The Regulatory Arena - A Caribbean Perspective
(The Business of Regulation)

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This presentation is intended to provide a framework for a discussion about the evolution of the regulatory agencies in developing economies against the background of the experiences in the Caribbean. In doing so the idea is to present a view of the future of the “Business of Regulation”. It is my hope that this will be the first in a series of conversations on the Regulatory Arena.

After a few introductory comments, this discussion will look at the evolving role of regulatory agencies and will touch on the following:
- The Policy Environment
- The Enabling Legislation
- The Structure of the Regulatory Agency, Modus Operandi and Perception of Risk
- Governance
- The Evolving Role of the Regulator
- Concluding Comments

Introductory Comments

Regulatory agencies tend to be viewed as very serious organisations and so they should because of the important role that they perform in the governance arrangements in any country. In every case, parliament has devolved to the regulatory agency certain powers relating to the performance of critical sectors within the national economy.

While some countries would have had regulatory functions discharged either by ministries or, as is the case of Barbados a small “regulatory” unit designated a PUC, it would be fair to say that in the Caribbean, utility regulatory agencies have really emerged since about the mid 1990s. Guyana actually introduced its Public Utilities Commission with the enactment of its PUC Act in 1990. According to the ITU, the numbers of separate telecommunications regulators grew from 12 in 1990 to 162 in 2014. The number for the other infrastructure sectors is not readily available but I suspect it would be close to that for telecommunications. Clearly regulation has been a growth industry!

The establishment of these regulatory agencies in the developing economies was largely brought about as the utility sectors were commercialized, liberalized or privatized and governments recognized that, in order to encourage investment in the utility companies, some form of “independent” regulation would be needed. This led to the enactment in many territories of legislation providing for the creation of the regulatory agencies and in most instances the simultaneous enactment of sector legislation to reflect a new industry structure.

So, in the Caribbean, the following are some countries that have regulatory agencies in place:
- Belize, The Bahamas, Jamaica, Dominican Republic, The Cayman Islands, Turks and Caicos Islands, British Virgin Islands, Anguilla, Dominica, St Lucia, Barbados, Trinidad and Tobago, Guyana and Surinam. In the countries of the Organisation of Eastern Caribbean States (OECS) there is a regional regulator ECTEL which provides support to national telecommunications regulators in Dominica, St Lucia, St Kitts, Grenada and St Vincent. If we examine the other regions of the world we will see the same trends in the Americas, Africa, Asia and the Pacific.

While some may be single sector others are multi sector regulators. But it matters not which region it is or whether single sector or not, the common threads that shape the development of any regulatory agency is (i) Government’s policy regarding the regulatory agency itself, (ii) the enabling legislation and (iii) the sector or industry policy and (iv) the sector legislation.

In this the first of a series of discussions on the regulatory arena we will look at the background to these issues and attempt to crystallize what the future directions for regulatory agencies might be.

The Policy Environment

There are two aspects to government policy in relation to regulatory agencies. The first is driven by a decision to establish the agency which drives the enabling legislation. The policy would express a government’s view on such critical issues as the independence of the regulator, relationship between the government and the regulator, the sector responsibilities – multi or single sector, scope of responsibilities of the regulator etc. The policy would also indicate the sectors which the government would wish to see regulated.

The second aspect to policy would be the sector policy itself where the government sets out its vision for the sector, its contribution to national development, whether it anticipates competition and the role it expects the regulator to play in the sector as well as the other strategies for development and growth. It is in this policy that the government would usually set out the regulator’s role in terms of e.g. promoting competition or promoting renewable energy as sector objectives as well as the narrow responsibilities of regulating the service providers.

The Enabling Legislation

First of all, the enabling legislation would address the following among other things:
- The establishment of the agency - Commission, Authority or Single Person
- The composition of the members - how appointed, term, how dismissed
- The role, functions and duties of the agency
- How the agency is funded
- The authority of the agency – How it takes decisions, the types of decisions
- Enforcement powers
- Appeal provisions against decisions taken by the agency

It is the legislation that shapes the structure and to a large extent the culture of the agency so it is critical that the government is clear on what it wants to achieve. Does it want the rigid quasi-judicial structure and operation as in the United States or something in between? It seems that it’s the in between that has evolved and found favour in the Caribbean and to a large extent in a number of emerging economies. This is not surprising as this model tends to be less expensive to operate and provides an avenue for wide participation without the cost of paid interveners or legal counsel. The challenge of course is how to encourage the practice of written responses to consultative documents in environments that are predominantly oral in culture. There are ways to deal with this though; in Dominica, for example, the public’s views on every consultation is garnered at town hall meetings.

