REGULATED INDUSTRIES COMMISSION

RIC's Response to Comments Received from Stakeholders on its Draft Determination for PRE2

November 2023

This document provides the RIC's responses to comments received from various stakeholders on its Draft Determination for the Electricity Transmission and Distribution sector, for the regulatory control period 2023–2027 (PRE2).

Information Document

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Glossary of Terms and Definitions

Annual Investment Return	A report detailing the service provider's performance on capital projects against allowed capital expenditure projects.
Advanced Metering Infrastructure (AMI)	Metering technology that comprises several elements used for billing and other customer centric functions, such as outage management.
Benchmarking	The comparison of the performance of various utilities providing similar services, in a specific area/field (financial/technical/operational).
Billing Cycle	The interval of time or period between billing statements.
Building Block Approach	The approach for deriving forecast revenue requirements that is the sum of a return on the regulatory asset base including net new investment (return on assets), a return of the regulatory asset base (depreciation) and efficient operating, maintenance and administrative costs.
Business Plan	The submission by the service provider that sets out the rates/price limits requested for the duration of the regulatory control period and its justification for same.
Capex/Capital Expenditure	The money spent to buy, maintain, or improve the service provider's fixed assets, such as buildings, vehicles, equipment, or land.
Cost of Capital	The minimum return that providers of capital require to induce them to invest.
Cost Pass-Through	Component of incentive regulation that caters for uncontrollable costs (see Uncontrollable Cost).
Customer Charge	A charge that seeks to recover the fixed costs associated with providing a supply of electricity to customers. These fixed costs include the costs of installing and maintaining meters, billing and collecting, and associated administrative costs.
Cross-Subsidy	The subsidisation of a particular customer group by another group.
Demand	The rate at which electric energy is delivered to or by a system or part of a system at a given instant or averaged over any designated interval of time. Generally expressed in kilowatts (kW), megawatts (MW), or gigawatts (GW).

Demand Response	The adjustment of electricity consumption by end-users to balance the energy resources on the grid, typically achieved through pricing signals or other monetary incentives.
Depreciation	A measure of the consumption, use or wearing out of an asset over the period of its useful economic life. It is also referred to as Return of Capital.
Energy Conservation	The practice of using less energy, either by greater energy efficiency or by decreasing the types of applications requiring electricity or natural gas to operate.
Energy Efficiency	The practice of using less energy (electricity and/or natural gas) to perform the same function at the same level of quality.
Gigawatt hours (GWh)	A measure of consumption that is equivalent to 1,000,000 Watt hours.
International Financial Reporting Standards (IFRS)	A set of accounting standards that govern how specific types of transactions and events should be reported in financial statements. Such standards were developed by the International Accounting Standards Board (IASB).
Inclining Block Tariffs	A tariff structure where the incremental unit price increases as the level of consumption increases.
Kilowatt-hour (kWh)	A measure of consumption. It is the amount of electricity that is used over some period of time, typically a one-month period for billing purposes.
Kilovolt-amperes (kVA)	A measure of electricity use, typically for industrial customers.
Load	An end use device or customer that receives power from an energy delivery system. Load should not be confused with Demand, which is the measure of power that a load receives or requires (see Demand).
Marginal Cost	The cost to the utility of providing the next (marginal) kilowatt-hour of electricity, irrespective of sunk costs. A distinction is often made between Short Run Marginal Cost (SRMC) which is the change in total cost when an additional unit of output is produced and at least one cost input remains fixed. Long Run Marginal cost (LRMC) is the change in total cost when an additional unit of output is produced, and all input costs are variable.
Opex/Operating Expenditure	Money spent on the day-to-day activities running costs typical costs of running the utility and includes all staff costs, repairs and maintenance, generation, fuel and overhead costs.

Peak Load or Peak Demand	The electric load that corresponds to a maximum level of electric demand within a specified period.
Performance Indicators Report	The annual report published by the RIC that assesses T&TEC performance using targets (originally established in PRE1).
Power Purchase Agreement (PPA)	A long-term contract between energy sellers (generators) and buyers (utilities), containing the commercial terms and conditions agreed by both parties.
Regulatory Asset Base (RAB)	The value of the regulated business assets used to derive a forecast revenue requirement under the building block approach. The RAB is used for regulatory price setting purposes only and is different to the value that the utility may adopt for accounting purposes. The RAB is updated for new capital expenditure, depreciation and disposals.
Regulatory Control Period/ Price Control Period	The period covered by a price determination made by the regulator.
Revenue Requirement	A forecast of the revenue required over a regulatory control period.
Incentive Regulation	A form of utility regulation that utilises rewards and penalties to encourage the utility to meet objectives, where the utility is typically afforded some discretion in pursuing these objectives.
Service Deposit	A measure that safeguards the recovery of cost for electricity supplied to consumers, against the risk of financial loss associated with bad debts arising from non-payment of bills by customers.
Sunk Cost	In economics, a sunk cost is a cost that has already been incurred, and therefore cannot be avoided by any strategy going forward.
Time-of-Use (TOU) Rates	The pricing of electricity based on the estimated cost of electricity during a particular time block.
Transformer	A device for reducing or increasing the voltage of an alternating current.
Uncontrollable Costs	Costs over which the actions of the service provider have little or no effect.

1.0 INTRODUCTION

Section 6(2) of the RIC Act, Chapter 54:73 mandates that the RIC consults with service providers and representatives of consumer interest groups and any other parties it considers as having an interest in the matters before it. To this end, following the publication of the Draft Determination for the Electricity Transmission and Distribution Sector for the regulatory control period 2023–2027 (PRE2) on January 06, 2023, the RIC embarked on a public consultation exercise.

The RIC's consultation process is guided by its policy document, "Guidelines for the Public Consultation Process of the Regulated Industries Commission". The process ensures that adequate and accurate information is shared between the RIC and its stakeholders. It also ensures that input, information and feedback are obtained from persons whose rights or interests may be materially affected by the proposed regulatory decisions.

In keeping with its consultation guidelines, the RIC engaged in consultations with stakeholders over a period of twelve (12) weeks until March 31, 2023. During this exercise, the Commission sought to maintain transparency and independence to engender stakeholders' confidence, as their participation in the process was integral to the outcome.

A total of fifteen (15) face-to-face public consultation meetings were held: thirteen (13) across Trinidad and two (2) in Tobago. At these consultations, the RIC discussed the key features of its Draft Determination, presented its tariff proposals, and provided the public with opportunities to express views, ask questions and present suggestions. Additionally, the RIC met with twenty-four (24) special interest groups, which facilitated engagement with various stakeholder representatives such as those representing business, industry, non-governmental organisations, trade unions and other similar organisations. At both sets of consultations, participants were provided with responses to their oral questions and reminded that written comments were also welcomed and would be duly considered by the RIC. Appendices 1 and 2 detail the individuals and organisations that attended these consultations and submitted written comments to the RIC.

The RIC made eight (8) appearances on television and radio over the period. These media appearances were a key component of the RIC's public education initiatives, to ensure that the general public was informed of the public consultation exercise and about the opportunities to participate in the regulatory decision-making process. These engagements allowed the RIC to reach a broad cross-section of the population, publicly address stakeholders' concerns, answer pertinent questions, and clarify specific aspects of the RIC's Draft Determination. The schedule of these appearances is documented in Appendix 3.

The RIC obtained significant oral and written feedback from stakeholders and all have been thoroughly reviewed. Owing to the many overlapping comments and questions, the RIC grouped the feedback from stakeholders into six (6) broad thematic areas to facilitate efficient responses to the various concerns. These are General & Administrative, Legal/Legislative Matters, Methodological Approach, Technical Matters & Quality of Service, Revenue Requirement & Related Matters and Tariffs, Bill Impacts & Related Matters.

In this document, the RIC made every effort to ensure that oral and written comments specific to the Draft Determination were included, as well as comments about the process used by the RIC for the conduct of the Price Review and other related administrative matters. There were a few queries about the RIC Act that were also included. However, several persons asked questions that were not related to the Draft Determination, questions on other documents previously published by the RIC, and some that were not within the RIC's purview, hence, these questions could not be addressed in this document.

Table 1 below gives an overview of the more frequently asked questions and key issues raised by stakeholders, including a summary of the RIC's responses for ease of reference. In accordance with its stated policy, the RIC presents detailed feedback from stakeholders with responses in the sections that follow Table 1.

