

## Message from the Chairman



It is indeed a pleasure to be at the helm of OOCUR during this period of revitalisation and infused vigour. We are poised to achieve significant milestones and have been laying the groundwork for a regional foundation of which we can all be justly proud and as such I urge each of our stakeholders to submit articles and features to the OOCUR Secretariat for publication in CaR and on the OOCUR website.

Let me thank IRC Dominica for a wonderful 2014 conference which has set a new benchmark for the Telecommunications Commission in Turks and Caicos host of the 2015 annual conference.

Our newly appointed Executive Director Mr. David Geddes has been mandated to pursue an aggressive training agenda and to establish OOCUR's presence on the regional and global stage. Also of critical importance is research and development which will help to assist in the improvement of regional utility regulation.

As it was twelve years ago when OOCUR was being founded it is now, we must foster transparent and stable utility regulation and facilitate understanding of regulatory issues and sharing of information and

experience.

To this end we encourage members to advise us of their availability to host staff members from sister jurisdictions and to likewise advise if they have staff members who would like to undertake a work attachments at other regulatory agencies.

Finally let me wish for all a peaceful and productive festive season and a 2015 filled with exciting and informative OOCUR events.

**John Avery**  
Chairman  
PUC Belize

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## OOCUR: The Next 10 Years

*(Summary from Paper on the celebration of OOCUR's 10th Anniversary)*

### Collette Goode

Office of Utilities Regulation, Jamaica

On July 26, 2012, the Organization of Caribbean Utility Regulators (OOCUR) celebrated 10 years in existence. The organization was formed with its stated purpose being to: assist with the improvement of utility regulation; foster the development of transparent and stable utility regulation; and, foster cooperation among utility regulators. In an effort to achieve its purpose, the objectives shown in Table 1 were established.

The achievement of milestones provide occasions for celebration. Equally, they also offer opportunities for reflection, introspection and some contemplation of the future. On the occasion of its 10th anniversary celebrations, this paper sought to provide a review of how OOCUR performed within the context of its stated purpose and objectives. It also compared the accomplishments of similar internationally renowned utility regulatory associations to ascertain what practices OOCUR can be recommended for adoption. Additionally, suggestions were provided on the areas in which OOCUR can improve in order to enable its further growth and development during the next decade and beyond.

### OOCUR's Achievements and Challenges

It can be tempting to tender as evidence of OOCUR's importance and continuing relevance a decade long existence, in spite of leadership changes in its constituent members. Such a conclusion may have some merit, given the implicit expression of value that member agencies have placed in OOCUR. That conclusion would however be at best circular and lacking in rigor. It was therefore decided that a more objective approach be used to examine inter alia, what OOCUR has done and whether there are measurable indices of its achievements.

### How has OOCUR performed against its stated objectives?

**Table 1** outlines the objectives of OOCUR and the associated activities that were employed to achieving them.

**Table 1. OOCUR's Objectives**

Objective	Activity Towards Objective
Enhance the understanding of issues related to utility regulation	Conference themes and topics for research and presentation
Facilitate communication among members	Encouraging inter membership cooperation through staff attachments
Facilitate the sharing of information and experience among members	Thematic workshops and seminars (eg. customer service & administrative law)
Facilitate the sharing and exchange of expertise on regulatory issues through training, development and educational programmes	A number of training programmes organized – either singly or in collaboration with partners (PURC)
Provide advice on the establishment and enhancement of effective utility regulation	No structured mechanism developed
Undertake research on issues relating to utility regulation	Roaming study in 2006/7
Host an annual conference and such other conferences as necessary	Annual Conference held every year Some special interest conferences held 2004 – 2006.
Take such other action as may be necessary or useful for the achievement of its objectives	

# OOCUR: The Next 10 Years

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From the assessment of OOCUR's performance against its stated objectives, it can be concluded that the organization has taken steps to accomplish its intended goals during its first decade. However, it had not been entirely successful – perhaps constrained by financial and administrative resources.