The structure of the Regulatory Agency, modus operandi and the perception risk

Regardless of legislation, all regulatory agencies have designated functionaries who have the statutory responsibility for “Decision making”. These individuals or the group are either referred to as Commissioners/ the Commission, the Board/the Authority; the Office or the Director General but regardless, from a statutory point of view, the decision...
making authority will be specified and will rest with a group or a specific individual. Likewise all regulatory agencies have staff who advise the decision makers. Regardless of this structure, the staff and the decision makers go to great lengths to ensure that the law is strictly complied with and that the regulator does not or does not appear to assume on to itself powers that it does not have. In fact, in crafting the enabling legislation, the parliaments (governments) are very careful to circumscribe very precisely the powers of the regulator and for good reason - it is that government is devolving to the regulator significant powers and authority over major sectors of the national economic space. To this end regulators have often times been referred to as the fourth arm of government. Clearly, for this to happen tremendous political maturity is required on the part of governments and parliaments.

In this regard therefore it is understandable, that in the developing countries, the multilaterals would have initially exerted some pressure on governments to stick to these core principles in the reform process. In fact, this characterization is just as relevant today, twenty years later, as it was then but a number of things have evolved into the regulator’s space which stretches these principles and perhaps suggest new dimensions to the regulators’ way of thinking. We will discuss these later but suffice it to say at this time that while it took 100 years to rethink the approach to economic regulation, the rapid societal changes brought on by the shrinking world and technological advances will be just as disruptive to regulators as it has been to other aspects of governance and will force changes, not only in the operating models but also in the application of regulatory principles. To my mind regulators have to respond to these changes.

The other dimension to this, however, is the necessity to signal consistent principles in approach and decision making to the investor, as in the uncertain world of developing economies, the concept of risk is mitigated by the impression of certainty. Therefore, while the legislation and the regulators’ mantra of certainty, predictability, objectivity and slavish attention to due process have been and are important principles that guide the thinking and actions of every regulator because, as we all know, the regulator’s own actions and its record can be a contributor to the investor’s perception of risk. The changing landscape will force a rethink of these principles. The question is, how will these changes impact on investment and how does the regulator respond?

Goverance

Early legislation did not pay much attention to the governance arrangements for regulators. In fact, in order not to compromise the perception of independence some legislation was careful to emphasise an arm’s length and a very light - handed relationship between the regulator and the government. So accountability was simply legislated as (i) a requirement for an annual report to Parliament or the Minister; (ii) annual financial audits by independent auditors (the auditor probably approved by the Minister); and (iii) a provision for approval of the regulator’s budget (subject to the approval of the Minister); and (iii) a provision for approval of the regulator’s budget (subject to the approval of the Minister). In fact, in crafting the enabling legislation, the parliaments (governments) are very careful to circumscribe very precisely the powers of the regulator and for good reason - it is that government is devolving to the regulator significant powers and authority over major sectors of the national economic space. To this end regulators have often times been referred to as the fourth arm of government. Clearly, for this to happen tremendous political maturity is required on the part of governments and parliaments.

In his seminal World Bank Paper, Warrick Smith in the 1990’s characterized the independent regulator as one where there is:

- Security tenure – fixed term limits that straddle the political cycle
- Independent funding
- Staff remuneration independent of the central government

This in regard therefore is understandable, that in the developing countries, the multilaterals would have initially exerted some pressure on governments to stick to these core principles in the reform process. In fact, this characterization is just as relevant today, twenty years later, as it was then but a number of things have evolved into the regulator’s space which stretches these principles and perhaps suggest new dimensions to the regulators’ way of thinking. We will discuss these later but suffice it to say at this time that while it took 100 years to rethink the approach to economic regulation, the rapid societal changes brought on by the shrinking world and technological advances will be just as disruptive to regulators as it has been to other aspects of governance and will force changes, not only in the operating models but also in the application of regulatory principles. To my mind regulators have to respond to these changes.