Table 1: Summary of Frequently Asked Questions/Key Issues and RIC Responses

Stakeholder Comment	RIC's Response
General & Administrative	
i. Not enough time was provided for the public to comment on the Draft Determination	The RIC allowed 12 weeks for consultation on the Draft Determination, from January 6 to March 31, 2023. An initial deadline for written comments was given as March 3; however, requests for an extension of time were received, and the RIC extended the deadline to March 31.
ii. No change will come as a result of the consultations as the RIC's position was already decided.	The RIC only published its Draft Determination after a rigorous process to arrive at its position, inclusive of the relevant analyses. The RIC engaged in public consultation with its Draft position, giving the public an opportunity to present cogent arguments to influence the RIC's Final Decision. The RIC is open to considering sound arguments and would reconsider its Draft position if the arguments have merit. Notably, significant changes were made to the RIC's Draft position as a result of the public engagement, and these are highlighted in this document.
iii. Claims that the RIC is not an independent body	The RIC reports to the Ministry of Public Utilities on various aspects of its operations, to ensure accountability to the Parliament. This relationship does not impact the RIC's rate-setting function, for which it has exclusive authority.
iv. Given the economic circumstances, now was not the right time for a Price Review	The RIC is mandated to conduct a Price Review every five (5) years; the process for PRE2 started in December 2020, T&TEC's Business Plan was received in November 2021, and work commenced in January 2022 to interrogate the Business Plan. The RIC has noted the tough economic circumstances and gave due consideration in its approach to rate setting. By retaining the use of a lifeline tariff and utilising a cross-subsidy to reduce the tariff impact on residential customers, the RIC has ensured that average bills are in keeping with the relevant international guidelines.
Legal/Legislative Matters	
i. Request for clarity on the responsibility for issuance of licenses	The RIC Act is clear that the Minister (of Public Utilities) grants licenses to service providers. The RIC's role is to provide advice to the Minister upon receipt of a license application.
ii. Concerns that TGU is not licensed and not named in the First Schedule of the RIC Act.	Trinidad Generation Unlimited (TGU) was granted an exemption by the Minister under Section 39 (3) of the RIC Act. The RIC has engaged its line Ministry to have TGU included under the First Schedule, with the understanding that this is a Government decision.

Stakeholder Comment	RIC's Response
iii. Complaints that T&TEC is charging persons to remove their infrastructure even though it is a nuisance to the occupants.	The RIC has received a number of complaints on this issue that pertains to Section 37 of the T&TEC Act, and has conveyed to T&TEC the extent of the public sentiments, as articulated by a number of aggrieved customers. In this regard, the RIC will convene a multi-stakeholder Committee to examine the situation that currently exists. This Committee will be established by the end of the second year within PRE2.
iv. Concerns about the procurement practices of T&TEC leading to possible inflation of costs and lack of third-party oversight.	The RIC is aware that T&TEC utilises competitive tendering as a mechanism to obtain the best value. Further, the RIC expects that T&TEC will fully comply with the regulations established by the Office of Procurement Regulator (OPR), which is meant to ensure oversight, transparency and value for money.
Methodological Approach	
i. Questions about RIC's reliance on T&TEC's cost of service based on fully-distributed costs (FDC).	The fully distributed cost (FDC) approach is the most common method for cost allocation in other jurisdictions and the RIC considers it fit for purpose. It is generally accepted that the service provider submits its cost-of-service study to the regulator for interrogation, rather than the regulator develop its own.
ii. There was a suggestion that better forecasting should be done using more modern approaches.	The RIC is satisfied that the methods currently in use to forecast annual energy sales, peak demand and fuel consumption are fit for purpose. The RIC will continue to encourage T&TEC to keep its forecasting methodology under review. More modern forecasting techniques can assist with the high complexity of tasks involved in modeling demand response, that usually accompany time of use (TOU), real-time pricing (RTP) and critical peak pricing (CPP), which are currently not implemented locally.
iii. Concerns about the use of old data from the Central Statistical Office (CSO), to assess affordability and bill impacts.	It is not reasonable nor practical to wait until the CSO completes its Household Budgetary Survey (HBS), to complete the Price Review. The RIC has utilised a suitable methodology for updating the expenditure level and expanded its analysis to support the conclusions drawn.

Stakeholder Comment	RIC's Response
iv. Questions arose about the RIC comparing local electricity rates with regional countries, as the justification for increasing rates.	The RIC used the cost of electricity in other CARICOM countries for illustrative purposes only, not to justify the proposed tariff increase. The RIC believes that providing this contextual information is important for the public to be aware of the rates in other jurisdictions.
Technical Matters and Quality of Service	
i. Comments that consumers were paying for power purchase agreements (PPAs) which provide no incentives for the IPPs to be efficient	It is not accurate to say that the existing arrangements provide no incentives for Independent Power Producers (IPPs) to be efficient, since the Power Purchase Agreements (PPAs) carry penalties when the stipulated heat rate is not achieved. For PRE2, considering that PPA prices were not derived through competition amongst independent power producers (IPPs), the RIC has decided it would not allow 100% pass-through of these costs.
ii. Any System Loss target less than 7.25% was highly ambitious.	The base value of total system losses over PRE2 will be set annually, as the average monthly value computed over the preceding year. The RIC's target for the annual reduction in total system losses over the control period is set at 0.15% or 15 basis points (i.e. the rate of 3/20th of a percentage point of the computed base value). T&TEC will be required to submit to the RIC, no later than 10 months of the publication of the Final Determination, a loss reduction programme detailing the measurement of the total system losses in terms of the technical and non-technical losses, the forecasted trajectory in the total system losses from the second year to the final year of PRE2, <u>without</u> the intervention of the loss reduction programme, and the proposed projects/initiatives to reduce the annually computed base values by the set annual rate of 0.15% or 15 basis points. The implementation of the loss reduction programme shall commence from the start of the second year of PRE2.
iii. Comments that renewable energy (RE) should be utilised as a way to lower electricity costs.	The promotion of RE requires the appropriate policy and legislative framework, which the Government is working to establish. Two utility-scale solar photovoltaic (PV) plants are scheduled to be constructed and as far as the RIC is aware, their output will be included into the generation mix, once they are completed. It should be noted that the per-unit cost of RE with storage will be significantly higher than the per unit cost of T&TEC's current service to customers.
iv. Several calls for review of T&TEC's reserve capacity requirement.	The RIC's view is that T&TEC's practice of reviewing a customer's demand over a 12-month period before deciding on their request for reduction in reserve capacity, is reasonable, given the cost of network infrastructure to service the customer at the higher reserve capacity.

Stakeholder Comment	RIC's Response
v. Residential and business customers had concerns with T&TEC's handling of damaged appliance claims and low-voltage reports.	Damaged appliance issues are often complex and culpability does not necessarily lie solely with T&TEC. The RIC encourages T&TEC to engage in public education on this issue. In addition, the RIC intends to review the Damaged Appliance Policy in PRE2 to determine what aspects remain fit for purpose and what needs to be updated.
vi. T&TEC queried the RIC's target for reducing interruptions to no more than three (3) per month, by location.	The RIC noted T&TEC's concerns and after giving further consideration to the matter, the target of no more than three (3) interruptions per month, commencing from the third year of the control period, will remain. For implementation purposes, it will be reported on by individual distribution feeders. T&TEC will be required to conduct a study to evaluate its performance in its worst performing feeders. Along with the submission of the results of the study, T&TEC will be required to submit and to action a management plan detailing the main factors that contribute to the performance on these feeders, the specific measures and resources required to improve performance, and the plan of action for T&TEC to meet the incentive target. The RIC will carefully consider the reason for breaches of this target before application of penalties. Further, the specific penalty may be directed to finance improvement for the specific feeder, if the RIC so chooses.
Revenue Requirement and Related Matters	
i. Concerns that T&TEC may use tariff revenue on Government projects and that Government-funded projects were included in the regulatory asset base.	The RIC has implemented several strategies to ensure T&TEC utilises tariff revenue solely for RIC-approved Capex projects. These are detailed in the Final Determination. The value of Government-funded projects was not included in the regulatory asset base; however, an allowance for depreciation was made to ensure these assets are replaced at the end of their useful lives.
ii. T&TEC asked for the reasons some Capex requests were disallowed and why some requests were reduced.	The RIC fully disallowed four (4) out of 207 projects (reasons provided later). The RIC made adjustments to some requested Capex based on cost comparisons of comparable projects and setting of efficiency gains to be achieved during project execution.
iii. T&TEC asked why $1,116.41 million in employee-related costs were disallowed.	The reduction in employee-related costs (Table 7.4 in Draft Determination) is in keeping with the approach outlined in RIC's paper "Treatment of Pension Costs for Regulatory Decision Making", in which pension deficit payments are not included as part of the service provider's revenue requirement.

Stakeholder Comment	RIC's Response
iv. Queries about the measures implemented by the RIC to reduce the variance between approved and actual Opex.	Several measures to improve tracking of Opex costs were discussed in Chapter 7 of the Draft Determination. These include a report to be submitted on how T&TEC has improved its crew sizes. Also, an Opex cost-efficiency study is to be done by T&TEC. Additionally, RIC and T&TEC are to collaborate to establish a more comprehensive reporting framework for Opex.
v. Many concerns about T&TEC's inefficiencies over time being translated to inflated costs, which are now being passed to customers.	Efficiency cuts are made upfront by the RIC to the utility's proposed expenditure, therefore, the utility can only recover efficient expenditure through rates. These cuts are detailed in Chapter 7 of the Draft Determination. If the utility successfully lowers its cost during the control period, it can retain the savings and spend on projects at their discretion. Customers will benefit from lower rates in the subsequent control period, as efficiencies are passed through to the customer base, which is the objective of incentive regulation.
vi. Treatment of non-tariff income.	Customers benefitted from non-tariff revenue being removed from the revenue requirement. This revenue includes dividend income, capital contributions, pole and transformer-rental income and asset disposals.
vii. Treatment of debt to the National Gas Company (NGC).	Debt to NGC that accumulated before January 2019 was not included in tariffs. A portion ($1.2 billion) of the debt accumulated from January 2019 to August 2022 (totaling $3.8 billion) was included in tariffs, starting from 2026.
viii. The high level of receivables from Government was a concern for many.	The RIC has recommended the implementation of a Reserve Vote system, which would ensure funds are transferred directly from the Ministry of Finance to T&TEC, thereby ensuring that future sales of electricity to Government agencies are settled with no further increase in receivables from Government.
Tariffs, Bill Impacts and Related Matters i. Comments that the residential increases were too high.	In preparation of its Draft Determination, the RIC retained the inclining block structure, which allows persons who consume the least amount of electricity to pay the lowest rates. Also, the number of consumption bands (tiers) were increased from three to four and the width of the middle tiers was widened. Further, residential customers are benefitting from cross-subsidies. These measures were implemented by the RIC to ensure that electricity used for basic needs remained affordable and that the bill impacts to low and middle income households were reasonable. Therefore, the RIC maintained the residential rates as presented in the Draft Determination.

