

# REGULATORY AUTHORITY BOARD

MINUTES of the Meeting of the Board of Commissioners of the Regulatory Authority of Bermuda (the “RA”) held on the 13<sup>th</sup> May 2021 via teleconference at 11:02 p.m.

Present: Michael Wells (Chairman, Commissioner)  
Dion Smith (Commissioner)  
Gregory Swan (Commissioner)  
Mark Fields (Commissioner)  
Philip Perinchief (Commissioner)  
Denton Williams (Chief Executive)

In Attendance: Alisha Roberts (Executive Assistant)  
Richard Ambrosio (Senior Legal Advisor)  
Jozelle Opoku (Head of Regulation)  
Nigel Burgess (Senior Manager Electricity Analysis and Planning)  
Craig Davis (Senior Manager Electronic Communications)  
Charmaine Burgess (Director Communications & Stakeholder Engagement)  
Denis Wasswa (Financial Controller)

## 1. QUORUM

The Chairman called the meeting to order and reported that a quorum was met. There were no conflicts of interest reported.

## 2. CONFIRMATION OF BOARD MINUTES

The Minutes of the meeting held on 4 May 2021 were confirmed. The 6 May 2021 Minutes were confirmed subject to the edits requested by Commissioner Smith being made.

## 3. CE/CHAIRMAN MEETINGS UPDATE

The Chairman and CE provided an update on various items discussed at the RA’s meeting with the Ministry of Home Affairs on 12 May 2021.

## 4. ADMINISTRATION

### 4.a Legal Matters

The matter continues between the Bermuda Telephone Company Ltd & Telecommunications (Bermuda & West Indies) (collectively, “Digicel”) vs Regulatory Authority, Civil 2020 No. 320; and Logic Communications Ltd & Bermuda Digital Communications Ltd (both trading as One Communications, collectively “OneComm”) vs Regulatory Authority, Civil Jurisdiction 2020 No. 315.

The Enforcement vs Telecommunications Network Limited continues.

The Enforcement vs World on Wireless Ltd (“WOW”) continues. Wow informed that it will provide weekly status updates to the RA.

4.b Bermuda Industrial Union (“BIU”) Meeting regarding potential Sectoral Provider Labour Matters

Representations from the BIU, including Bro. Chris Furbert, General President, BIU and Bro. Arnold Smith, Research Officer, met with the RA to discuss concerns about a sectoral provider’s labour matters. The parties expressed concern about the impact of these matters and the effect it will have on Service Level Agreements for residential and commercial customers.

4.c Finance Update

The FY 2020/2021 expenditure, outstanding receivables, balances due to government, cashflow position as at March 31, 2021, and the detailed cashflow forecast financial updates were presented.

4.d KPMG Compensation Report

An updated draft of the KPMG Benchmarking report for the Commissioners honorarium was presented for review.

5. REGULATORY

5.a Retail Tariff

It was RESOLVED to issue an Order effective June 1 2021 approving the Retail Tariffs for the 12-month period commencing 1 January 2021.

5.b Non-HDS Spectrum Assignment

The discussion was deferred until the next scheduled meeting pending discussions between the Snr. Manager Electronic Communications and the Chairman.

5.c Electronic Communications Strategy Planning

The CE presented the first draft of the RA’s Electronic Communications Strategic Plan to the Board for review and discussion.



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Chairman