The OECD goes on to say that “Effective governance structures encourage regulators to improve outcomes for the community honestly, fairly and effectively addressed through voluntary arrangements and other means. Governments have a broad range of regulatory powers reflecting the complex and diverse needs of their citizens, communities and economy.

3. Regulators are entities authorised by statute to use legal tools to achieve policy objectives, imposing obligations or burdens through functions such as licensing, permitting, accrediting, approvals, inspection and enforcement. Often they will use other complementary tools, such as information campaigns, to achieve the policy objectives, but it is the exercise of control through legal powers that makes the integrity of their decision-making processes, and thus their governance, very important.

4. Regulators are also important actors in the national governance infrastructure and can help to ensure transparency in the overall regulatory system. Increasingly this includes through providing access to information for regulated entities to make better informed choices.

5. How a regulator is directed, controlled, resourced and held to account – including the nature of the relationships between the regulatory decision-maker, political actors, the legislature, the executive administration, judicial processes and regulated entities – is crucial to the overall effectiveness of regulation. Improving governance arrangements can benefit the community by enhancing the effectiveness of regulators and, ultimately, the achievement of important public policy goals.

6. Achieving good regulatory outcomes is almost always a cooperative effort: by the regulator and other regulators, the regulated, and often the broader community. Governance arrangements for regulators can be important to foster such cooperative efforts and build the legitimacy of any necessary, strong enforcement action. For these reasons, governance arrangements require careful consideration to ensure they promote, rather than hinder, the efficient achievement of policy objectives and public confidence in the operations of government agencies (emphasis added).

To my mind these statements reflect critical considerations in the tapestry for regulatory design and the considerations that should guide the governance arrangements.

The OECD suggest the following matrix for achieving good regulatory outcomes:

Figure 1

Matrix demonstrating the dimensions for achieving good regulatory outcomes

- Well designed rules and regulations that are efficient and effective
- Appropriate institutional frameworks and related governance arrangements
- High quality and empowered institutional capacity and resources, especially in leaderships
- Effective, consistent and fair operational practices and processes

If we were to look at the Institutional frameworks and related governance arrangements, a number of key principles which ought to have universal application face us. To my mind while we have adequately operationalized “Well designed rules and regulations that are efficient and effective” as well as “Effective, consistent and fair operational processes and practices” we the developing world now have to pay attention to “Appropriate institutional frameworks and related governance arrangements” with emphasis on “governance arrangements”) and to “High quality and empowered institutional capacity and resources, especially in leaderships”. The OECD goes on to say that “Effective governance structures encourage regulators to improve outcomes for the community honestly, fairly.
and efficiently, within the boundaries of their legal framework and the objectives outlined by government. Appropriate governance structures support the overarching principles of good regulation. The OECD (2005) recommended that good regulation should support eight key aims as outlined in Table 1."

Table 1. OECD principles of good regulation

| (i) | Serve clearly identified policy goals, and be effective in achieving those goals |
| (ii) | Have a sound legal and empirical basis |
| (iii) | Produce benefits that justify costs, considering the distribution of effects across society and taking economic, environmental and social effects into account |
| (iv) | Minimise costs and market distortions |
| (v) | Promote innovation through market incentives and goal-based approaches |
| (vi) | Be clear, simple and practical for users |
| (vii) | Be consistent with other regulations and policies |
| (viii) | Be compatible as far as possible with competition, trade and investment-facilitating principles at domestic and international levels |

There are strong links between these overarching principles of good regulation and good governance of regulators. Good governance arrangements strengthen the oversight of processes and practices within a regulator. This can contribute to improving the effectiveness of regulatory operations and to promoting compliance by making administration and enforcement more consistent and predictable. It can also promote greater innovation in regulatory practice. Greater scope for regulatory discretion enables regulation to be applied more proportionately and flexibly. This discretion is more likely to be granted by the legislature, politicians and the executive when it is supported by robust accountability and transparency provisions. Effective engagement as part of regulatory operations can enhance the level of cooperation between those being regulated and the regulator.