Stakeholder Comment	RIC's Response
ii. Business stakeholders indicated it was highly likely the increases in their rates would be passed to customers.	Giving deep consideration of the economic circumstances that prevail, the RIC reduced commercial B1 rates that were proposed in its Draft Determination from $0.62 to $0.56. The resultant range of bill impacts for commercial B1 Customers decreased from 51–63% to 37–51%. Adjustments to industrial D rates were also made that resulted in a reduction in bill impacts from 72–87% to 58–70% now. These adjustments are expected to mitigate the anticipated "knock-on" effects that businesses were concerned about. Industrial E rates remain unchanged. In future years within PRE2, the RIC will determine a reasonable level of increase.
iii. Requests for special rates, preferential rates by various groups.	The RIC is constrained by its legislation to non-discrimination in pricing among similarly placed customers. The notion of setting a preferential rate implies that the RIC should favour one set of customers as it pertains to the rate they pay for electricity. This is not permitted by the RIC Act, and it is not best practice for rate design.
iv. Miscellaneous and Other Charges - Minimum Bills T&TEC asked for minimum bills to be specified.	T&TEC was previously allowed to set minimum bills for all classes of customers, with the exception of B2 (formerly B1) customers. The RIC notes T&TEC's request and will place minimum bills under regulatory scrutiny. In this regard, T&TEC must provide a proposal for minimum bills for each rate category, within two (2) months of the publication of the Final Determination. In the interim, current minimum bills will continue to apply.
- Service Deposits (SDs) T&TEC asked for clarity regarding RIC's decision on service deposits.	The RIC agrees in principle with the proposal to increase the SDs for new residential and commercial B1 customers to the value of one month's average bill at the new rates, and for new commercial B2 Customers, the equivalent to 5,000 kWh billing. The SD charge for industrial customers, in principle, will be the value of one month's average bill (the higher of 75% reserve capacity or minimum kVA consumption). T&TEC will be required to submit proposals for High Density customers within one month of the publication of the Final Determination. Notwithstanding, the RIC recognises that there are implementation issues that require further discussion between the RIC and T&TEC. Therefore, the RIC's decision is that the existing service deposits will remain in effect until such time as all implementation issues are discussed and resolved. New service deposit charges will become effective on a date(s) to be determined by the RIC.

Stakeholder Comment	RIC's Response
- Miscellaneous Charges There were queries about the increase in Disconnection for non-payment charge and about the charge for Change and/or Reposition of Meters.	The RIC has revisited its position and has adjusted the new charge for Disconnection for non-payment from $297.00 to $150.00 (by the rate of inflation). The new charge for Change and/or Reposition of Meter ($246.00) that was in the Draft Determination is consistent with the other charges that have been adjusted by the rate of inflation.
- Customer Charge T&TEC noted that RIC provided no justification for its rejection of the proposal for two-tiered customer charge to encourage e-billing.	The RIC's initial view was that customers should be encouraged by T&TEC to move to e-billing in order to reduce its costs, rather than via a differential charge that did not appear to be cost-reflective. The RIC has reconsidered its position and will require T&TEC to submit a cost-based proposal for an appropriate customer charge, at the time of the first Annual Tariff Adjustment.
v. Billing Cycle	The RIC has retained the introduction of monthly billing for all classes of customers, as proposed in the Draft Determination.

2.0 GENERAL & ADMINISTRATIVE

Many stakeholders raised general and administrative concerns related to matters such as the RIC's consultative process, public awareness and customer education about the consultations, the timing of the rate review, and the RIC's independence, credibility and efficiency. These comments are discussed in detail below.

2.1 Consultation Process

(a) Comments:

Stakeholders commented that not enough time was provided by the RIC for stakeholders to respond to the Draft Determination, which was approximately 300 pages and technical in nature. There was also the claim that the amount of time allocated by the RIC for consultation on such a complex matter was less than the 12 weeks that was indicated in its "Guidelines for the Public Consultation Process of the Regulated Industries Commission".

RIC's Response:

The RIC's Final Decision document, "Guidelines for the Public Consultation Process of the Regulated Industries Commission" was published in January 2018 and the public was reminded of these guidelines via newspaper advertisement in March 2021. This document prescribed the consultation period to be used depending on the level of importance of the regulatory issue under consideration, the complexity of the subject matter, and the impact on and likely interest in the proposal by stakeholders. The maximum timeframe for consultation was established as 12 weeks.

On December 29, 2022, the RIC held a press conference to announce that it had completed its review of T&TEC's Business Plan and was ready with its Draft Determination for public consultation. The Draft Determination was made available on the RIC's website on January 6, 2023. The public was notified of this through advertisements in the three daily newspapers and through the RIC's social media pages, and emails were sent to stakeholders on the RIC's mailing list.

The RIC widely published its request for written comments on the Draft Determination, via newspaper advertisements, articles, social media posts, the RIC website, and e-mails to stakeholders on the RIC's mailing list. These advertisements, which commenced on January 7, 2023, specified the various channels through which interested parties could submit written comments (either print or electronic) and the initial deadline for the submissions, March 3, 2023. Reminder notices were issued on February 28, 2023, that the deadline for comments was approaching and that interested parties should submit within the stipulated timeframe. In light of requests for an extension of time to provide written comments, the RIC then extended the closing date to receive such comments to March 31, 2023. This Extension Notice was issued through traditional and social media platforms on March 9, 2023.

(b) Comments:

One stakeholder suggested that owing to the complexity of issues contained in the Draft Determination, there should be a second round of consultation. Other persons questioned why the meetings with special-interest groups were held "behind closed doors" and inferred that it was done to avoid public scrutiny.

RIC's Response:

For the first price review for the electricity transmission and distribution sector 2006–2011 (PRE1), there was only one round of public consultation for the Draft Determination, which initially lasted eight (8) weeks. The RIC extended its consultation period to twelve (12) weeks for the second price review to allow stakeholders more time to comment on the Draft Determination. For PRE2, while the RIC's Guidelines on Public Consultation allow a second round of consultation at its discretion, the RIC believes a second round was not required.

The RIC requested that special interest groups bring financial data so an in-depth and meaningful conversation would be fostered in a forum that was appropriate for discussing sensitive commercial financial data. Discussions with specific groups also provided information on how the RIC's proposals will impact those groups.

(c) Comments:

Several stakeholders questioned the credibility of the consultative process and asked whether the process would result in any tangible input into the process, as they felt that the RIC had already made its decision. Some persons expressed the view that the rates presented by the RIC at the consultations were already set, that the RIC's meetings could best be described as, "bureaucratic box-ticking", and that the manner in which the consultations were conducted left much to be desired.

RIC's Response:

The RIC would like to emphasise that the proposals contained in the Draft Determination were not a forgone conclusion. The approach of preparing the Draft Determination is broadly similar to that taken by other regulators that utilise incentive regulation and follow a consultative approach to decision-making. The RIC reviewed and considered all comments received during public consultations. Where compelling arguments were made, the RIC revised its position, and in some cases, significant changes were made and incorporated in the RIC's "Final Determination for the Electricity Transmission and Distribution Sector for second regulatory control period 2023–2027 (PRE2)".

The RIC acknowledges the concerns raised but believes that it has conformed to its "Guidelines to Consultation Process" document, during consultations on the Draft Determination. However, as part of its routine internal process of reviewing all regulatory policies, the RIC will review its Guidelines and update same, as may be required.

2.2 Independence of the RIC

(a) Comments:

Several stakeholders raised concerns about the independence of the RIC. Persons provided examples of the Minister of Public Utilities making public statements about upcoming RIC activities when the RIC had not made any announcement. Others saw the Minister's role in approving the RIC's organisational structure, compensation and operational budget as an indication that the RIC was not independent.

RIC's Response:

The Ministry of Public Utilities (MPU) is the line Ministry for the RIC. To ensure that the RIC is accountable to the Parliament of Trinidad and Tobago, the RIC is mandated by its Act to provide reports to the MPU on its activities. This does not compromise the independence of the RIC, as the Ministry neither directs the RIC's work plan nor its staff in undertaking operational activities.

