

**Board of Directors Meeting of the
Utility Regulation and Competition Office ('OfReg')
Held on Thursday 12 May 2022, 09.00am
at the Office of the Utility Regulation and Competition Office
General Meeting #5 of 2022**

Minutes

Present:

Mr Rudy Ebanks (Chair)
Mr Frank Balderamos (Deputy Chair)
Mr Leroy Whorms, Non-Executive Director (LW)
Mr Alric Lindsay, Non-Executive Director (AL) via Zoom
Ms Natasha Bodden, Non-Executive Director (NB)
Ms Bonnie Anglin, Non-Executive Director (BA)
Mr Peter Gough, Interim Chief Executive Officer (ICEO)
Mr Sonji Myles, Executive Director ICT (EDI) via Zoom
Mr Duke Munroe, Chief Fuels Inspector (CFI) via Zoom
Mr Gregg Anderson, Executive Director E&U (EDE) via Zoom
Ms Joanne Conolly, Board Secretary (BS)
Mr Christen Suckoo, Chief Operating Officer (COO), by Invitation
Ms Melissa Powery, Financial Controller (FC), by Invitation for item 5

Apologies:

None

Meeting called to order 9.15am.

1. General

1.1 Welcome

1.2 Approval of Agenda

Motion to approve by LW; Seconded by NB. Agenda approved.

1.3 Chair's Remarks

Chair reminded all that with a full agenda today, the Board be mindful of keeping questions and comments concise. A 1-day training session will be organised for all members.

2. Declarations of Interest

None.

3. Minutes of previous meeting

3.1 Approval of the Minutes

3.1.1 General Meeting #4 of 2022, held 14 April 2022

Moved by FB; Seconded by NB. Minutes of General Meeting #4, held 14 April 2022, approved as amended. Motion carried.

3.1.2 Extraordinary Meeting #2, held 02 May 2022

Moved by LW; Seconded by FB. Minutes of Extraordinary Meeting #2, held 02 May 2022, approved as amended. Motion carried.

3.2 Matters Arising from Minutes

None.

4 ICEO's Report

Highlights:

- General management work has been ongoing to make sure everyone has a performance agreement for this year.
- Looking at organisation chart to see where posts can be combined; do away with consultants; and/or add posts. Succession planning critical.
- Audit reports for 2020 and 2021. Met with ministry but no report back from them with their amendments. Monthly meetings will be held with the ministry to communicate issues. Chair expressed a wish to be included in the next meeting.
- Papers have gone up to the ministry on consumer protection and water regulation, still awaiting response.
- Trying to meet with all ExDirs and cell providers, particularly to speak to the new CEO of FLOW. Also met with Grant Thornton who are working with Pioneer to outline a business case for the subsea cable.
- Meeting at the Chamber of Commerce, with ExDirs presenting on 31 May. All the Board are invited to attend.
- Early June for media to visit offices.
- Another customer survey should be conducted.

ICEO spoke to item 8.2 on the agenda, 'Technical Assistance'. Governor has met with UK representatives and is offering some assistance to OfReg from personnel in the UK regulatory space. Suggesting that this assistance would include secondment of UK personnel to Cayman and vice versa. ICEO meeting with the Governor's office in this regard. ICEO suggested using organisations like PURC for training, but it may be more cost-effective to bring them to Cayman which was done previously. **ACTION: ICEO to investigate.**

5

Finance Report

10.11am FC joined for report

FC gave highlights of the financial report and analysis for 3-month period ending 31 March 2022.

Action: EDI to advance enforcement action to recoup monies owed and seek to apply penalties and interest and to liaise with the GC before communication is sent out. NB to see a copy of the draft demand letter.

Motion: To form Regulatory Committee with immediate effect, to assist with the process of advancing enforcement action as above action. Members are NED Bodden, NED Anglin and EDI. Committee will be expanded and provide broader ToR in due course. Motion to approve moved by FB; Seconded by NB. Motion carried.

The Chair, on behalf of the Board thanked the FC for the hard work put into making sure the audit was completed on time.