The critical considerations for us as regulators is to ensure that that our internal and external governance arrangements are such that they promote good regulatory outcomes and the building of trust amongst all stakeholders. In this regard while, for example, transparency and inclusion of stakeholders to the regulatory decision making process is important as external governance considerations the internal arrangements at the Board level for the management of risk is equally important. I mention this because it is only in recent legislation that attention is given to the requirements for good corporate governance of the regulatory agency. In my view as many jurisdictions review their regulatory arrangements these corporate governance considerations has to be taken into account and legislated.

Evolving Roles of the Regulator

At the outset, regulators were really only required to make pronouncements on rates and not much else. Over time the role evolved to monitoring and defining technical performance of the regulated companies as well as the customer service experience through the establishment of standards and, of course, the promotion of competition. The changing role or modus of the regulator really had its genesis when the Margaret Thatcher government of the 80’s in the United Kingdom decided not only to privatize the well-entrenched network monopolies that operated in the delivery of telecommunications, electricity and water services but to promote competition in these sectors. The events of that period is well recorded but it certainly prompted many other developed and developing countries to embrace competition as the preferred industry structure for these sectors. RPI-X or some variant became the new paradigm in economic regulation and price controls. Even the United States with a long 100 year plus history of Rate of Return price regulation started to introduce Performance Based Rate Making (PBRM) into its regulatory jargon. The regulator started to recognize the economic principle that you only regulate when there is market failure and thus the regulator increasingly adopted the principle that its actions should “mimic” competition.

The telecommunications/ICT sector with its rapidly change technological impacts pose tremendous challenges for the regulator. In fact the ITU’s 2009 “Trends” report observes “The past two decades seem to confirm the power of the regulatory reform trinity: separate regulators, competition, and privatization (see Figure 2).” By following, adapting or reinventing these approaches, countries around the world have revitalized their ICT markets, transforming them into digital economies. Importantly, most countries have created separate regulatory authorities that are independent in their decision-making. The number of separate regulatory authorities has increased from only 12 in 1990 to 153 at the end of 2009. Regulators have gradually opened fixed-line services to competition, almost always privatizing the national fixed-line incumbent along the way — some 124 fixed-line incumbents had been privatized by 2009. The traditional role of regulators has been primarily to regulate access to the telecommunication market through licensing, assigning spectrum and other scarce resources, dealing with interconnection issues and contributing to universal access support programmes. Now the focus has shifted towards creating an enabling environment for investment, fostering market growth and ensuring effective digital inclusion for all.”

These comments highlight the impact that regulators have had in the telecommunications/ICT arena. Of course there have been successes and there have been failures but, I will suggest that the failures would have been a consequence of the inadequacy of the enabling environment particularly the law. The problem is that the law cannot keep pace with technological change and therefore in order that a sector is not constrained by the regulator’s inability to act it is important that legislation be drafted with as neutral a language as possible. This of course is contrary to the age old principles of building certainty into the legal framework because neutrality of language will trigger uncertainty or more importantly not convey certainty; this, as we have alluded, being one of the hall marks of regulatory behavior. I well remember in my days as an active practicing regulator that I would caution my staff (particularly my legal team) that I would not want them to place me in a position where, as the regulator I was impeding national development and so the standing instruction was “I know what I cannot do, advise me how to do what I must do!” This is the challenge that all regulators face and I will suggest that it will become increasingly so with the relentless march of technology and innovation in all the network sectors and industries – even the water sector. While I cannot advocate that regulators should act outside of the law, I strongly believe that unless the regulator pushes its interpretation of existing law to the very margins, its decisions will be irrelevant and insensitive to the realities of the challenges faced by the regulated industry. The fact is that technology does not wait for the law to catch up!

This then raises the critical issue of leadership of the regulatory agency. There was a time when there were no particular skillsets required of

