

# Utility Regulation and Competition Office (‘URCO’)

Board Meeting Minutes | General Meeting #11 of 2025 | Held on 15 December 2025

## Agenda

AGENDA OVERVIEW
1. General
2. Minutes of Previous Meetings
3. Legal Advice
4. ICEO Report
5. Sector Matters
6. AOB
7. Adjournment & Date of Next Meeting

## Minutes

<b>Meeting Date:</b>	15 December 2025
<b>Time:</b>	9.51am – 6.15pm
<b>Minute Taker:</b>	Joanne Conolly, Board Secretary
<b>Venue:</b>	OfReg Conference Room
<b>Invitees:</b>	Voting Board Members: Samuel Jackson, Chair Natasha Bodden, Deputy Chair Osbert Francis, Voting Member Mike Gibbs, Voting Member Wrendon Timothy, Voting Member Gavin Baxendale, Voting Member  OfReg Staff: Sonji Myles, ICEO/EDI Alison Maxwell, AGC

### 1. GENERAL

#### 1.1 Welcome

- The meeting was called to Order at 0951hrs.

#### 1.2 Declarations of Interests

- None were declared.

### 2. MINUTES OF PREVIOUS MEETINGS

#### 2.1 General Meeting – 13 November 2025

- It was agreed the new format would be reviewed by all Members and BS to place on January’s agenda for discussion.

### 3. LEGAL

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**3.2 Truth in Advertising Rules – Board Paper**

Presentation of the Final Determination

- The final set of standards, including the Truth in Advertising rules were presented in this meeting. These were previously discussed in the last meeting but were not submitted as a formal board paper.
- ICEO requested clarification on whether there were any material differences between the draft determination submitted during the last meeting and the final version. ARC confirmed the only significant change was the format, explaining that the rules were presented as standalone rules, but after considering the powers that would be used to enforce them, it was decided that they should be framed as standards attached to a set of regulations, which would make them enforceable by law.

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**4. ICEO REPORT**

- ICEO spoke to his report which was in the Board folder.
- EDE has taken on additional responsibilities for water sector and fuels in light of there being no ED for water sector and departure of CFI.
- CFI ads will be published soon, with the expectation for them to go out next week. Board expressed a wish for all applications to funnel through the HR&R Committee.
- Discussions were ongoing with HR in respect of improving the recruitment approach, particularly in respect to agencies.

- [Redacted]
- Regulatory Counsel JD has been finalised [Redacted] and is now graded.

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- Finance has been focused on the fuel sector and helping identify issues relating to billing. [Redacted]

- [Redacted]

- January 2026 will see the launch of a staff wellbeing programme, available to staff and Board members, focusing on addressing personal and work-related issues.
- Performance agreements for staff will be established and reviewed annually. Regular quarterly assessments will be conducted for executives and managers. These performance agreements will be linked to JDs and aligned with the strategic annual plan. Executives will be responsible for reviewing their teams at year-end.
- Since onboarding the PR firm, consumer protection regulations were covered effectively. A workshop with the Chamber is planned for January and the firm has been working on getting ads published on the internet. Their PR strategy is proving successful, with positive feedback received so far.

- [Redacted]

- OAG audit update: URCO have submitted required documentation and are awaiting feedback. The OAG may request more information if necessary.

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**Action Items**

- [Redacted]

**5. SECTOR MATTERS**

**5.1 Energy**

**5.1.1 Dashboard**

- EDE attended to present the Energy Dashboard which had been circulated to the Board in advance.

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**Transmission & Distribution Issues**

- Deferred to January meeting due to time constraints.
- Board wished for no negotiation at this stage.

**Primitive Greens Project Update**


- The project had come up again, with the owners contacting the Office. No new developments had been made therefore URCO referred them back to the original Board decision.

**Lifecycle Upgrades – Units 1, 2, 3, 4, 19, 25, 41 & 42**

- Feedback provided was referenced, regarding lifecycle upgrades. -
- Proposed suppliers had been unable to meet the RFP requirements, causing delays in the project, which was currently on hold, but there is consideration to release it for bidding again in the future.