The RIC's status as an independent statutory body does not negate the fact that it is accountable to other entities for aspects of its operations. For instance, the RIC's budget is subject to Ministerial Oversight as per Section 28 of the RIC Act. Further, for the RIC to collect revenue (a Cess) from service providers to fund its operations, the Minister must first approve the Cess via an Order, as outlined in Section 30 of the RIC Act and its sub-sections. These provisions ensure that the RIC is accountable to Parliament for its Budget and that the Cess levied on the service providers is fair and reasonable, based on the operational activities of the RIC.

(b) Comments:

The RIC was asked to "make abundantly clear" its role in determining the rates for the Electricity Transmission and Distribution sector, as there appeared to be conflicting information in the RIC's 2005 "Conducting Public Consultations" document.

RIC's Response:

The RIC's role in determining the rates for the Electricity Transmission and Distribution sector is clearly stated in its parent legislation. The RIC's 2005 "Conducting Public Consultations" document is no longer utilised as it was reviewed in 2017 and RIC's updated "Guidelines for the Public Consultation Process of the Regulated Industries Commission" were published in January 2018; therein, is no reference to Ministerial Approval for final decisions regarding price reviews. In its sole discretion, by virtue of Sections 6 (j) and Section 48 of the RIC Act, the RIC is responsible for establishing the principles for determining rates and charges (tariffs) for services every five (5) years. Under this approach, the tariffs can be adjusted for each year of the price control period. All annual adjustments are communicated to customers before implementation of new tariffs.

2.3 Credibility and Accountability

(a) Comments:

Several commenters raised the issue of the credibility of the RIC. One asked why had the RIC failed to conduct a Price Review every five (5) years as it is legislatively required to do, and asked for the reasons that hindered the RIC in this regard, to be made clear. A similar comment was that "after 23 years of existence, the RIC had failed to perform its roles and functions as stipulated in the RIC Act".

RIC's Response:

With regards to the delays in completing timely price reviews, in the past, there were both internal and external factors that affected the timely completion of price reviews. The RIC accepts the concern expressed by members of the public and expresses its intention to perform timely reviews in future.

In response to the comment that the RIC has failed to perform its roles and functions as stipulated in the RIC Act, notwithstanding the previous lapses in performing a price review, the RIC has discharged its statutory obligations in other key areas with respect to the Electricity Transmission and Distribution Sector. The RIC revised its Quality of Service Standards for T&TEC in 2010 and updated them in 2017. The RIC also developed Codes of Practice for T&TEC in 2010, which were reviewed and revised in 2021. The RIC developed a Capital Contribution Policy for T&TEC in 2009, which was reviewed and revised in 2022. Other regulatory policies and requirements were also developed over the years. The RIC has also regularly published Annual Reports for the QSS and Annual Performance Indicators Reports, and has had a high success rate resolving consumer complaints. Indeed, the RIC in 2022 was able to resolve 90.1% of the complaints that it received.

(b) Comments:

Questions were raised about RIC's failure to comply with its statutory obligation of having its Annual Report and Financial Statements laid before Parliament no later than six (6) months after the end of its financial year.

RIC's Response:

The RIC is aware of its statutory obligation to have its audited financials ready for submission to the Minister, to be laid in Parliament, within the specified timeframe under Section 34 of the RIC Act. Like other organisations, the RIC experienced setbacks during the period of COVID-19 and is now working to bring its financial statements up to date.

(c) Comments:

A few persons questioned the composition of the RIC's panel of representatives at the public consultations. They suggested that Commissioners and not "functionaries" of the RIC should be fielding questions at the public consultations.

RIC's Response:

The RIC engaged the public via a panel of persons, initially comprising the Chairman of the RIC and the Executive Director and later expanded to include subject matter experts. The Executive Director is the Chief Executive Officer, responsible for the day-to-day operation, management, direction and supervision of the RIC's work, including all matters related to the Price Review. The Chairman, who was present at all consultations, represented the Board which is responsible for approving the Final Determination. Other Commissioners who serve on the RIC's Board were in attendance at the various public consultations.

2.4 Timing of the Price Review

Comments:

Many persons expressed concerns that the timing of the Price Review was "bad". To support their claim they drew attention to the following: the level of inflation on goods and services over the last few years; the hardships created by COVID-19; exceptionally high unemployment; and that employers have not adjusted incomes to meet the increase in the cost of living.

RIC's Response:

The RIC recognises that whenever a price review is being conducted, there will be many stakeholders who believe that it is not the appropriate time to review rates. However, the RIC is required to review the principles for determining rates and charges every five (5) years (Section 48, RIC Act).

The RIC does not have the discretion to determine when to conduct a price review, and neither would this be desirable. Once the RIC substantially receives the requested information from the utility via a Business Plan, it works expeditiously to complete its assessment. The RIC has taken the current economic climate and the impact of COVID-19 into consideration in its preparation of the Draft Determination, as it sought to cushion the impact on residential customers especially. The RIC's considerations are discussed in more detail in Sections 4.3 and 7.1 to 7.3 below.

3.0 LEGAL/LEGISLATIVE MATTERS

Stakeholders raised various queries related to specific sections of the RIC Act, the T&TEC Act, and other Acts of Parliament. These are discussed below.

3.1 Licences

Comments:

There was a request for clarity to be provided by the RIC on issuing licences. One person questioned "the legitimising of unlicensed service providers via this rate review exercise" since the revenue requirement included generation costs of Trinidad Generation Unlimited (TGU). Another person opined that "if TGU was not licensed, then the terms and conditions of the TGU contract should not be included in the Price Review". One commenter asked why "no licences were issued by the RIC" and stated that there should be rules for the interconnection of generators to the electricity grid.

RIC's Response:

According to Section 38 of the RIC Act, the issuance of licences falls under the remit of the Minister. The RIC's role in the licensing process is to advise the Minister upon receipt of a licence application. Notwithstanding, Section 38 (3) of the RIC Act allows the Minister to grant an exemption from the requirements of the RIC Act to a service provider, thus allowing the exempted party to provide services without a licence, as in the case of Trinidad Generation Unlimited (TGU).

For clarity, the current Price Review (PRE2) is for the electricity transmission and distribution sector. The costs associated with generation from both licensed and exempted entities are included within T&TEC's Business Plan because they are legitimate costs to be recovered for the supply of electricity to customers.

The rules concerning T&TEC's interconnection with thermal generators are contained in the respective interconnection arrangements, which form part of the Power Purchase Agreements (PPAs). The operations of the proposed renewable energy generators (Solar PV farms) will fall under similar arrangements.

3.2 RIC Act - First and Second Schedules

Comments:

A few stakeholders highlighted that TGU was not listed under the First Schedule of the RIC Act and suggested that this should be addressed so that TGU can be subject to regulation. One commenter suggested that given the importance of natural gas in electricity generation, the National Gas Company (NGC) should be included under the First Schedule of the RIC Act. In addition, "gas is a regulated industry in many jurisdictions", and natural gas should be included under the Second Schedule of the RIC Act. The person asked whether RIC provided such advice to the Minister, given its importance to energy generation.

RIC's Response:

TGU was granted an exemption by the Minister under Section 38 (3) of the RIC Act. Even so, the RIC has written to the Ministry of Public Utilities (MPU) requesting that TGU be placed under the First Schedule of the RIC Act, as TGU is providing a service listed under the Second Schedule of the RIC Act.

The decision of whether NGC should be under the First Schedule of the RIC Act or that the natural gas sector should be included under the Second Schedule of the RIC Act does not reside with the RIC.

3.3 T&TEC Act - Section 37

Comments:

Many persons were concerned with the manner in which T&TEC installed its infrastructure on private property, and expressed the difficulty they faced in terms of the length of time they had to wait and the amount of money T&TEC was charging them to have the infrastructure removed. Persons believed that T&TEC's interpretation of Section 37 of the T&TEC Act was to their detriment, owing to its sole discretion/determination of whether a nuisance exists. Persons considered it unfair that there was no obligation on T&TEC to remove this infrastructure at no cost to the property owner if removal was requested because the infrastructure was hindering the owner's enjoyment of their private property.

RIC's Response:

The RIC has observed an increased number of complaints about removing T&TEC infrastructure on private property and the associated costs required by T&TEC. According to the T&TEC Act, infrastructure will be removed at no cost to the customers if deemed a nuisance or a cause of loss to the owner. Currently, T&TEC is the party that determines if a nuisance exists. The RIC is not the appropriate body to determine whether a nuisance exists. Such a decision is typically within the remit of the Courts of Trinidad and Tobago.

The RIC is of the view that this matter requires further examination and will establish a Committee comprising representatives of key stakeholders (T&TEC, non-governmental organisations, consumer interest groups, and the RIC) by the end of the second year of PRE2. This Committee will report to the RIC within six months of its establishment.

3.4 RIC Act – Sections 53, 58 and 67

Comments:

One person made a statement about Section 53 of the RIC Act, saying that the general public is not satisfied with the level and quality of service provided by T&TEC, and asked how this level of dissatisfaction was taken into consideration by the RIC in its Price Review. The RIC's representatives were also asked whether the regulator exercised Section 58(a) of the RIC Act. Another asked the RIC to carefully consider whether the public can pay the proposed rates in the context of Sections 67 (2) and (3) of the RIC Act. Finally, one person asked how Sections 67 (3) (c) and (g) were addressed by the RIC in its proposals.

