

REGULATORY AUTHORITY BOARD

MINUTES of the Meeting of the Board of Commissioners of the Regulatory Authority of Bermuda (the “RA”) held on the 24th June 2021 via teleconference at 11:03 a.m.

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

In Attendance: Alisha Roberts (Executive Assistant)
Richard Ambrosio (Senior Legal Advisor)
Jozelle Opoku (Head of Regulation)
Charmaine Burgess (Director Communications & Stakeholder Engagement)
Denis Wasswa (Financial Controller)

Apologies: Denton Williams (Chief Executive)

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 10 June 2021 were confirmed.

3. CE/CHAIRMAN MEETINGS UPDATE

No meetings held this week.

4. ADMINISTRATION

4.a Legal Matters

Bermuda Telephone Company Ltd & Telecommunications (Bermuda & West Indies) (collectively, “Digicel”) vs Regulatory Authority, Civil 2020 No. 320 matter continues.

Logic Communications Ltd & Bermuda Digital Communications Ltd (both trading as One Communications, collectively “OneComm”) vs Regulatory Authority, Civil Jurisdiction 2020 No. 315 matter continues.

Enforcement vs Telecommunications Network Limited Enforcement proceedings to continue.

Telecommunications Network Limited v Regulatory Authority, Civil Jurisdiction, 2020, No 446 Settlement discussions to continue.

Enforcement vs World on Wireless Ltd (“WOW”) Enforcement proceedings to continue.

4.b Audit Package Update

The Audit package was delayed due to the Auditors’ request for further information on the Financial Statements and the additional review of the Conflict of Interest controls. The package will be circulated to the Board for its review upon its receipt.

4.c Finance, Audit and Risk Committee Update

The Minutes of the Finance, Audit and Risk Committee meeting held on 15 April 2021, were approved.

4.d Administration Committee Update

The Chairman of the Administration Committee provided an update on the various topics discussed in the Administration Committee meetings held since April 2021:

- RA Staff Compensation Plan review.
- Training Budget review.
- Business Process Management and Project Methodology review.
- Health and Safety Plan review.
- Reviews of Legislative and structural General Determinations, enforcement reforms, Board of Commissioners quorum and policy reforms.
- A thorough assessment of the RA workforce planning and management related to the various existing sectors, is currently being conducted. A detailed plan will be circulated to the Board for its review and comment.
- An administration error was discovered in late 2019 where early contributions were made into the National Pension Scheme for the RA employees. The Pension Commission found that there was no fault made, and that employees’ earlier participation is consistent with the Plan rules and is also permitted under the NPS Act.

5. REGULATORY

5.a National Numbering Plan Consultation Document – for approval

It was RESOLVED to approve the commencement of a two-week period public consultation, regarding the National Numbering Plan Update, and publish the Consultation Document – National Numbering Plan Update.

5.b NovaQC Quality of Service Monitoring Programme – for approval

It was RESOLVED to approve the renewal of the Incepta/Nova QC QOS Monitoring platform in accordance with the approved RA 2021/2022 Work Plan.

5.c BELCO Disposal Plan – for approval

It was RESOLVED to approve the Bermuda Electric Light Company Limited (“BELCO”) Disposal Plan of retired generating assets, and their related buildings, under Condition 19 of the Bulk Generation Licence, Disposal of Relevant Assets. The expenditure of the project is not approved with this consent, but will be determined during the 2022 Retail Tariff Review

A handwritten signature in blue ink, consisting of several loops and a long vertical stroke extending downwards.

Chairman