## How have internally renowned utility regulatory organisations performed?

Since benchmarking is a critical apparatus in the regulator's tool kit it is useful, in assessing OOCUR's performance, to provide a comparison of the mandate, structure and work of some of its international counterparts. Accordingly, an examination was conducted on the performance of other internally renowned utility regulatory organisations, namely: The National Association of Regulatory Utility Commissioners (NARUC) and The West African Telecommunications Regulatory Assembly (WATRA). The review showed that all three organizations were similarly structured. However, NARUC and WATRA demonstrated a more clearly defined organizational and leadership structure, when compared to that of OOCUR, to which they could attribute their achievements.

Additionally, it was noted that while both international regulatory bodies do not have the authority to make relevant laws, they are active participants in the policy making process through the advice provided to the policymakers. Both agencies also engage in activities, such as conducting research and writing of position papers, through which their positions on matters relating to the utility regulatory environment can be made known to all their stakeholders.

## How have internally renowned utility regulatory organisations performed?

Having completed the review of the previous ten years along with the assessment of similar organisations, the following questions were proposed for OOCUR's consideration in planning for the future:

1. Are its current objectives still relevant?
2. In what areas can the organization improve to better serve its members?

In determining whether OOCUR's current objectives are still relevant, consideration would have to be given to the level of changes that have taken place in the regulatory environment since its establishment. For instance, are the areas of focus for the regulated sectors the same as they were ten years ago? If not, is OOCUR - given its current mandate - able to assist its member agencies to address the new areas of focus. If the response to these questions is not in the affirmative, then the indication is that OOCUR's objectives, as they are, need to be reviewed and revised accordingly.

In regard to other areas for improvement, views were canvassed from some staff of the Office of Utilities Regulation and a former OOCUR executive. The first area which was highlighted for improvement is that of the organizational and leadership structure. It was felt that while in principle OOCUR, like the other two organizations examined, has a three tiered structure, the responsibilities of all the groups are not clearly defined. For instance, what are the responsibilities undertaken by the General Assembly in managing all activities and affairs of OOCUR? How different are the responsibilities of the General Assembly from that of the Executive Council?

It was concluded that in order to enhancing its structure, OOCUR should review and revise the specific responsibilities of each group within its construct as follows:

- The General Assembly – should, in retaining its composition and position as the supreme authority, relinquish the responsibility of managing the activities and affairs of OOCUR and assume responsibilities similar to that of a Board of Directors. The Assembly would therefore focus on determining the overall policy and strategic direction of OOCUR and undertake an annual review of the organisation's operations and performance within the context of the stated direction.
- The Executive Council - be responsible for the formulation of the work plans which would be designed in keeping with the stated strategic and policy direction of the General Assembly. The Council would also provide general direction to the Secretariat through the Secretary General.

Additionally, in an effort to garner the involvement of member

agencies, working committees could be established with responsibility for assisting the Executive Council with the formulation of OOCUR's work-plan. This is intended to involve the staff of member agencies in the development of the plans that may ultimately impact them. It is recommended that each working group be comprised of selected member's staff along with one member of the Executive Council. Working committees could have responsibility for looking at: the regulations and policies that currently exist or may be needed in the various sectors; the training and development needs of member agencies and how the customer experience can be enhanced.

- The Secretariat - which is established by the Executive Council, would be the engine of OOCUR, ensuring that the activities required to meet the strategic and policy direction of the organization are implemented.

The Secretariat would continue to be headed by a Secretary General who would provide leadership in the public space and give direction and clarity to OOCUR's strategic development. The Secretary General would also be the prime point of contact for members, having responsibility for identifying and managing members' needs and expectations of OOCUR. Additionally, the Secretary General would be responsible for managing the day to day affairs of OOCUR.