RIC's Response:

The comment raised about Section 53 of the RIC Act concerned the quality of service provided by T&TEC; it was, therefore, addressed later in this document (Section 5). Section 58(a) gives the RIC the powers to inspect the accounts and other records of T&TEC. The RIC has exercised this power as required, including during the conduct of this Price Review. Section 67 of the RIC Act refers to the making of Regulations. At this time, Regulations have not been established. However, the RIC has embodied the intent of Sections 67 (2) and (3), as it relates to Price Reviews, in its Framework and Approach document and other consultative documents that preceded the Draft Determination. More specifically, the RIC considered Section 67 (3) (c) "the ability of consumers to pay rates" when it published its paper on 'Addressing Affordability of Regulatory Prices' in January 2021. Many of the issues addressed in that document have been incorporated in Chapter 12 of its Draft Determination. Section 67 (3) (g) states that where the Commission makes Regulations, it shall have regard to; "the rate of inflation in the economy for any preceding period as may be considered appropriate". The Retail Price Index (a measure of inflation) has been incorporated into the RIC's overall price-setting framework.

3.5 RIC Act – Renewable Energy

Comments:

Several persons raised the issue of renewable energy generation from various perspectives. From a legal standpoint, one person stated that the RIC Act adopts a "technologically neutral approach to electricity supply, transmission and distribution. Consequentially, renewable energy falls under the RIC's purview".

RIC's Response:

The RIC Act refers to the "supply of electricity" and "distribution of electricity" without specifying the source of electricity generation. The RIC includes the costs of any supplier of electricity to T&TEC in its computations.

3.6 Procurement Legislation

Comments:

There were several comments/queries related to T&TEC's procurement activities. These included whether the RIC has examined the procurement procedures of T&TEC, what assurance can the public have that the purchases of goods and services are not being inflated, and has the RIC examined any of the actual products procured by T&TEC and compared the price paid against the market price? Also, "where there is no independent third-party oversight or accountability, can the RIC endorse that there is no corruption?"

RIC's Response:

The Office of Procurement Regulator (OPR) is the legal body with authority under the Public Procurement and Disposal of Property Act (2015) to investigate any alleged acts of impropriety by T&TEC in its procurement process/practices. The RIC expects that T&TEC will fully comply with the regulations established by the OPR and had indicated so in its Draft Determination. In addition, if information from T&TEC concerning its procurement procedures under Section 59 of the RIC Act is required, the RIC expects that T&TEC will provide this information. The RIC has the power to audit and inspect T&TEC's books (financial and otherwise). Also, the RIC's price-setting framework includes evaluating T&TEC's proposals to ensure prudent and efficient expenditure over the regulatory control period.

4.0 METHODOLOGICAL APPROACH

There were several queries pertaining to RIC's approach to issues such as the RPI-X model, cost allocation, forecasting, data reliability and comparative analysis, and benchmarking. These are discussed below.

4.1 RPI-X Model

Comments:

One commenter asked how the X-factor in the RPI-X model was determined.

Response:

In its most general form, the RPI-X approach involves limiting price/revenue changes to general inflation less a specified "X"-factor. There are two main approaches to setting the value of the X-factor. The first approach relates X directly to annual inflation-adjusted reductions in aggregate costs. The X-factor can be established by considering the operational history of a service provider or by reference to benchmarks independent of the service provider's production costs. This becomes the performance target that the service provider must meet to maintain its profitability. Performance that surpasses the target will result in higher profits during the control period for the service provider, which is the key incentive of the RPI-X form of regulation. The second approach uses X as a smoothing device. Under this approach, expected efficiencies are separately factored into each building-block cost category. The X-factor represents the value that, on average, achieves the resultant real-term change in revenues (or revenue path) that minimises price shocks. In other words, the net present value of required revenues is fully recovered over the regulatory period through the X-factor, using a smoothing technique. The RIC utilises the X as a smoothing device.

4.2 Method of Cost Allocation

(a) Comments:

One submission raised concerns about the cost allocation method utilised by the RIC for determining rates. There was a comment that the RIC's Draft Determination was "at best a discussion on fully distributed costs (FDC) used for a rate review exercise". More specifically, the comment queried the RIC's reliance on T&TEC's FDC model based on historical cost rather than a cost model developed internally, and suggested the latter was done by other regulatory agencies in the Caribbean. Further, the concern was that “more progressive countries are utilising more forward-looking Capacity Expansion Models and Production Cost Models”.

RIC’s Response:

The Draft Determination identified three common approaches for cost allocation: a marginal cost approach, an average/embedded cost/fully-distributed approach, and the avoidable-cost/equity/ social rate-making approach. Regulators typically focus on the embedded and marginal cost approaches. It is generally accepted that a service provider submits its cost-of-service study to the regulator. For example, the Office of Utilities Regulation (OUR) Jamaica, in its Price Review 2019–2024, reviewed the cost of service study submitted by the utility company. For PRE2, the RIC conformed to this well-established practice and is not aware of any regulator in the Caribbean that prepares its own cost-of-service study.

The RIC notes that Capacity Expansion Modelling (CEM) is used for long-term planning for the power sector to identify the least-cost mix of power system resources, including considering new policies, technological advancement, changing fuel prices and electricity demand factors. Further, like CEM, Production Cost Modelling (PCM) uses optimisation to find the least-cost dispatch of grid resources. While PCM and CEM are suitable planning tools for developing the power sector, they are unsuitable for cost allocation in rate design.

Therefore, the RIC considers the fully distributed cost approach fit for purpose and acceptable for use in PRE2, and notes that this is the most common method for cost allocation in other jurisdictions. In the future, the RIC can, if necessary, ask T&TEC to adjust its cost of service submission to account for the changes at the time of an annual adjustment.

(b) Comments:

One person’s view was that the Draft Determination “simply states that it reduces T&TEC’s costs in specific areas without providing any information on what items are reduced or omitted and how these new costs impact outcomes”. The person further noted that “the RIC utilises T&TEC’s historical cost to determine future rates. It is therefore important that approved costs and revenue streams can be independently assessed and verified”.

RIC's Response:

In accordance with the RIC Act, specific costs of T&TEC must be considered as part of the RIC's overall methodology for price setting. Therefore, as part of its data analysis, the RIC reviewed T&TEC's historical cost to develop the base year cost. Notwithstanding, the RIC also employed benchmarking to assist in its decision-making to determine efficient costs (see Chapter 7 and Section 12.2, respectively, of the Draft Determination). It should be noted that several important concerns may arise if starting prices are set independent of the service provider's costs. These include the following:

i. the revenue allowed to a regulated firm must offer a reasonable prospect that the firm can recover its costs (including a reasonable return), or else incentives for efficient expenditure and investment will be undermined;
ii. benchmarking techniques may not adequately reflect the local service providers' costs, especially as they face significant capital expenditure requirements for network replacement, growth and service standards requirements;
iii. reliance on the prices or costs of other utilities may hinder one's ability to set the initial prices at reasonable levels, especially given that T&TEC is currently experiencing large revenue short-falls in its operations; and
iv. the degree of certainty required to encourage efficient new investment may not be provided when prices are set entirely independent of the service providers' costs.

(c) Comments:

A concern expressed by a few persons was that "T&TEC's Financial Statements were not available for public scrutiny during this rate review exercise".

RIC's Response:

The RIC notes that T&TEC has a legal obligation to submit its Financial Statements to Parliament, and there are Parliamentary Committees through which information on T&TEC's financial position is made publicly available. Furthermore, information on recent key financial statistics of T&TEC was presented by the RIC in Section 6.3 of the Draft Determination. More detailed information on T&TEC's past financial performance was published in the Review of the Status of T&TEC (2016–2019) document, which is available on the RIC's website.

4.3 Forecasting Methods

Comments:

One commenter called for better forecasting by T&TEC, suggesting that Artificial Intelligence (AI) and Machine Learning (ML) forecasting should also be utilised. Further, the commenter asked whether the increase in electric vehicle uptake has been accounted for in the forecast.

RIC's Response:

T&TEC prepared annual energy sales, peak demand and fuel consumption forecasts, employing econometric models widely utilised in many jurisdictions. The RIC is satisfied that the methods used by T&TEC are fit for this price review, as the RIC's internal analysis has validated these (see tables 5.4, 5.5 and 5.6 in the Draft Determination).

AI and ML have recently emerged in other jurisdictions as technologies that can assist with the high complexity of tasks associated with modeling demand response (DR). This type of modeling is typically a pre-requisite for time-of-use (TOU), real-time pricing (RTP) and critical peak pricing (CPP). Perhaps the increased use of renewable energy resources in the future would advance the integration of AI and ML in managing increasingly complex systems.

Some components within the local electricity network, such as Advanced Metering Infrastructure (AMI) smart meters, can facilitate DR programmes (price-based or incentive/contract-based). However, all the necessary systems within the network are not in place at this time for the roll-out of robust DR during PRE2.

The RIC has highlighted in its Draft Determination that Trinidad and Tobago is in the initial stages of electric vehicle (EV) adoption, where the market uptake has been relatively slow. Changes in consumer demand for EVs will depend heavily on fiscal policies, as EV prices remain comparatively higher, and the supporting charging infrastructure to facilitate EV uptake is currently absent. Unless there is a rapid demand for EVs within PRE2, the RIC does not expect a significant addition of load from EVs onto the electricity network. In its Draft Determination (Section 12.7), the RIC addressed the EV charging arrangements that will apply for PRE2.