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Figure 2
The Evolution of Regulatory Agencies, Competition and Privatisation
1990 – 2009
(Source ITU World Data base and taken from the ITU website)
the leader of the regulatory agency except that the person should have
good technical or legal skills and appear to be “politically independent”. In
developing countries it is difficult separate the statutory appointees from
the political hierarchy as regardless of good intentions the elected
representative feels that any statutory appointee must be appointed for
the time being at the pleasure of the Minister or government; and,
regardless of the intent of the law I have seen repeated examples around
the Caribbean where the intent and spirit of the law is not strictly followed.
While I would want to see this trend change, it is alas a losing battle, so my
take on this is that the political independence of the regulator has to be
preserved by its professional staff and, therefore, to my mind too much
care cannot be exercised in the hiring, training and development of staff
members.
I believe that the other vexing question that faces the regulator in its
traditional role is its relationship to and its involvement in shaping
government’s policy. While the distinction can be made in the developed
world between the regulator and policy, to my mind many developing
countries suffer from a deficit of the appropriate skills in the government
to address many of the issues that arise at the policy level and to shape
policy in the regulated sectors. The fact is that the skill and expertise and
knowledge resides with the regulator. In these circumstances ways and
means have to be found to enable the regulator to assist with national
policy development and to do so in manner that does not compromise its
ability to operate independently later on. It’s interesting to note that in the
Government of The Bahamas found a mechanism through legislation to allow
this involvement of the regulator in the Electronic Communications
Sector. In this case, the Government having crafted and promulgated the
first ECS Policy in 2009, the law mandates the Regulator to either update or
draft a new policy “in a time bound” regime for the Government’s
consideration. At the end of the day the policy is very clearly owned by the
Government. This arrangement recognizes that the required skills are
resident in the Regulator and facilitates a perfectly legitimate and useful
way to utilise scarce national skills to good advantage.

Subsequent to the success of Semana de Competencia, Compete
Caribbean will continue to provide support to Pro-Competencia in its
mandate to improve economic efficiency of goods and services through
the promotion and advocacy of competition.

Dominican Republic Spearheading Improved Consumer Welfare in the Region

Seven years ago, the Dominican Republic enacted a law to promote and
protect competition; which is expected to lead to increased economic
efficiency in that country as well as to set an example for improved
consumer welfare in the Caribbean.

“Semana de la Competencia” (Competition Week) was hosted by the
National Commission for the Protection of Competition - Pro-Competencia
from February 2nd - 5th, 2015 to mark the seventh anniversary of the
enactment of “Ley General de Defensa de la Competencia No. 42-08”
(competition Law No.42-08).

The week of activities were focused on improving the knowledge of
economic agents, state institutions, academia and the general population
on competition law with the aim of promoting a competitive business
culture and publicizing the role of Competition Law in the economic
efficiency of national productive sectors.

One of the highlights of the event was the inaugural National Competition
Forum which comprised an audience of employers, government
representatives, law firms, multilateral agencies and the general public.
According to the President of Pro-Competencia, Michelle Cohen:
“Putting competition in the Dominican Republic’s agenda and raising
awareness about it has won the support of citizens, productive sectors
and government alike.”

Compete Caribbean provided technical assistance in the application of
Competition Law through two specialists assigned to Pro-Competencia.
Both experts served as keynote speakers within Semana de Competencia and
were able to provide insight on enabling factors for competition in the
market, consumer benefits and reasons why the public should take
interest in matters affecting competition.

On a more technical note, the specialists were also able to provide
training to the Government’s technical staff regarding competition policy,
advocacy and case handling; plus they also engaged in training Supreme
Court judges to ensure effective enforcement of the Competition Act.
During this training session, a presentation on the role of economic
analysis in the application Competition Law was delivered.

In a discussion such as this there can be no conclusion as the “Business of
Regulation” is a work in progress but as regards the future, I should like to
leave a few thoughts with you. To my mind:

- Regulators will increasingly have to concern themselves with the
  operations and state of the sectors for which they have responsibility
  and less so on the operating companies and service providers.
- The interventions by regulators in the regulated companies must
  increasingly become light touch because of the impact and the
  disruptive nature of technology on all regulated sectors – even the
  water sector.
- The regulator will gravitate more to ensure that consumer welfare is
  not compromised as the inputs to service delivery become
  increasingly technology driven and less personal to the individual
  customer.
- The regulator must view itself as a partner with the government in
  the process of national development and in this regard legislation will
  have to reflect this duty.
- In order to maintain credibility in this future world the regulator will
  have to be increasingly concerned about its internal and external
  governance arrangements in order to build trust in what will be a
  disruptive business environment.

So as a last thought I would suggest that the time is now to rethink our
expectations of our regulatory agencies and to assess whether they are
individually equipped to be effective in the future environment.

Mr. J. Paul Morgan is a regulatory consultant to regional and international
agencies, organisations and companies and a three time chairman of OOCUR.