Secondly, OOCUR has been known to champion a number of regulatory issues important to its member agencies such as: interconnection, market liberalisation and international roaming charges. To the extent that the environment has evolved and new issues have emerged OOCUR will need to ensure that it is proactive in putting forward its position on such current and emerging issues which include:

1. The harmonisation of regulatory policy across the region - which has become critical given the existence of Pan Caribbean operators in the information communication sector;
2. Network security – which has taken on greater importance with the increased exposure to cyber-attacks. OOCUR should take the initiative to provide information on how such exposures can be minimised and the avenues for cooperation;
3. The matter of cloud computing – this development presents opportunities for combining resources across geographical space and driving down costs. At the same time it also raises serious cross jurisdictional issues on which regional cooperation is vital. Can OOCUR lead the way in this area?

It was therefore the view of those canvassed that by putting forward its position, OOCUR would be projecting itself as the regional authority on utility regulatory issues. This approach can be the precursor to the organisation becoming involved in the formulation of policies and laws that will impact the regulatory environment.

Thirdly, in the area of training, it was proposed that this could be a medium through which much needed funds are raised while providing for the developmental needs of its member agencies. While there is support for the establishment of the proposed Caribbean Regulatory Research Centre (CRRRC), the views expressed were that the organisation of developmental programmes should not be placed on hold pending the establishment of the centre. In the meantime, OOCUR should lead the charge in assessing and providing for the developmental needs of its member's staff.

## The way forward

The details of OOCUR's first decade are already in the history books. It is now incumbent on the organization to determine what will be written about the next ten years and beyond.

## At the World Radiocommunication Conference in November 2015 (WRC-15)

Administrations from around the world will agree on changes to international spectrum allocations and associated regulatory provisions. At the end of the conference it is expected that the decisions will be critical determining factors for the future availability of affordable, ubiquitous, high speed mobile broadband services.

Spectrum Management Authorities from the Caribbean and around the globe will be in attendance and ahead of this the Caribbean Telecommunications Union (CTU) has been convening meetings of its steering committee and task force (Harmonised Caribbean Spectrum Planning and Management Project).

The most recent meetings were in Trinidad and Tobago at the Kapok Hotel where among other things a presentation on the status of the project was delivered by Programme Manager Ms. Karlene Francis.

The meetings were chaired by Mr. Renell Alamilla of the Public Utilities Commission of Belize who is recognised as one of the leading experts in this field in the region.

Other presentations included methods of ensuring sustainability of the Caribbean Spectrum Management Steering Committee and Task Force by

Mr. Nigel Cassimire Telecommunications Specialist at the CTU.

Senior Spectrum Management Specialist Mr. Adrian Foster gave an update on the project to assess common pricing principles.

CTU is implementing this project with technical cooperation support from the Inter-American Development Bank (IDB) and Compete Caribbean. The specific objective of this project is to deepen the harmonisation of spectrum planning and management policies and practices across the Caribbean Region.

Among the key activities is the development of a regionally harmonised spectrum management plan to address minimization of cross border interference common approaches to digital broadcasting switchover, white spaces regulation and spectrum pricing and the development of National Frequency Allocation Table for each country and a frequency allocation table for the Caribbean.

However many of the members attending noted that over the years they have attended these spectrum meetings at CITEL but have not been able to vote on issues because they did not have the relevant instruments of proxy to act on behalf of their respective Ministers of Government.

## Highlights from the OOCUR 12th Annual Conference in Dominica

November 19-21 2014



Three days of learning and networking under the theme Regulating Utilities in a Changing Environment in the nature island of Dominica. Presentations were of a very high quality, covering topics such as a Fair and Reasonable Return in the electricity sector by the Executive Director of CARILEC Mrs. Alison Jean and Socio Economic Challenges and Electricity Theft by Senior Regulatory Analyst at the OUR (Jamaica) Mr. Winston Robotham.

Of Particular interest this year were the panel discussions on Renewable Energy and Telecommunication especially in view of the acquisition of Flow by Cable and Wireless (LIME).