### Propane vs LNG Discussion

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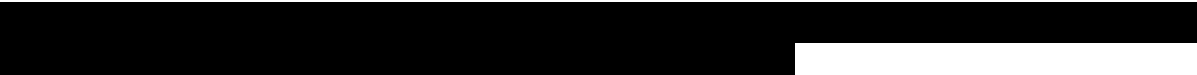

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- It was confirmed the LNG proposal was on hold, after CUC received no responses to their RFP. They are considering revisiting the project in the future.
- It was suggested the Energy Sector make enquiries to gather more details on the matter.

### CUC Outage Reporting

- Information had been received from CUC but the Office had not yet completed a detailed analysis or report for the Board.
- Board requested a full update on this matter once the review is finalised.

### Island Energy RCAM

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- The Energy Committee has reviewed the methodology to ensure it aligns with consumer and company interests.
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- It was noted IEL had previously been approved for a 5.6% base rate increase in December 2023 also.
- It was confirmed IEL's licence amendment would be an addendum to the existing licence, not a new licence. Discussion around IEL's concerns over customs duties for equipment brought in, which issue was confirmed as outside of URCO's jurisdiction and removed from the licence amendment.
- Board discussed public consultation requirement prior to any changes to their licence being made, with the EDE tasked with finalising the draft consultation document. It was confirmed that since the RCAM amendment would be significant for consumers it was vital the proposal undergo public consultation before being formalised. This consultation should be brief, running for 2 weeks with the goal of finalising and ratifying the decision during the Board's January 2026 General meeting.
- EDE confirmed IEL is seeking to implement in January, but following the Office's preliminary review which raised questions, IEL have not yet provided the requested information required. They are however working towards full compliance. EDE will refer the application to the Energy Committee.
- Board queried whether a dedicated compliance function as a centralised unit would be useful in the Office. It was noted this issue had been raised previously by the Board and a support function to track licensee obligations had been considered but not fully scoped. It was emphasised that effective regulation requires proactive compliance monitoring and current enforcement is largely reactive and ad hoc. Without compliance capacity, regulatory reporting lacks impact. ICEO advised that compliance and enforcement enhancements are planned for

the coming year with budgeting, staffing and cross-sector needs under evaluation.

**CUC’s application process and fee structure**

- EDE informed the Board that there had been some confusion surrounding CUC’s application process for certain projects.
- It was discovered CUC had already been using an application process some time ago, which was not fully formalised or communicated internally. This process was found in the regulations and could be used moving forward.
- It was confirmed an application fee was specified in the regulations but that the amount was not.
- The form was posted on the ofreg.ky website, however it was not in the correct place to be easily located. BS to organise moving the energy application to a dedicated energy tab on the website, as it was currently listed under the fuels sector.
- It was noted a board paper on lifecycle upgrades was submitted in September 2023, with plans to continue the process until January 2026 and that it would be reviewed in the interim. It was questioned whether application fees should be charged for these types of applications, suggesting a non-refundable fee structure.
- ICEO requested EDE speak with the ICT team to align the application process with that of other sectors, ensuring a consistent approach.

**CUC’s CON**

- Date of submission was updated to reflect when the CON was actually submitted.
- EDE confirmed the CON was withdrawn initially, not refused as was previously thought.

█ [Redacted]

█ [Redacted]

█ [Redacted]

█ [Redacted]

█ [Redacted]

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suggested approving the CON with the proposed amendments, putting it out for public consultation to avoid unnecessary delays.

█ [Redacted]

█ [Redacted]

█ [Redacted]

of the CON that had already been marked-up. The intention of revising the CON was to remove detailed information, footnotes and comments from the main body and place the supporting material into exhibits, which was agreed by the Board.

**PR and Timeline Updates for CUC Projects**

- The potential PR impact of CUC’s upcoming projects, particularly the DPV and the CON were discussed. The Board agreed to push for positive PR regarding the progress of these projects, demonstrating that URCO is actively working on reducing reliance on diesel power generation.
- A progress update would be issued in early January 2026 outlining key developments such as

the RFP for the DPV project and the ongoing consultations regarding CUC's new CON.