Lord Mogg Elected CEER
President for Another Term

Ljubljana, 23 March 2015

The Council of European Energy Regulators (CEER1) has elected Lord
Mogg as its President for a new term of office. He was also elected
Chair of the Board of Regulators of the Agency for the Cooperation of
Energy Regulators (ACER) for another term.

The CEER Board of Directors comprises one President and up to five
Vice Presidents.

Ms Annegret Groebel, BNetzA (DE), Ms Valeria Termini, AEEGSI (IT)
and Mr Tomislav Jurekovic, HERA (HR) were re-elected as CEER Vice
Presidents.

The CEER General Assembly elected two new Vice Presidents: Ms
Marie-Pierre Fauchon, CREG (BE) and Mr Remko Bos, ACM (NL).

President Lord Mogg said:
“I am proud to lead Europe’s energy regulators for a new term. We will
continue our efforts in CEER to provide collective NRA expertise to ACER
and the Institutions, to be a strong advocate of a consumer-centric
European energy market, and to work with all energy stakeholders to
drive forward Europe’s future energy union.”

The CEER elections took place yesterday at the CEER General Assembly
meeting in Ljubljana. The CEER Board members commence their new
2.5 year period in office from 5 May 2015.
Each month, The Caribbean Regulator will feature a member regulator and their country. In this month’s issue, we will look at the the Fair Trading Commission of Barbados.

Who They Are

The Fair Trading Commission established on January 2, 2001 is the independent regulator of the supply and distribution of electricity as well as domestic and international telecommunications services and natural gas. The Utility Regulation Department currently oversees three utility companies – the Barbados Light & Power Company Ltd. (electricity); Cable & Wireless (Barbados) Ltd. (telecommunications); and the Barbados Water Authority (water).

What They Do

The Commission is guided by sector policy and seeks to protect consumers by setting fair and reasonable rates; encouraging investment by allowing efficient operators to earn a reasonable return on capital; and promoting efficiency in the provision of the utility service. We monitor the operation of the utilities by way of regulatory reports and periodic audits.

The Commission is also obligated to formulate the policy of market liberalisation and competitive pricing. This involves setting interconnection guidelines, approving interconnection agreements and resolving disputes between providers of telecommunications services.

We also set the standards of service that utility providers should offer to the public and monitor the companies to ensure that they are maintaining or exceeding these standards. The purpose of identifying standards of service is to create conditions for customer satisfaction by making known the quality of service which the service provider is required to provide and which the user has a right to expect.

Country Profile

Capital: Bridgetown
Population: 274,000 (UN, 2011)
Currency: Barbadian Dollar (BBD)
Language: English (Bajan, an English-African dialect, is widely used)
Political status: Barbados has been an independent country since 30 November 1966. It functions as a constitutional monarchy and parliamentary democracy, modelled on the British Westminster system, with Elizabeth II, Queen of Barbados, as head of state, represented locally by the Governor-General, Elliott Belgrave, and the Prime Minister.

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- Which incentive rules promote competition, efficiency, and innovation.
- What the effective regulatory strategies are for monitoring performance and enforcing compliance
- Where competitive forces can be introduced or strengthened
- What the key considerations are in rate design
- What the key considerations are for the establishment and functioning of regulatory institutions
- How the regulatory process can promote legitimacy and credibility of regulatory decisions

Qualified applications received after April 10, 2015 will be accepted based on availability. We encourage all applicants to submit their applications as early as possible to leave enough time to obtain an entry visa to the USA if needed. Those applicants accepted into the program will be notified via e-mail immediately after a decision on their application is reached. An application and more information about this program can be found online at http://warrington.ufl.edu/centers/purc/training/itp.asp.
Minister as head of the government. The number of representatives within the House of Assembly has gradually increased from 24 at independence to its present total of 30 seats. Barbados functions as a two-party system, the two dominant parties being the ruling Democratic Labour Party and the opposition Barbados Labour Party (BLP).

Climate:
The country generally experiences two seasons, one of which includes noticeably higher rainfall. Known as the “wet season”, this period runs from June to November. By contrast, the “dry season” runs from December to May. The annual precipitation ranges between 40 inches (1,000 mm) and 90 inches (2,300 mm). From December to May the average temperatures range from 21 to 31 °C (70 to 88 °F), while between June and November, they range from 23 to 31 °C (73 to 88 °F).