### Sentiments Expressed

*"I should like on behalf of URCA and my own very personal behalf to thank you and the IRC team for organising and delivering an excellent 2014 OOCUR Conference. I know you all managed this against all odds given that you got the go ahead late and really did not start to put it together until June/July. The programme was excellent, the facilities were good, the hospitality over and above all expectations.*

*Thank you and please convey our gratitude to the entire team."*

**J Paul Morgan**



*"Thank you for organizing an excellent conference. I was most impressed and met several regulators that I hope to correspond with in the future."*

**Brent Hodges**

*"I must say, of all the three OOCUR Conferences I've attended this was by far the best."*

**Cedric Wilson**

*"The event was excellent at all levels. The thoughts and inputs from the presentations were substantive and provided [a] great overview to the practices and lessons learned and shared by you, the regulators. Your hospitality and generosity were superb. I truly enjoyed the Friday afternoon trip; visiting the beautiful fresh lake, bathing in the natural spa and dancing during the cultural evening in the old mill centre."*

**Karla Solis-Garcia**

## Monthly Feature - OOCUR Member Regulator and their Country

Each month, **The Caribbean Regulator** will feature a member regulator and their country. In this month's issue, we will look at the the **Regulated Industries Commission of Trinidad and Tobago**.

### Who they are:

The Regulated Industries Commission (RIC) is the statutory body that regulates the Water, Wastewater and Electricity sectors in Trinidad and Tobago and is responsible for protecting consumer interests while at the same time ensuring that service providers have adequate resources to provide the highest quality of service to all customers.

The Service Providers that fall under the purview of the RIC are:

- The Water and Sewerage Authority (WASA);
- The Trinidad and Tobago Electricity Commission (T&TEC);
- The Power Generation Company of Trinidad and Tobago (POWERGEN); and
- Trinity Power Limited (formerly InnCogen Limited).

### What they do:

The key functions of the RIC are to:

- Consult and act in a transparent accountable manner and publish information, which allows all stakeholders to participate in the regulatory decision-making process;
- Set price limits so that Service Providers can finance necessary improvements;
- Ensure that tariffs are fair and non-discriminatory;
- Monitor the Service Providers' performance and efficiency and take action, where necessary, to protect consumer interests;
- Set and enforce standards of service for the utilities; and
- Handle complaints and settle disagreements where possible when consumers cannot get redress from Service Providers.

### Trinidad and Tobago Country Information

**Capital:** Port of Spain, Trinidad

**Population:** Trinidad and Tobago's population stands at 1,328,019. People of African and Indian descent comprise the majority of the population, with people of mixed race, European, Chinese and Middle Eastern ancestry adding diversity to our ethnic mix.

**Currency:** The local currency is the Trinidad and Tobago dollar. US dollars are widely accepted at an approximate rate of TT \$6 to US \$1 and you can find rate information at local banks, or the daily newspapers. Euro's and the Pound Sterling (GBP) are not as widely accepted as US dollars.

Traveller's cheques and international credit cards are accepted at most hotels, restaurants and malls.

ATM machines are located at the airport, banks, malls, cities and towns.

**Language:** The official language of Trinidad and Tobago is English, but Spanish and to a lesser extent French patois, Hindi and Chinese is spoken by some segments of the population through culture and heritage.

**Political Status:** Independent nation and Republic within the Commonwealth

**Area:** Trinidad is approximately 1853 square miles (4,800 sq km) and Tobago 116 square miles (300 sq km)

**Location:** Trinidad and Tobago are the most southern islands in the Caribbean, located a mere seven miles off Venezuela's north eastern coast. The islands are a 3 hour and 19 minute flight from Miami, 4 1/2 hours from New York and 58 minutes from Caracas.

**Climate & Weather:** Trinidad and Tobago has a warm, sunny climate year round. The average daytime temperature is about 28 degrees Celsius. Our islands have two main seasons, the Dry Season, from January to May and the Rainy Season, from June to December. In the Rainy Season, mornings are usually sunny, followed by rainy afternoons and fair nights. During this time, our general rainfall pattern is interrupted by days of brilliant sunshine.