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**5.1.2 CUC's IRP**

- The Board paper was considered as presented in the Board folder.
- Discussion focused primarily on reference to the NEP and the absence of formal directives regarding its implementation.
- The Board expressed no objection to approving the IRP, subject to revisions regarding NEP language:
  - The phrase “assure alignment with the NEP” should be removed.
  - Replacement intent should reflect efforts made to the best of CUC's ability to align with the NEP, without creating a mandatory obligation.
  - URCO cannot compel CUC to align with the NEP in the absence of a formal directive. Although this may be considered one possible deliverable, it should be explicitly stated in the recommendations.
- It was noted that the NEP document had been shared with the Ministry with URCO's comments for review, but no feedback was ever received. Matters related to NEP alignment were outside URCO's remit.
- The Board raised a question regarding the IRP appendix referencing a review and mapping of existing T&D infrastructure. It was noted this was not related to poles specifically. It was suggested co-ordinating URCO's pole audit with any existing CUC mapping, avoiding duplication if CUC already has infrastructure maps from prior exercises.
- It was agreed URCO should require CUC to undertake an audit exercise which should also involve URCO's own auditor.

- It was noted the Terms of Reference for the audit could be expanded to include this scope.

### **Board Decision**

*The Board agreed to approve the IRP subject to the following amendments:*

1. *Delete the last part of the recommendation at 12.1.3 (ie text following the comma)*
2. *After “Grand Cayman” add “in consideration of the National Energy Policy”.*

### **THE BOARD APPROVED:**

1. *to authorise CUC to proceed with a new integrated Resource Plan for Grand Cayman, in consideration of the National Energy Policy;*
2. *to require CUC to undertake a T&D system review and an infusion study, consolidated into a comprehensive Integrated System Plan; and*
3. *instructs the EDE to oversee the project’s scope, stakeholder engagement and deliverables.*

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### **5.1.3 CUC’s CIP**

- The Board paper was considered as presented in the Board folder.
- EDE advised the Board that the purpose of this CIP paper was to provide high-level information to the Board and obtain a date for an Energy Committee meeting. The paper was not intended for approval of the CIP at this stage.
- The Board requested clarity over whether the projects in the CIP were new or existing with revised scopes or titles. EDE to provide clarity.
- Once the full CIP has been received by CUC and shared, it was noted that the Office should cross-reference this material with previous CIPs already on file.
- It was suggested an in-person Energy Committee meeting may be necessary to properly review the CIP. This would allow for detailed technical and financial discussions, appropriate participation (eg accountant present), and constructive engagement rather than written exchanges as given the complexity of the CIP a prudent approach such as this was considered necessary.
- Concern was raised regarding the L-2 resilience project which reportedly nearly doubled in price and the cost increase had not been clearly explained, although it was believed CUC had previously indicated this was due to the project being built on the wrong parcel of land, requiring relocation. Further clarification is required.
- EDE confirmed that the team is almost finished reviewing the last two submission with DERA, additional information requested only just having been received. CUC has not yet provided the full CIP, only the material contained in the Board paper.

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### **5.1.4 CUC’s RFI’s**

#### **(a) Temp Gen**

- Amendment to item 3(1) to replace the word ‘annual’ with ‘all’ so that the request captures all fees, not just those which are annual.
- The RFI should clearly state ‘all considerations for procuring all temporary generation units’, which includes justification for supplier selection (Germany vs USA), procurement strategy

and cost, timing and technical considerations.

- Amend item 1 to say a ‘full breakdown of total costs’, not just a single aggregate figure. Costs to be provided as all annual costs, expressed in dollars with transparency on individual cost components. It was noted previous figures were quoted in Euros which was unacceptable.
- Once the response is received, URCO may issue a further RFI for clarification if required. The importance is that CUC understands the Office is actively scrutinising the costs.

**Board Decision**

*The Board approved, as amended, the RFI to CUC regarding temporary generation as presented by the EDE.*

**(b) Legal Fees**

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**Board Decision**

*The Board approved, as amended, the RFI to CUC regarding legal fees as presented by the EDE.*

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[Redacted]

**Board Decision**

*Following discussion, the Board determined that it cannot and will not consider the RAT proposal at this time.*

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[Redacted]

**5.1.6 CUC Temp Gen**

- The Board determined there was no need for discussion on this topic during this meeting.

**5.2 Water**

[Redacted]

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[Redacted]

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[Redacted]

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[Redacted]

**Action Items**

- EDE to send draft CWC Licence to CWC for initial review, with general explanatory note from the Chair.
- Grey water licence to remain on the agenda for future discussion.

**5.3 Fuel**

**5.3.1 Dashboard**

- Dashboard was noted as being available in the Board folder.