4.4 Data Reliability

(a) Comments:

Several persons expressed concerns about the reliability and accuracy of some of the data utilised in the Draft Determination document, particularly those used to assess affordability and bill impacts. One person commented that "the use of 10-year-old data by the RIC in crafting its impact assessment on consumers does not reflect the realities of today's economy and the burdens consumers face". Other attendees suggested that the RIC should halt the rate review process until the Central Statistical Office (CSO) completed its ongoing Household Budgetary Survey and Survey of Living Conditions in 2024.

RIC's Response:

The RIC notes the suggestion that it should await the completion of the CSO's work in 2024 to obtain pertinent data. However, it is mindful that this projected timeline is for the conclusion of the Survey only, and there are other steps to be completed which can take additional time. Therefore, it is neither reasonable nor practical for the RIC to delay its completion of the Price Review.

In its Draft Determination, the RIC noted that an internationally accepted guideline for assessing affordability specifies that the percentage of household expenditure spent on electricity should not exceed 10%. The RIC accepts that the 2008/2009 data from the Central Statistical Office was not current. However, its assessment in the Draft Determination was intended to show that after the rate increase, the average residential bill[1] ($234.00 based on usage of 627 kWh usage) as a percentage of average household expenditure would be 3.3%, which is significantly lower than the internationally accepted guideline (World Bank).

Many persons shared the view that the 2008/2009 data from the CSO was unrealistic and that many households spend significantly less than the CSO's average of $7,233.40 per month. The RIC understands the concern, and notes that there will always be households on either side of the average. In the absence of information from a more recent Household Budgetary Survey, a reasonable proxy for current household expenditure would be to adjust the 2008/2009 average

[1] The average residential bill of $234.00 was derived from the average residential consumption per month (627 kWh) and the new residential rates.

monthly expenditure by the annual rate of inflation.[2] This yields a monthly average household expenditure of $11,424. At this level, the average household expenditure on electricity after the price increase is 2.04%, well below the international guideline. In Trinidad and Tobago, it may also be useful to consider household expenditure for low-income customers as the equivalent of the senior citizen monthly pension grant of $3,500. At this level of expenditure, the average household electricity bill after the rate increase ($234.00) represents 6.7% of expenditure, which is within the international guidelines.

The RIC has presented two additional monthly household expenditure comparators, and in both cases, the average residential electricity bill is less than 10% of household expenditure.

(b) Comments:

One commenter suggested that the number of reporting requirements placed on T&TEC by the RIC reflects an absence of a robust data collection framework to allow for evidence-based, data-driven decision-making and long-term planning.

RIC's Response:

The RIC disagrees with the comment that there is an absence of evidence-based, data-driven decision-making. On the contrary, the information required to conduct the price review is data-driven, as outlined in the RIC's Information Requirements: Business Plan document, published at the start of the price review. This document established the information required by the RIC and informed the preparation of T&TEC's Business Plan for submission to the RIC. As part of their Determination documentation, it is typical for regulators to specify the reporting requirements for the price control period. This includes various reports on operating expenditure, capital expenditure and the ability of the utility to meet other quality-of-service directives. The validation of T&TEC's processes and procedures by the RIC within the various reporting requirements established in the Determination is an essential pre-requisite before moving towards a more robust framework (automation) of data collection.

[2] Melville Y. and Persad N. (2022), The Impact of Declining Central Government Transfers and Subsidies on the Household Sector: Implications for Financial Stability.

4.5 Comparative Analysis and Benchmarking

(a) Comments:

There was a wide range of comments from persons regarding the other countries that the RIC sought to compare itself against. Concerning electricity rates, several persons felt that Trinidad and Tobago should not be compared with other countries in the Caribbean. Some argued that the cost of electricity in these countries might be higher because they do not benefit from economies of scale and because generation technology may be outdated and inefficient. Comments from the business sector suggested that the ease of doing business and labour rates in Trinidad and Tobago were much higher, so comparing electricity rates should not be done in isolation. Persons raised general concerns about T&TEC's operational performance compared with other utilities regionally and internationally.

RIC's Response:

In its Draft Determination, the RIC used the cost of electricity in other CARICOM countries for illustrative purposes mainly, not as a justification for the proposed tariff increase. In comparing local and regional electricity rates, the RIC relied on third-party reports as much as possible (such as CARILEC[3] reports) to avoid having to make its own assumptions.

As it relates to T&TEC's performance in comparison to other utilities regionally and internationally, in keeping with standard regulatory practice, the RIC has published several reports in which comparisons are made, where applicable. These reports include the Annual Performance Indicators Report and the Review of the Status of T&TEC. A brief snapshot of T&TEC's current performance can be found in Chapter 6 of the Draft Determination. The RIC invites stakeholders to review these documents for relevant information on T&TEC's performance. Notwithstanding the comments from stakeholders that doing business locally was more difficult, the RIC believes that the stability of the local electricity grid and electricity prices make Trinidad & Tobago an attractive place to do business.

[3] CARILEC is the Caribbean Electric Utility Services Corporation. For further information, see https://www.carilec.org

(b) Comments:

One commenter asked whether the RIC did any comparative analysis with utility management structures in other jurisdictions and whether private sector co-management of the utility was considered. The query continued about whether the RIC analysed T&TEC's management procedures as a possible cause of "accelerating inefficiencies". Further, the person asked whether any comparative cost efficiency analysis was done on the independent power producers.

RIC's Response:

The RIC would like to clarify that the role of the utility regulator is not to micro-manage the utility's operations but to establish sound regulatory policies and procedures to improve the sector's overall performance. There may be several reasons why utilities' operating performance and efficiency in other jurisdictions differ from T&TEC's, including management policies and procedures. Regulators seek to maintain an "arms-length" relationship with utilities and, therefore, do not get involved in prescribing changes in management policies and practices. These are best reviewed and modified by T&TEC's management in response to externally set targets established by the RIC. In the execution of its functions to meet the targets set by the regulator, the utility will be required to review and improve (as needed) its internal operational plans to the extent that such improvements will lead to greater efficiencies of operation. This is a central tenet of incentive regulation. Therefore, changes to the utility's management structure should come from its Board or Shareholders. Notwithstanding, the RIC has made its views known in its consultative document "Improving Performance Incentives for a Public Sector Monopoly", published in March 2021. With respect to the suggestion of private sector co-management of the utility, the RIC intends to publish its views on the Legal, Institutional and Governance arrangements for the utility sectors in the future.

The RIC did not do any comparative analysis of the costs of the various IPPs costs, as they are driven mainly by long-term Power Purchase Agreements (PPAs). Such costs are viewed as largely uncontrollable cost inputs by regulators when conducting price reviews for the transmission and distribution sector. In PRE2, the RIC has allowed 95% pass-through of fuel costs, 98% pass-through on capacity payments and 100% pass-through on the energy component of conversion cost.

5.0 TECHNICAL MATTERS & QUALITY OF SERVICE

The price review exercise involves discussion of technical and quality of service matters, given the nature of T&TEC's operation. Accordingly, stakeholders discussed matters of generation, system losses, renewable energy, reducing gas utilisation, reserve capacity and other technical issues, which are detailed below.

5.1 Generation

(a) Comments:

Stakeholders expressed concern that consumers are being forced to pay for "take-or-pay" Power Purchase Agreements (PPAs) that were not established on good terms, have no incentives for the Independent Power Producers (IPPs) to be efficient, and result in overcapacity and inefficiencies brought about by inadequate planning and lack of proper demand forecasting.

RIC's Response:

The RIC notes the concerns expressed about the impact of the "take or pay" contract provisions with the IPPs, their impact on the costs of the service provider, as well as the belief that a portion of the PPA costs is inefficient. The cost of generation (conversion cost) comprises capacity and energy payments. The "take or pay" provision applies to the capacity payment component as T&TEC only pays for energy delivered by the IPPs.

The RIC explored the issue at length in PRE1, and while acknowledging that the scope for reducing the cost of conversion was limited, given the existing terms of the PPAs (at the time, TGU did not exist), the RIC allowed 98% of conversion costs to pass-through into rates. The RIC notes that "take or pay" contracts transfer a significant amount of risk to the "off-taker" (in this case, T&TEC) and that these contracts need to be carefully considered. In general, PPA prices may deviate from those derived via a competitive market (where there are no long-term contractual wholesale arrangements). However, full competition for generation resources may not be desirable or feasible locally. In keeping with the general principle of encouraging T&TEC to obtain the most efficient costs in its PPA negotiations, the RIC allowed for 98% pass-through of capacity payments and 100% pass-through on the energy component of conversion costs for PRE2. As mentioned earlier, generation costs comprise capacity and energy payments, and RIC's allowances of these costs are factored in the rates. However, the loss of large industrial customers such as Arcelor Mittal in 2016 did not impact the current rates, as these were set in 2009. The new rates for PRE2 are based on T&TEC's 2019 Cost of Service Study which reflects any adjustments to the allocation of the utility's costs to the various classes of customers.

