

REGULATORY AUTHORITY BOARD

MINUTES of the Meeting of the Board of Commissioners of the Regulatory Authority of Bermuda (the “RA”) held on the 8th July 2021 via teleconference at 11:03 a.m.

Present: Michael Wells (Chairman, 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)
Charmaine Burgess (Director Communications & Stakeholder Engagement)
Denis Wasswa (Financial Controller)

Apologies: Dion Smith (Commissioner)

1. QUORUM

The Chairman called the meeting to order and reported that a quorum was met. There were no conflicts of interest reported; however, Commissioner Perinchief disclosed that he sits on the Bermuda Shipping and Maritime Authority Board of Directors.

2. CONFIRMATION OF BOARD MINUTES

The Minutes of the meeting held on 10 June 2021 were confirmed.

3. CE/CHAIRMAN MEETINGS UPDATE

The CE and Chairman provided an update on the agenda items discussed with the Ministry of Home Affairs at the 7 July 2021 meeting:

- Receipt of the Belco December Outage Report
- Spectrum Update
- Submarine Cables
- Universal Service Obligations
- SALT
- Integrated Resource Plan Progress Update

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. The matter has been formally stayed. TNL has resolved its dispute with the Bermuda Government, and subsequently the arrears payments that are due for remittance to the RA are expected to be received in due course.

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

4.b Audit Package Update

Additional requests were received from the Office of the Auditor General for the FY 2018/2019 Financial Audit and the RA is currently responding to the requests. It is anticipated that the Audit will be completed by the end of next week.

The establishment of a Universal Service Obligations Project fund budget will be assessed.

4.c RA Compensation Plan

The RA Compensation Plan was reviewed, and an additional meeting will be scheduled for 12 July 2021 to complete the review.

5. REGULATORY

5.a Integrated Resource Plan Guidance - Public Comment Final Draft - for approval

It was RESOLVED to approve the Integrated Resource Plan Guidance Document for public comment.

ANY OTHER BUSINESS

- The Head of Regulation has resigned to be effective late August 2021 and is working with the CE and the HR Manager on a detailed transition plan for the Regulations team.
- The potential licensing process changes for the Bermuda Shipping and Maritime Authority and the Bermuda Civil Aviation Authority were discussed.



Chairman