**5.3.2 RFI – Clean Gas**

- It was advised that information had been requested but not received, therefore a formal RFI was required.

**Board Decision**

*The Board approved issuing the RFI for Clean Gas.*

**5.3.3 RFI – Home Gas**

- As for the Clean Gas RFI, this was due to information requested, not received.

**Board Decision**

*The Board approved issuing the RFI for Clean Gas.*

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Discussion

The Board raised the issue of clarification regarding owned versus leased tanks, noting that this distinction is not always clear. It was clarified that requirements apply where a fixed tank exceeds the prescribed limit of 250 gallons, or where a series of tanks has an aggregate volume exceeding that limit. This includes scenarios where multiple tanks are owned by the same party. It was further noted that part of the concern relates to tanks not being checked by OfReg, whilst other aspects such as electrical and plumbing inspections are being carried out.

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**5.3.4 Anti-competitive complaint**

- The Board were advised that a complaint was received [redacted] alleging [redacted] predatory pricing. It was noted that the entities involved had been in dispute for some time.
- The Board were informed that the laws and processes for addressing anti-competitive behaviour are prescribed, and whilst the complainant had requested a cease-and-desist order in their correspondence, this cannot be issued without a formal investigation.
- DERA had been instructed to begin reviewing the matter.
- The Board were told that, during a separate review related to a performance audit, it was identified that a consultant had been engaged approximately 3 years ago to develop a market study report, which was finalised and brought to the Board for discussion and approval in June of 2021. This document appears to designate certain entities as having significant market power without a proper market assessment having been completed. A draft final determination paper was subsequently developed; however, records do not show that it was ever brought back to the Board for approval. This draft determination had been included in the Board materials for review today.
- Discussion as to the level of control large fuel suppliers may have, given they import fuel and determine supply arrangements, with it noted that there may be indications SOL may have been offering rebates in areas close to Refuel outlets, resulting in lower prices, which conduct was questioned, whilst also acknowledging that consumers benefit from lower prices. It was cautioned that regulatory action should not inadvertently result in prices increasing. However, selling fuel at or below wholesale cost could indicate predatory pricing through cross-subsidisation.
- The Board were informed that, with reference to historical complaints in other sectors, predatory pricing is a complex and technical area requiring detailed analysis. In the ICT sector it was noted specific licence remedies existed, whereas in the fuel sector, pricing is generally unrestricted unless anti-competitive conduct can be proven. It was noted Refuel's prices had been significantly lower than competitors and the suggestion was made that maybe what was being seen now, was merely market adjustments by others, reflecting effective competition.

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**5.3.5 Fuels Market Study Report – Final Determination**

- Board members were advised to review the documents in the Board folder, in advance of further discussion during January 2026 meeting.
- BS to include this item on the agenda for January 2026.

**Discussion**

- Background was provided for Jack’s Esso II in Northside, all noting the Board were familiar with the history of the site.
- It was noted the Office had closed the site and provided [REDACTED] with a list of required actions.
- DCFI had spoken to [REDACTED], who expressed an interest in operating the site.

**Action Items**

- EDE to provide DCFI’s correspondence providing a brief synopsis of the matter to BS for circulation and the list of required actions communicated [REDACTED]

**5.4 ICT**

**5.4.1 Admin Fine/Notice proposed fine (flow)**

**Infrastructure Sharing (Tower) – Draft Determination**

- MI/AHOT presented on this matter. The Board had sight of the Board paper in the folder.
- It was noted a draft determination had been issued in relation to [REDACTED] non-compliance with infrastructure sharing regulations, the ICT Act, and relevant URCA provisions. This determination had not been contested [REDACTED].
- Staff review had identified multiple infractions which were considered sufficiently serious to warrant enforcement action beyond a warning letter.
- Examples cited included delays of up to 109 days where responses were required within 14 days, as well as repeated and incremental information requests by Flow over a period of approximately two years, despite the information being known from the outset.
- It was advised that following the draft determination, Flow had agreed to update its infrastructure sharing process for towers and had begun doing so.
  - However, when the revised process was reviewed, it was found to embed the same procedural issues identified in the Logic matter.
  - Flow subsequently applied the same flawed process to Paradise’s application, and early indications suggest similar concerns are arising.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- The Board paper was updated with legal advice and the proposal was to issue two notices: one setting out the finding of breach of infrastructure sharing obligations and a notice imposing the administrative fine arising from those findings.
- Discussion took place regarding the appropriate fining framework, including whether fines should be guided by the general administrative fining guidelines approved by the Board in 2023/4, the prior ICTA fining guidelines, or both. It was noted that whilst the newer guidelines

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were intended to apply across all sectors, they lack the detailed analysis contained in the ICTA guidelines. On advice [REDACTED], the recommendation is to use both sets of guidelines together, with the general guidelines establishing the framework and the ICTA guidelines providing additional depth to support the fine calculation.