The TGU power plant was constructed to supply both the requirements of a proposed smelter plant and a portion of the electricity consumed through the national grid. The full output of the plant was subsequently made available for national consumption. The total available generation capacity was then large enough to facilitate the closure of PowerGen's Port of Spain plant (which consisted of less efficient generating machines that were more than forty (40) years old) and also cater for growth in customer demand without the need for installing a new plant. The combined cycle operations at the TGU plant are the most efficient and supply the most significant portion of the country's base load.

The issue of overcapacity must be placed in context. A reliable electricity supply network is designed to meet the requirement of the instantaneous demand/load on the system. A level of overcapacity is necessary to allow for continued full-service operation when equipment must be taken out of service for routine maintenance, and respond quickly to unplanned events.

It is inaccurate to say that the existing arrangements provide no incentives for IPPs to be efficient, since the PPAs provide for penalties when the stipulated heat rate is not achieved. The current Price Review is for the electricity transmission and distribution sector and not the generation sector. Notwithstanding, generation (conversion) costs are typically viewed as 100% uncontollable and are allowed to pass-through in rates[4]. In PRE1, despite the existence of the PPAs, the RIC did not allow 100% pass-through of these costs for reasons discussed above, and has maintained that position in PRE2.

(b) Comments:

One commenter also suggested that the RIC failed to utilise the regulatory principle of "used and useful" that is discussed in the Draft Determination, citing that it may be "useful" for generators to

[4] For example, in Jamaica, the price control is set on the non-fuel portion of the costs, with IPP costs passing through adjustment clauses.

have excess capacity, but only cost associated with what is "used" should be allowed to be recovered.

RIC's Response:

The concept of "used and useful", as discussed in the Draft Determination, applies to the assets of T&TEC, specifically what is to be included in the rate base for price setting purposes, and not to generation costs. Further, the commenter's use of "used and useful" implies that costs (and, therefore, assets) associated with unused generation capacity should be stranded. The stranding of generation assets is a matter that is not undertaken lightly. In countries where this may be relevant, it is discussed as part of sector reform and restructuring, as it can adversely impact investor confidence. It is not a matter that can be treated within a Price Review for the transmission and distribution sector.

5.2 System Losses

Comments:

Concerns were expressed on the issue of commercial losses and T&TEC's efforts to minimise such losses. In reference to the RIC's established target for an annual reduction in loss levels for the control period at 0.25% towards an overall target of 6.75% for the control period, T&TEC indicated that any system loss target value less than 7.25% is highly ambitious. T&TEC also requested that the $10 million penalty for not achieving the annual reduction target for system losses not be implemented if the RIC proceeds with the mechanism; the reasons for not meeting the target should be assessed first to determine if there were factors outside of T&TEC's control and if so, the penalty should not be applied. One commenter expressed that T&TEC must reduce losses to below 9% with a target of 7.5% being suggested.

RIC's Response:

The RIC has proposed an incentive mechanism to encourage the service provider to reduce system losses during the control period, as indicated in Chapter 9 of the Draft Determination. The RIC's incentive mechanism focused on encouraging annual system loss reductions instead of a target to be achieved over the full regulatory control period.

The RIC has adjusted its Draft Determination position. For PRE2, the base value of total system losses will be set annually as the average monthly value computed over the preceding year. The RIC's target for an annual reduction in total system losses over the control period is set at 0.15% or 15 basis points (i.e. the rate of 3/20 th of a percentage point of the computed base value). T&TEC will be required to submit to the RIC, no later than ten (10) months after the publication of the Final Determination, a loss reduction programme detailing the measurement of the total system losses in terms of the technical and non-technical losses, the forecasted trajectory in the total system losses from the second year to the final year of PRE2, <u>without</u> the intervention of the loss reduction programme, and the proposed projects/initiatives to reduce the annually computed base values by the set annual rate of 0.15% or 15 basis points. The implementation of the loss reduction programme shall commence from the start of the second year of PRE2. T&TEC must report annually, beginning from the end of the second year of PRE2, on its performance to reduce the total system losses, detailing the components of the technical losses, report on any adjustment in the forecasted trajectory based on relevant developments in the preceding year, and report on the loss reduction activities undertaken in the year of review.

5.3 Renewable Energy

Comments:

Several stakeholders suggested that renewable energy resources should be utilised in the generation of electricity as a way to lower the cost. Some also suggested that the Government should provide incentives for investment in the use of renewable energy and expressed concerns about the lack of legislation to allow self-generation of electricity. A stakeholder also commented that the Prime Minister at COP26 in Glasgow in 2021 committed T&T to 30% Renewable Energy (RE) generation by 2030. However, the planning and resources required for 30% RE generation by 2030 are not reflected in PRE2. The stakeholder continued that technical studies essential for the increased penetration of RE generation were not made a requirement in PRE2. Finally, persons suggested that the Government should provide fiscal incentives for solar PV installation equipment, such as reduced import duties or tax rebates.

RIC’s Response:

The promotion of RE requires the appropriate policy and legislative framework, and the Government of Trinidad and Tobago is working to establish the Feed-In-Tariff (FIT) Policy and other legislative changes, which will facilitate the self-generation of electricity through renewable energy sources by customers connected to T&TEC’s network. Additionally, it is evident that the cost of renewable energy systems has been decreasing, and depends heavily on scale (size of installations) and whether storage is incorporated. In fact, the per unit cost of renewable energy systems and energy storage devices can be significantly higher than the per unit cost of T&TEC's service to customers. When the appropriate policy and legislative framework is implemented, individuals and businesses are advised to carefully examine the cost and benefits of installing alternative RE systems before making the decision to invest. Notwithstanding, the RIC has proposed various actions for consideration to enable the transition to renewable energy in Trinidad and Tobago in its staff paper “Towards Renewable Energy Deployment in the Electricity Sector of Trinidad and Tobago”, published in 2019.

Expansion of generation capacity is a decision for the Government, including what proportion will be from RE. Two utility-scale solar photovoltaic (PV) plants are scheduled to be constructed and will be included in the generation mix of Trinidad and Tobago upon completion. The RIC notes that an Integrated Resource and Resilience Plan (IRRP) is being developed for Trinidad and Tobago. The key objective of the IRRP is the development of a draft 25-year capacity expansion plan for the electricity power system of Trinidad and Tobago. This plan would take into account both conventional and renewable energy technologies, projected demand and grid infrastructure, expansions and reinforcements. On completion, the IRRP should aid the country’s planning of generation expansion including RE commitment.

The comments that were received requesting the provision of fiscal incentives for solar PV installation, were forwarded to the relevant Ministry. The decision on when to introduce renewables in the generation mix remains within the purview of the Government.

5.4 Reducing Gas Utilisation

Comments:

One of the special interest group stakeholders expressed that there was a general misconception of the overall national economics of the gas value chain and that every unit of natural gas not used in electricity generation has a much more valuable use in the export-earning liquefied natural gas (LNG) and petrochemical sectors. In this regard, it was recommended that reducing gas utilization in electricity generation, energy efficiency and conservation should be key policy objectives, and the RIC's price review should be measured against whether it fulfils that objective.

RIC's Response:

The RIC agrees that there are benefits to reducing gas utilisation in electricity generation and that key policy directives are needed for this to be operationalised. These directives must come from the Government. Regarding energy efficiency and conservation, the RIC published its views on "Advancing Energy Efficiency/Energy Conservation in Trinidad and Tobago" in 2019 as part of its Energy Road Map Series. The document is available on the RIC's website. The RIC's Price Review for the electricity transmission and distribution sector was conducted based on a framework and approach that aligns with its legal mandate; therefore, the RIC disagrees that its price review should be measured against the suggested objectives. Notwithstanding, the RIC will continue to promote the education of customers on energy efficiency and conservation, and will continue to encourage T&TEC to promote customer education on energy efficiency measures.

5.5 Reserve Capacity

Comments:

Several stakeholders called for a review of the reserve capacity requirement as it was considered financially onerous, especially during an economic slowdown such as that experienced during the COVID-19 pandemic lockdown. It was suggested that the mechanism be reviewed every 12-18 months to ensure the specific reserve capacity charges reflect changes in economic activity.

RIC's Response:

Reserve capacity is the quantum of power capacity (measured in kVA) that T&TEC makes available to an industrial customer based on the peak demand requested by the customer when the electricity supply is established. It reflects the cost of the network infrastructure that T&TEC

installs to service the customer. This provision represents a sunk cost to the utility, which it must recover from the customer. Thus, the utility examines the customer's demand over a pre-determined period to ensure that the change in demand is not transient but a sustained reduction. In T&TEC's current policy, the customer can apply to T&TEC for a reduction in reserve capacity, but approval is based on a review of the customer's demand over a period of up to 12 months. This criterion is considered reasonable as it is impractical to vary the reserve capacity charge based on short-term economic activity. The RIC's view is that economic impacts, such as that resulting from the COVID-19 pandemic, are more appropriately addressed by government support and policy.

5.6 Points of Interconnection

Comments:

One person commented that the RIC did not identify the points of interconnection within the electricity network, and queried whether those interconnection points were efficient. The individual expected to see a direct linkage between an efficient network design and the efficient cost used to determine rates, and questioned whether the rates proposed by the RIC were the least cost rates as stipulated by the RIC's Act.