On the Köppen climate classification scale, much of Barbados is regarded as a Tropical monsoon climate (Am). However, gentle breezes of 12–16 kilometres per hour (8–10 mph) abound throughout the year and give Barbados a civilised climate which is moderately tropical.

Infrequent natural hazards include earthquakes, landslips, and hurricanes. Barbados is often spared the worst effects of the region’s tropical storms and hurricanes during the rainy season. The far eastern location in the Atlantic Ocean puts the country just outside the principal hurricane strike zone. On average, a major hurricane strikes about once every 26 years. The last significant hit from a hurricane to cause severe damage to Barbados was Hurricane Janet in 1955, and in 2010 the island was struck by Hurricane Tomas, but this caused only minor damage across the country.

Geography:
Barbados is the easternmost island in the Lesser Antilles. It is flat in comparison to its island neighbours to the west, the Windward Islands. The island rises gently to the central highland region, with the highpoint of the nation being Mount Hillaby, in the geological Scotland District, 340 metres (1,120 ft) above sea level. The island is situated in the Atlantic Ocean, east of the other West Indies Islands.

In the parish of Saint Michael lies Barbados’ capital and main city, Bridgetown. Other major towns scattered across the island include Holetown, in the parish of Saint James; Oistins, in the parish of Christ Church; and Speightstown, in the parish of Saint Peter.

Religion:
Protestant 66.3% (includes Anglican 23.9%, other Pentecostal 19.5%, Adventist 5.9%, Moravian 4.2%, Wesleyan 3.4%, Nazarene 3.2%, Church of God 2.4%, Baptist 1.8%, Moravian 1.2%, other Protestant .8%), Roman Catholic 3.8%, other Christian 5.4% (includes Jehovah’s Witness 2.0%, other 3.4%), Rastafarian 1%, other 1.5%, none 20.6%, unspecified 1.2% (2010 est.)

The Office of Utilities Regulation (OUR), Jamaica, will be undertaking an island wide public education programme throughout this year with its Parish Connections series, in partnership with the utilities that it regulates and other stakeholders.

The primary objectives of the Parish Connections series are to educate consumers on their rights and responsibilities, provide energy saving information and put consumers directly in touch with their utility companies to address queries. Project Coordinator, Mrs. Elizabeth Bennett Marsh said, “Through this channel, the OUR will facilitate active communications channel and re-establish continuing consumer and stakeholders dialogue so that there can be a two-way flow of information to the OUR on their various concerns.”

Partners in this outreach programme effort include the Jamaica Public Service Company (JPS), the National Water Commission (NWC), LIME, Digicel, and Flow, and consumer advocacy groups, the Consumer Affairs Commission (CAC) and the Consumer Advisory Committee on Utilities (CACU).

Mrs. Bennett Marsh said the series will allow utilities in particular to share information on projects and development issues with consumers on a planned and consistent basis. In a concerted effort to reach all consumers, activities for the Parish Connections series include Town Hall Meetings and Consumer Day expositions, school visits and stakeholder groups such as chambers of commerce and service clubs.

The series kicks off in Westmoreland on Thursday, March 5 with a presentation to the Negril Resort Board targeting the hotel sector. The resort board meets at Radon Hotel at 2:00 p.m.

Activities continue next week Wednesday with the OUR interfacing with students, faculty members and parents from schools in the western region of the parish at the Grange Hill High School from 11:00 a.m. to 1:00 p.m. about issues pertaining to the utility sectors.

Students in particular will be engaged about their rights and responsibilities as current utility customers of telecoms services, and future customers of other utility services. Digicel and LIME will help to guide students about how to make the best use of their mobile phones, while JPS and NWC will set up booths on energy saving and best environmental practices.

Later that day, the OUR will be special guest at a meeting of the Rotary Club of Lucea at which the local chamber of commerce will also be
present. That meeting starts at 6:00 p.m. at the Grand Palladium Hotel.

Activities in Hanover and Westmoreland will culminate in an all-day Town Hall Meeting and Consumer Day exposition at the Sean Laverty Faith Hall in Savanna-la-Mar. The day’s activities start at 10:00 a.m. with the exposition by the OUR and seven of its partners. That segment will close off with an entertainment package featuring award top JCDC performing arts winners from the parish. The day will end with consumers hearing from the utilities and in turn, having their queries addressed at the Town Hall meeting.