- The right of appeal and procedural fairness issues were raised with Flow afforded the opportunity to respond within the 21-day period. The correction to the document was noted, [REDACTED]

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[REDACTED]

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[REDACTED]

#### **5.4.2 Cellular Spectrum Consultation - Cessation**

- MI/AHOT presented on this matter. The Board had sight of the Board paper in the folder.
- BoD were advised that a review of spectrum fees showed that current charges do not cover the cost of operating spectrum management, particularly given increased work, new equipment requirements and ongoing maintenance.
- As part of analysing responses to the Cellular Spectrum Consultation, it was identified that since the inception of ICTA, spectrum fees had been calculated and charged incorrectly, based upon a misinterpretation of the law and licence conditions. The costs were confirmed as \$75 per transmitter, per year. It was noted that these spectrum fees remain comparatively low by international standards, with the intent of encouraging investment, keeping consumer costs down and covering the Office's operation costs plus modest margin for growth.
- The misinterpretation arose from reliance on a narrow reading of a licence condition, where licensees paid the same fee regardless of the amount of spectrum actually used within a band. For example, licensees holding materially different quantities of spectrum within the same frequency range were charged the same fee, which was neither permitted under the law, nor equitable.
- The Board queried monitoring arrangements, noting holistic reliance on licensees' self-reporting. It was advised that spectrum monitoring has been undertaken monthly for over a year, with additional monitoring initiatives under consideration.
- Once the licence conditions were correctly interpreted, it became clear that significant fees had not been collected historically, and that the Office already had lawful authority to charge correctly going forward. In light of this, it was determined that continuing the consultation was unnecessary as it sought to implement changes that already existed under the correct

interpretation of the law.

- It was therefore proposed to close the consultation with no further action and formally notify licensees of the correct interpretation. It was noted licensees had in fact been informed of the correct interpretation on three successive occasions over three successive years.

- [Redacted]

- Licensees would be required to submit their 2026 spectrum requirements and would receive an invoice from the Office. The Gazette had been updated with a separate determination clarifying satellite spectrum channelisation, which has been incorporated into the section 23 notice, making the Office’s intent clear.

- It was confirmed a structured enforcement process applies for any licensee who fails to report in a timely manner, beginning with formal communication and escalating promptly if non-compliance continues.

- [Redacted]

- [Redacted]

- The process was outlined, whereby licensees submit spectrum usage returns by year-end, pay fees in advance, and the Office verifies declared usage. Comparisons were drawn between spectrum fees paid by different sectors (eg broadcasters vs cellular operators), highlighting the scale of underpayment in the historic approach.

**Board Decision**

- *The Board approved the cessation of the Cellular Spectrum Consultation, with no further action to be taken under that process.*
- *The Board approved the issuance of the document titled “Revision of the Fees for Mobile (Cellular) and Fixed Wireless Licences Spectrum – Statement” as detailed in the Board paper submitted.*
- *The Board agreed that the Office should proceed with formal notification to licensees of the correct interpretation of spectrum fee obligations and apply the revised methodology prospectively.*

[Redacted]

**5.4.3 Network Resiliency Measure**

- A Board paper on this matter was in the shared folder for viewing.
- It was noted that Board members were aware of ongoing service outages and degradation

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- experienced [REDACTED] and broader concerns regarding network resiliency.
- It was noted that a significant portion of network issues originate outside the jurisdiction, particularly via Jamaica, Curacao and Barbados, resulting in local service impacts when incidents occur in these jurisdictions.
- Concerns were highlighted that technical staff responsible for maintaining critical national communications infrastructure are often located offshore and are not consistently responsive to local issues. Reference was made to 2014, when ICTA sought and obtained authorisation from the Governor to unilaterally amend ICT licences to require the domiciling of network elements necessary for 911 call completion.

