Member Bonnie Anglin, 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:	Wrendon Timothy, Member
Apologies/excused:	Frank Balderamos, Deputy Chair Stacy-Ann Kelly, Member
Minute Taker:	Joanne Conolly (BS)

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. Legal Advice
7. Sector Matters
8. Board Matters
9. AOB

Meeting Minutes

1. Welcome & Chair's Remarks

Chair called the meeting to order at 9.34am.

2. Declarations of interest

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

3. Minutes of previous meetings

3.1 Approval of the minutes of:

3.1.1 General Meeting #8 of 2023 held on 21 September 2023

BS to make changes as per Chair's instructions. ***Motion to approve minutes moved by Member Gibbs. Seconded by Member Bodden. No objections. Motion carried.***

3.1.2 General meeting #10 of 2023 held on 12 October 2023

BS to make changes as per EDI's comments. ***Motion to approve minutes moved by Member Baxendale. Seconded by Member Francis. No objections. Motion carried.***

3.1.3 Matters arising from minutes

S3.1.3 redacted under PAA (2020 Revision) S19(5)(b)

- [Redacted]
- Following discussions last meeting on energy, Chair requested BS call a meeting of the energy committee, including Mr Charles Farrington, to discuss waste to energy. Committee as confirmed in 6.1.1 12 October meeting – Chair, Mr Farrington, EDE, Members Baxendale and Anglin. BS to provide administrative support. Chair to contact Miguel Jacques from Ministry (PAHI) to invite him to attend.
- [Redacted]
- ExDirs to ensure updates to outstanding matters, are included in BAIL.
- Discussion surrounding lack of resources at OfReg, which hampered succession planning. Chair suggested adding to list of legislative reform, changes - as with other Statutory Authorities - where they can ensure successful recruitment for advertised posts, by making application to offer higher salaries.


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- The Board discussed the current make-up of the Energy Department, and considered separating the Water remit from Fuels and Energy. BS to list this matter for the January 2024 agenda.

4. ICEO report

PG read through highlights from his report in DB.

Highlights:

- Dwayne Tucker and Tessa Ryan have been given opportunities to act for 6 months in roles across other sectors.
- Regulatory training had been held for some employees, with Member Gibbs being the Board representative. He confirmed he had taken notes which will be used when the ICEO holds an internal feedback session.
- Report from Ofgem UK had been received, which was disappointing in its level of detail. ICEO will report in December meeting. Member Gibbs would like a summary of the report soonest.
- Fuel spill at CUC. Fire Department has oversight. Member Bodden requested ICEO obtain the original report for the Board from EDE.
-  Redacted under PAA (2020 Revision) S19(5)(b)
- Unsubstantiated report that a number of ISO containers are appearing on island containing fuel, and not licensed. Fuels Department will be looking into this.

Member Baxendale had to leave the meeting 12.19pm. He informed the Board he will join later by Zoom.

5. COO report

Christen Suckoo gave highlights of report:

- Consumer Council. Member Gibbs would like to see the advertisements for Chair and Members which will go out again, following the current Consumer Council Chair's resignation. ICEO told the Board OfReg would like to run the Consumer Council for another year, with focus groups (invitees).
- Recruitment – Deputy Water – COO confirmed advertised several times with no acceptances. Staff member was approached but declined due to health concerns. ICEO to revert and see if salary is the only issue.
- Chief Economist post. Offer to go out to preferred candidate.

6. Legal Advice 6. Redacted under PAA (2020 Revision) S19(4)

The GC ran through his report, contained within the Board folders.



[Redacted]

7. Sector Matters

7.1 E&U

S7.1 Redacted under PAA (2020 Revision) S19(5(b))

7.1.1

[Redacted]

7.1.2

[Redacted]

7.1.3

[Redacted]

7.1.4

[Redacted]

7.1.5

[Redacted]

7.1.6

[Redacted]

[Redacted]

Member Boddin asked about the fire at CUC. BS to list this on the next agenda as a discussion item. EDE confirmed he was expecting to receive a report on the incident. Chair commented he would expect the Fire Department to share information with OfReg, as this fire was at our licensee's premises.

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7.2 Fuels

S7.2.1 Redacted under PAA (2020 Revision) S19(5)(b)

7.2.1



7.2.2 Automation of Fuel Charges

Discussed, as Board had read the papers in the folder. This was just for information only.

7.3 ICT

S7.3.1 Redacted under PAA (2020 Revision) S19(5)(b)

7.3.1



7.3.2 Consumer Regulations

EDI summarised the Board paper in the folder. This is to establish rules around how licensees engage and treat consumers. Consultation resulted in OfReg arriving at a determination which was a set of draft regulations. Once OfReg have published a consultation giving a 30-day response time, EDI will circle back to the Board if responses are significant.

7.3.3 BAIL

No updates.

7.3.4 Dashboard Updates

- EDI spoke to the consultation currently underway to amend spectrum fees for mobile devices, formulated by the new Spectrum Manager, to allow fairness in fees and limit the squatting on spectrum which has been occurring. Responses to the consultation are due next week.
- EDI has a call next week with CARICOM consultants to undertake gap analysis for jurisdictions in the region in respect to the ICT industry and strategies. This will help to develop communications with other Caribbean countries. Redacted under PAA (2020 Revision) S19(5)(b)





8. Board Matters

8.1 Consumer Council

Discussed earlier in the meeting.

8.2 Recording Board Meetings

Nothing further to be discussed on this matter.

9. AOB

9.1 Proposed Amendments to Board Directives and Policy for Secretary

Discussions around proposed changes to document. Changes to be made to draft document by BS and circulated by round robin for Board approval.

There being no other business, the meeting was brought to a close at 6.00pm.

Signed: 

Samuel Jackson, Chairman

Signed: 

Joanne Conolly, Secretary