“We have decided to take the OUR to the people and concurrently bring them in direct contact with their utility providers because we want every consumer to be knowledgeable of their rights and use information to protect themselves when things go wrong, as they will at times,” said Mrs. Bennett Marsh.

She added, “we are aware of a perception by some consumers that because the OUR is funded by the utilities that it regulates that the agency is controlled by them but nothing is further from the truth. On the contrary, while it is recognized that the rights of utility companies must also be safeguarded, as regulator, the OUR is committed to protecting the rights of consumers and this is why we are inviting everyone to come out these Town Hall meetings and the several other activities being staged in the parishes over the next ten months.”

The next series of activities will be staged in St. Elizabeth during the month of April.

**13th OOCUR Annual Conference October 28 - 30, 2015**

at the
Beaches Turks & Caicos Resort Village and Spa
Providenciales, Turks and Caicos

**CALL FOR PAPERS**

OOCUR invites submission of papers on the theme:

**FACILITATING A DYNAMIC REGULATORY ENVIRONMENT**

Topics may be on the areas listed below and any other topic relevant to the theme:

**TELECOMMUNICATION AND ICT**
Voice over the internet Protocol; Next generation networks; Universal service; Broadband and wireless access; Inter-connection and Convergence. Number portability.

**ELECTRICITY**
Renewable and alternative energy resources; Climate change (green issues); Fuel efficiency; System losses; Unbundling and deregulation; Regulating sale of electricity to end-use consumers.

**WATER AND WASTE WATER**
Water as a business; Unaccounted for water/non revenue water; Water metering and or bench-marking; Water shed management; Service levels and social considerations

**INSTITUTIONAL FRAMEWORK 7 STAKEHOLDER INTEREST**
Legal framework; Performance standards; Key performance indicators and regulatory framework; Consumer participation; Effective regulatory strategies for monitoring performance and enforcing compliance.

**GENERAL**
Monopolies; Oligopolies; Competition; Intervention of regulators in Market structures; Benchmarking; Policies hindering promotions/competition; Tariff re-balancing; Cross subsidization.

**PAPER SUBMISSION GUIDELINES**

**ABSTRACT:** ONE PAGE SPECIFYING TOPIC, NAME OF PRESENTER, INCLUDING SHORT CV. Submission deadline July 31, 2015.

**PAPER:** Typed in microsoft word: Times New Roman: Font size 12 and sent by electronic mail.

**PRESENTATION:** paper presentation is 20 minutes including optional power point.

**PUBLICATION:** Paper will appear in OOCUR/CRRC publications.

**ABSTRACT SUBMISSION:** July 31, 2015.

**NOTIFICATION:** Abstract acceptance August 31, 2015.

**PAPER SUBMISSION DEADLINE:** October 9, 2015.

No paper - No Podium
Submit abstract and paper to: prem1932@yahoo.com
Mailing address: 106 New Garden Street, Queenstown, Georgetown, Demerara, Guyana
Telephone: 592 227 3293, 592 624 6291
Submit your staff vacancies for publication free of cost in this newsletter. Also, keep an eye out for names of individuals seeking jobs in the regulatory field.

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

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.

### Members of the OOCUR Executive Council

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Mr. John Avery</td>
<td>Chairman (PUC, Belize)</td>
</tr>
<tr>
<td>Dr. Anne-Marie Mohammed</td>
<td>Deputy Chairman (RIC, Trinidad &amp; Tobago)</td>
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<tr>
<td>Ms. Kathleen Smith</td>
<td>Member (URCA, Bahamas)</td>
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<tr>
<td>Mr. Maurice Charvis</td>
<td>Member (OUR, Jamaica)</td>
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<tr>
<td>Mr. John Williams</td>
<td>Member (TC, Turks &amp; Caicos Islands)</td>
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### OOCUR Directors

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<tr>
<th>Name</th>
<th>Position</th>
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<tr>
<td>David Geddes</td>
<td>Executive Director</td>
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### Calendar of Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Type of Event</th>
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<tbody>
<tr>
<td>October 28 - 30, 2015</td>
<td>Conference</td>
<td>Annual Conference</td>
<td>Turks and Caicos</td>
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