**Religion:** Freedom of religion is enshrined in Trinidad and Tobago's Constitution, and Catholics, Hindus, Anglicans, Baptists, Pentecostals, Muslims, Seventh Day Adventists are all represented in our islands.

## Introducing the Office of Utilities Regulation Information Centre (OURIC)

*A One-of-a-Kind Special Library in Jamaica*

### Kishana Munroe

Office of Utilities Regulation, Jamaica



The Office of Utilities Regulation (OUR) in Jamaica was established by an Act of Parliament in 1995 to regulate the utility services in the areas of Electricity, Water and Sewerage, Telecommunications and Transport by rail road and ferry. However, operations began in January 1997 with the mission to:

**“To contribute to national development by creating an environment for the efficient delivery of utility services to the customers**

**while ensuring that service providers have the opportunity to make a reasonable return on Investment.”**

During its operations, the organisation accumulated books and documents which needed to be effectively managed. As a result, the Office of Utilities Regulation Information Centre (OURIC) was established with four main objectives:

- To support the mission of the Office of Utilities Regulation
- To assist in ensuring compliance with the Access to Information Act (ATI) which gives citizens and other persons a general legal right of access to various documented information.
- To continue to be the regional Resource Centre of choice for utility

regulation

- To provide our clients with timely, accurate and relevant information on utility regulation.

OURIC is the only special library of its kind which presently boasts a collection of over 5000 items comprising books, OUR publications, magazines, and audio visual materials.

The primary function of the Information Centre is to support the information needs of the organisation and its stakeholders through its collection which covers various topics such as:

- Utility Regulation
- Utility Finance
- Utility Deregulation
- Renewable Energy
- Law and Legislation
- Electric Utilities
- Electric Power Distribution Systems
- Telecommunications
- Management of Water Utilities

OURIC offers a variety of services for its clientele. These services include:

# *Introducing the Office of Utilities Regulation Information Centre (OURIC)*

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- Selective dissemination of information
- Reference and research
- Inter-Library Loan

The Information Centre is open to all users including members of the public, Monday to Friday 9:00 a.m. to 5:00 p.m. It is closed on all major holidays.

## *Greetings from the Executive Director to the Office of Utilities Regulation*

*At its annual Christmas praise function*

Having brought greetings to this august event wearing different hats over the years, it gives me tremendous pleasure to continue in this vein and now extend greetings on behalf of regional regulators.

I would like us to pause for a moment and appreciate the fact that we can gather here today without fear of prosecution or persecution. Such was not the case in the not too distant past and in fact in many countries as we speak there are atrocities taking place in the name of religion and politics. We must be cognizant of the truism that injustice anywhere is a threat to justice everywhere.

As regulators we are charged with the responsibility of ensuring that there is a level playing field in the utility environment and to that job we

must bring a sense of fair play and discharge our duties without fear or favour washing our hands like Pontious Pilate is not an option.

And in the words of Martin Luther King it is not the words of our enemies that we will remember but the silence of our friends.

On behalf of the Organisation of Caribbean Utility Regulators I wish for the staff of OUR and their stakeholders a peaceful and productive season.

Thank you  
**David Geddes**

*Get a chance to win OOCUR gift vouchers by:*

- *Submitting articles for this newsletter*
- *Recommending a theme for our next conference*

*Submissions are to be made to: [david.geddes@oocur.org](mailto:david.geddes@oocur.org)*

*Your feedback is welcomed.*

### **About Us:**

OOCUR is a non-profit organisation, established by an Agreement dated July 26, 2002 in Ocho Rios, Jamaica. And is funded through membership fees, contributions, charges for services, donations and grants.

### **Purpose and Objectives:**

- To assist in the improvement of utility regulation.
- To foster transparent and stable utility regulation through autonomous and independent regulators in member countries
- To undertake research, training & development.
- To facilitate understanding of regulation issues and sharing of information and experience.