[REDACTED]

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- [REDACTED] 'consumer protection' querying whether this fell within the Governor's remit. It was suggested references to consumer protection could be removed and the correspondence could instead focus on national security and public safety, particularly the risks of communications infrastructure being controlled offshore.
- Alignment across legislative frameworks was queried, with the Board noting that the ESRA contains explicit provisions enabling direction by the Governor or Cabinet, whereas similar clarity does not appear in the ICT legislation, which framework refers to licence modification for reasons of the security of the Islands, which may be subject to strict interpretation.

[REDACTED]

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- It was acknowledged that broader legislative reform to consolidate regulatory powers under URCA would be preferable, and it was confirmed that such amendments had been requested.
- It was noted that Flow had advised in writing that information requested by the Office on this subject could not be provided promptly because relevant technical teams were based in Jamaica and unavailable, reinforcing concerns about offshore dependency.
- Members of the Board raised concerns about local service disruptions, noting they believed that callers in Cayman sometimes experience poor connectivity due to segments of calls being routed through Jamaica or Barbados. It was explained that traffic originating and terminating within the jurisdiction should be paired locally. Non-compliance with this principle creates service and resiliency issues.
- It was queried who makes decisions regarding network equipment placement and routing and what happens if a billing platform or routing equipment is based offshore. An example was given of a router failure in September this year, that caused a 2.5-hour mobile service outage, with the location of the equipment not communicated to the Office.

[REDACTED]

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[REDACTED]

- Additional discussion on timeframes and how long it would take for licensees to implement

the required network changes, whether mandated by the Governor or the Office. This was thought to be in excess of a year. The Board proposed establishing six-month intervals so that if insufficient progress is made, the Office could then escalate to the Governor. At that stage, enforcement mechanisms would be considered by the Office also.

- The Board pointed out that under sections 31(2) and 31(3) of the ICT legislation, the Board may put licensees on notice via a draft determination, which allows for truncation of timelines and provides 8-12 months for implementation. This approach provides a proper legal basis to modify licences and direct licensees to take necessary action. Licensees would be aware in advance of expected changes, reducing the risk of claims that the process is unexpected.
- It was noted similar measures are adopted in other jurisdictions, including cloud storage regulations in Canada, where data must remain within the country to ensure sovereign control. The need for this action is reinforced by evolving risks related to offshore infrastructure and service disruptions, including international impacts on television access and other services.

### **Board Decision**

- *The Board noted the concerns raised regarding network resiliency and offshore dependency and decided that the Office should proceed under section 31(3) rather than requesting Governor intervention, in relation to licence modifications on national security and public safety grounds, subject to refinement of the framing and legal basis.*
- *The Board supported the Office continuing the RFIs to gather high-level network information from licensees.*
- *The Board agreed that, following information collection, they may determine the most appropriate course of action, either direct licence modification or seeking Governor and/or Cabinet direction.*

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### **5.4.4 Fine – Flow Non-Compliance with 911 Network Obligation (update only)**

- An update was provided to the Board, on Flow’s non-compliance with network obligations relating to 911 emergency services, noting parallels with previously discussed network resiliency issues.
- It was noted all licensees are required to domicile network elements necessary for emergency services.
- During Hurricane Melissa, certain network elements were confirmed to be located in Jamaica, resulting in disruptions to local emergency call routing. The Office has requested a report from the Director of 911 to confirm the nature and extent of the service impact. Despite three written requests, the report has not yet been submitted.
- The Office’s staff had spoken directly to the Minister, who indirectly requested that the Office should follow-up to obtain the report. This report from 911 is critical to establish the extent of the breach and determining any enforcement or fine.
- It was emphasised that this constitutes a serious breach, highlighting that during the period in question, some callers could not reach 911. ICEO confirmed discussion with the acting Director of 911 who acknowledged the issue but indicated uncertainty about the full extent

of missed calls.

- Action to be taken, once the 911 report is received and reviewed.