Break at 11.23am back 11.44am

6 Administration

6.1 Recruitment of new CEO for OfReg

- Proposed that a designate CEO position is created. Recruitment will begin this month.
- COO confirmed the information on recruitment is in the report in the Board folder.
- The PR firm report is also contained therein for members to read.
- Detailed report in the Board folder on complaints and FOI.
- Annual report – target date still 31 May for submission, then awaiting next sitting of Parliament. Working with Story Studio to get the design work done.

COO drew the Board's attention to the ToR the EDI had drafted for the Regulatory Committee, which was circulated via email.

12.29pm break for lunch.

Resumed at 1.11pm



7 **Regulatory Matters**

Redacted under Public Authorities Act S19(5)(b)

7.1 **E&U**

[Redacted]

7.1.2 **CUC Rate Proposal for Turtle-Friendly Luminaires**

EDE explained this is a joint initiative by DoE, NRA and CUC to install turtle-friendly lighting in various spots to stop disorientation of young hatchlings, especially to ensure they return to the beach. Paper is in the Board folder.

[Redacted]

Redacted under Public Authorities Act S19(4)

7.1.3 **Global Regulatory Accelerator for Energy Transition**

Chair requested the EDE give a summary of the above, for Board members unfamiliar with the group and what it does. **ACTION: EDE to post reading material on the GRA to the Board papers.**

7.2 **ICT**

[Redacted] Redacted under Public Authorities Act S19(5)(b)

[Redacted]

AL declared a conflict and recused himself for the agenda items 7.2.2 and 7.2.3.

[Redacted]

[Redacted]

Redacted under Public Authorities Act S19(5)(b)

[Redacted]

Redacted under Public Authorities Act S19(5)(b)

AL resumed participation 3.14pm.

[Redacted]

Redacted under Public Authorities Act S19(5)(b)

7.2.5 **Outage Reporting Rules Consultation – Update**

EDI gave an update to the Board to confirm the rules have been drafted and are ready to publish for consultation. Once the determination is done, then the matter will come before the Board.



Break 4.02pm
Resumed 4.14pm

7.3 Fuels

7.3.1 Fuel Prices Update

CFI gave the Board an update on fuel pricing. [REDACTED]

[REDACTED] Redacted under Public Authorities Act S19(5)(b)

[REDACTED] Redacted under Public Authorities Act S19(5)(b)

FB and NB made it known they met with a member of public in respect of fuel quality, who had reached out to NB to make a complaint. They will formalise a communication to the Board in respect of the discussion held. It was confirmed complaints should come through the correct channels, via Admin Dept, and NB requested sight of similar complaints if any.

EDI left the meeting 5.23pm.

8 Board matters

8.1 BAIL

[REDACTED] Redacted under Public Authorities Act S19(5)(c)

8.2 Technical Assistance – UK

ICEO covered this topic in his report at item 4. above.

8.3 2021 Annual report

Chair informed the Board all have reviewed now, he will get the welcome finalised this weekend. Should meet deadline end this month and get published.

8.4 Website update

COO updated the Board that the website is progressing slowly. ICT pages still have work and EDI will meet with the team next week to make changes.

CFI left the meeting at 5.11pm.

9. AOB

9.1 Government Policy Directives – Discussion

Chair anticipated an update may be made, however no update at this time.

9.2 Risk & Audit committee



Chair confirmed that when LW leaves at the end of May, a replacement would be required to sit on the R&A committee. BA volunteered. **Motion: the Board nominate BA to be added to the R&A committee effective immediately. Moved by FB; Seconded by NB. Motion carried.**

EDE left the meeting 5.50pm.
AL left the meeting 5.50pm.

9.3 NED Anglin's email

BA's email was discussed by the Board.

9.4 Resignation of LW

Chair informed the Board that LW had submitted his resignation which was accepted, and his last day will be 31 May 2022. The Chair, on behalf of the Board, thanked him for his valuable contribution during his time serving on the Board of Directors.

10. Adjournment and Date of next meeting

Date and time of next meeting 9.30am on Thursday 9 June 2022.

Motion to adjourn this meeting of the Board of Directors, made by FB, Seconded by LW. Motion carried, meeting adjourned at 7.51pm.

Signed  Rudy Ebanks, Chairman

Joanne Conolly

Signed [Joanne Conolly \(Jun 7 2022 2 50 CDT\)](#) Joanne Conolly, Secretary