#### **5.4.5 RFIs**

- ICEO provided updates on RFIs issued to licensees regarding network design and service offerings:
  - Logic – network design
  - Flow – network design
  - C3 - network design
  - Digicel – network design
  - Flow – TV channel changes. The Office were told that Flow would notify customers, but it was noted that searches of customer notifications did not reveal evidence that notifications were sent.
  - Flow – pre-paid 5G service. It was reported that Flow had officially launched prepaid 5G services. During a review, multiple versions of the service agreement and acceptable use policy were found on Flow’s website, including outdated policies from 2007. These issues highlighted areas of poor customer service and regulatory non-compliance but it was emphasised the Office is close to resolving such issues under current regulations.

#### **Board Decision**

- *The Board decided that the Office should issue the RFI updates and no restrictions were imposed regarding the scope or content of the RFIs.*

Redacted under FOI Act (2021 Revision) s23(1)

#### **5.4.7 Starlink – ancillary matters**

Redacted under FOI Act (2021 Revision) s21(1)(a)(ii)

- A compromise was suggested, of unaudited quarterly reports within 45-60 days following quarter end and audited annual financials within 90-120 days after fiscal year-end consistent with the Office’s own reporting timelines.
- It was emphasised that statutory requirements specify three months for audited financials so any extension would need to be formalised. It was proposed to make the timing an expectation unless otherwise approved by the Office, particularly as a special condition for Starlink.
- Discussion ensued regarding alignment with local licensee obligations and practical enforcement. The Board generally supported considering the proposed timing as an expectation, whilst maintaining statutory compliance as a baseline.

Redacted under FOI Act (2021 Revision) s21(1)(a)(ii)

- *The statutory requirement of quarterly reporting and audited financials remains, but the Office may allow reasonable extensions for Starlink under these special conditions.*

Redacted  
under FOI Act  
(2021  
Revision)  
s21(1)(a)(ii)

## **6. Any Other Business**

### **6.1 2024 Annual Report**

- The Board were advised that the 2024 Annual Report was previously submitted to the Board in June/July. The report has since undergone auditor review and auditors are satisfied. Formal Board approval is required before submission to the Ministry.
- ICEO noted that for the 2025 Annual Report, Board members will have photographs taken and arrangements will be made by the CAPE.

#### **Board Decision**

- *The board approved the 2024 Annual Report for submission.*

### **6.2 Ratification of RR decision – 2026 Annual Plan**

#### **Board Decision**

- *The Board ratified and approved the RR decision for the 2026 Annual Plan.*

### **6.3 One-time Staff Christmas Honourarium**

- With confirmation received from Finance that sufficient funds are available, the Office proposes to pay all full-time staff a one-time Christmas honourarium [REDACTED], [REDACTED].
- Forms to be signed by the Chair as per government approval protocols.

#### **Board Decision**

- *The Board approved the one-time Christmas honourarium to be paid to staff.*

### **6.4 Board Meeting Order (observations arising out of audit and legal matters)**

- It was raised that the Order of the Agenda should be followed when discussing items. For example, when discussing CUC matters and the CON is mentioned whilst discussing the CIP. It was acknowledged there would be some overlap on occasion. It was discussed that if the Office receives communications which mentions 3 or 4 different subjects, they should write back and ask the licensee to separate out the matters to make individual applications.

### **6.6 2026 meeting dates**

- The Board agreed to making the second Thursday in the month the General meeting date for 2026, as it had been in the past.
- A calendar with the dates has been placed in the Board folder, and meeting invitations have been sent to all members.

## **Other Items Added to the Agenda**

### **6.7 ICT Amendment Validation Bill 2025 – ICT Licence Fee Regulations 2025**

- The Board were provided an update on this matter, noting it had been previously discussed

under agenda item #4.

[Redacted]

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under FOI  
Act (2021  
Revision)  
s23(1)

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FOI Act (2021  
Revision) s23(1)

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FOI Act (2021  
Revision)  
s21(1)(a)(ii)

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under FOI Act  
(2021  
Revision)  
s23(1)

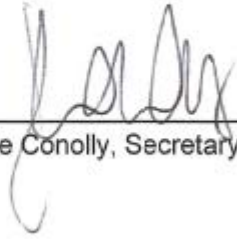
**7. Adjournment and Date of Next Meeting**

- There being no other business, the meeting adjourned at 6.15pm.
- The next General meeting of the Board of Directors is scheduled for the 15<sup>th</sup> January 2026.



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Samuel Jackson, Chairman



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Joanne Conolly, Secretary