RIC's Response:

The interconnection arrangements for all existing thermal generators are contained in the existing Power Purchase Agreements (PPAs) with T&TEC and cannot be changed at short notice. Similar arrangements are proposed for the Solar PV farms. The RIC understands that in determining the points of interconnection, important technical criteria and cost factors will be considered before arriving at the most suitable point at which to interconnect.

5.7 Damaged Appliances and Voltage Issues

Comments:

Several stakeholders believed that T&TEC's compensation for damaged appliance claims by customers was low. Groups representing business interests spoke about the high cost of replacing equipment damaged by fluctuations in electrical supply, with little to no recourse from T&TEC. Specific concerns were expressed about the lengthy response time from T&TEC after submission of damaged appliance claims; the denial of claims because the customers' electrical wiring was not certified regularly (every five (5) years); poor maintenance practice of lines and transformers, which leads to damaged equipment, and commercial customers being required to pay for specific equipment upgrades (such as larger transformers where low voltage is a regular occurrence) when the upgraded equipment will benefit others.

RIC's Response:

The issues related to damaged appliances are often complex, and culpability does not necessarily lie solely with the service provider. The electricity grid consists of a network of customers' equipment connected to T&TEC's infrastructure with surges and spikes on the system resulting from various sources, such as component failure and the system's dynamic response to normal switching operations and, in some cases, customers' equipment. The underlying cause of the failure and whether it was within or outside the service provider's control must be determined before holding the service provider liable for damage resulting from such. This matter was the subject of a multi-stakeholder Working Group organised by the RIC in 2006, which resulted in a Damaged Appliance Policy still in use today. The Policy identifies the responsibilities of the service provider and customers in minimising the risk of damage to customers' appliances.

Further, the Guaranteed Standards Scheme established by the RIC specifies the time in which complaints should be addressed by T&TEC, including damaged appliance claims. While the Damaged Appliance Policy recommends that customers have their electrical installation inspected every five (5) years, T&TEC does not deny a claim solely on this basis but investigates the matter to determine the cause of damage. Faulty wiring should only be implicated if it is found to be the cause. Customers can escalate their complaints to the RIC if they are not satisfied with T&TEC's response. The RIC will investigate the matter, and where the damage is determined to be the result of T&TEC's negligence, the customer will be compensated. The RIC intends to review the Damaged Appliance Policy within PRE2 to determine which aspects remain fit for purpose and what needs to be updated.

5.8 Street-lighting

Comments:

Concerns were raised about the high number of non-functioning streetlights, especially in rural areas, including Maracas, Mayaro and Sangre Grande. Stakeholders enquired whether the RIC has any street lighting standards or performance targets that T&TEC must meet. Concerns were also raised about the lengthy time and bureaucracy related to the installation of new streetlights, and the involvement of the Regional Corporation in this process. A query was made about whether this process can be amended to enable T&TEC to complete its work in a shorter timeframe.

RIC's Response:

Under the Guaranteed Standards Scheme, the RIC has set a standard for the time to repair streetlights. The RIC has noted that T&TEC's performance under this standard needs to improve and has provided resources in its Final Determination accordingly. The RIC will be monitoring T&TEC's performance with regard to streetlight repairs more closely to ensure that the resources provided redound to the benefit of consumers.

The RIC is aware of the lengthy timeframes and bureaucracy for installing new streetlights based on complaints it has received. T&TEC has advised the RIC that requests for the installation of new streetlights are the responsibility of the respective Regional Corporations as they receive disbursements from the Central Government to pay street lighting bills. T&TEC's initial role is to survey the job, generate a cost estimate, and forward that information to the Ministry of Public Utilities (MPU) for approval, after which T&TEC installs the new streetlights with a reasonable degree of efficiency. However, neither the RIC nor T&TEC has influence over the length of time that the MPU takes to approve the cost for the installation of new streetlights.

5.9 Reliability improvements

Comments:

T&TEC enquired about the basis for RIC's establishment of a target of reducing interruptions to no more than three (3) per month by location by the end of the first two years of PRE2. The service provider suggested an annual targeted reduction to achieve this objective over a reasonable period. The service provider also enquired whether the RIC allowed an appropriate level of funding to improve and maintain reliability towards achieving this target within the specified timeframe. T&TEC also suggested that full funding of its operating expenditure requests for maintenance would support the achievement of these reliability targets. T&TEC also requested clarification on whether the requirement applies only to unplanned interruptions and how these are defined. The service provider also suggested that the requirement should not apply to outages that are momentary or those originating from disturbances at the generation plants. T&TEC also requested further discussion with RIC on implementing the proposed Direct Revenue Adjustment mechanism.

RIC's Response:

The issue of reliability is a core concern for the RIC, and sufficient funding was allowed in the revenue requirement to meet the proposed target, inclusive of allowances made by the RIC for maintenance expenditure. However, the RIC notes the concerns raised by T&TEC and has given this matter further consideration. **In this regard, the RIC has decided the target of no more than three (3) interruptions per month commencing from the third year of the control period will remain, and, for implementation purposes, will be recorded and reported on by individual distribution feeders. The interruption data submitted by T&TEC before the Final Determination pertained to a collection of distribution feeders in a specific geographical area (location) and did not include unplanned momentary interruptions. The interruptions to a distribution feeder can be recorded with a high level of certainty and will address the issues and concerns of the individual customer. This would allow T&TEC to identify the specific networks where action is needed to improve operational performance, which is the RIC's objective.**

T&TEC will be required to conduct a Study to evaluate its performance on its worst-performing feeders and the actions and resources needed to improve performance. Thereafter, no later than eighteen (18) months after the publication of the Final Determination, T&TEC will be required to submit and to action a management plan detailing the main factors that contribute to the performance of these feeders, the specific measures and resources required to improve performance, and the plan of action for T&TEC to meet the target.

In its Final Determination, the RIC clarified the definition of interruptions as those resulting in an unplanned outage to customers and not of momentary duration, as is the case under the Guaranteed Standards Scheme. As is the norm with other quality-of-service standards, the RIC will carefully consider the reason for breaches of the target before the application of penalties. Proceeds from penalty payments may be directed to finance reliability improvement projects for the specific feeder.

5.10 Energy Assessment and Power Saver Kits

Comments:

Several stakeholders asked whether the RIC will be looking into issues of energy wastage, especially at government offices where lights and air-conditioning units are continually in operation on a 24/7 basis. T&TEC acknowledged the RIC's suggestions for providing customers with energy assessments and power-saver kits, both reasonably priced, but responded that given the resources, such an undertaking required research to determine the feasibility.

RIC's Response:

In its Draft Determination, the RIC mandated T&TEC to roll out energy efficiency and conservation programmes to the public to reduce electricity consumption in keeping with the overall national environmental goals. In its staff paper "Advancing Energy Efficiency/Energy Conservation in Trinidad and Tobago", published in 2019, the RIC proposed various strategies that stakeholders could consider.

The RIC notes T&TEC's comments and advises that the specific initiatives outlined for reducing household and commercial energy consumption were suggestions and are not mandatory. The RIC expects T&TEC to demonstrate a commitment to adopting initiatives to encourage customers to reduce energy consumption and improve energy efficiency. The RIC engaged in several public education initiatives in this regard, including preparing an Energy Conservation bill-insert, which was disseminated to all electricity customers in 2018. As indicated above, the RIC also published its views on "Advancing Energy Efficiency/Energy Conservation in Trinidad and Tobago". The RIC also undertook an energy audit of schools in 2016.

5.11 Traffic Signal Indicators

Comments:

T&TEC indicated that it disagrees with the RIC's request for the service provider to provide updates on performance indicators within customers' electricity bills once annually. T&TEC pointed to the severely limited space on the bills and the significant time and cost to effect the necessary system changes and testing, and suggested alternatives for disseminating the information, such as via the newspapers, T&TEC's website and social media pages. T&TEC also queried the

RIC's requirement that it use an independent expert to verify its data collection and dissemination process.

RIC's Response:

The RIC notes T&TEC's objection to providing "traffic signal" performance indicators within their bills once annually. While the RIC considers a bill-insert as the most direct way of informing customers of T&TEC's performance on the respective indicators, **the RIC will allow T&TEC to also disseminate this information via newspapers, T&TEC's website and social media pages.** The RIC reiterates that T&TEC must include information on the specific "traffic signal" indicators as shown in Table ES7 of the Draft Determination and reiterated in Table 9.5 in the Final Determination. In cases where customers access their bills digitally, the relevant information/updates should be presented as a "pop-up" feature on T&TEC's online portal. The RIC notes T&TEC's comments regarding verifying their data collection and advises that using independent third parties to assure the processes is standard practice in jurisdictions utilising incentive frameworks.

5.12 Customer Service and Responsiveness

(a) Comments:

Several persons commented that the general public is not satisfied with the level and quality of service provided by T&TEC, and asked how this level of dissatisfaction was taken into consideration by the RIC in its Price Review.

RIC's Response:

The RIC recognises that there will always be some persons who are dissatisfied with T&TEC's handling of specific issues. However, the empirical evidence does not suggest that the general public is dissatisfied or that T&TEC's performance is materially sub-standard. In its Business Plan submission to the RIC, T&TEC provided evidence from its 2019–2020 Customer Satisfaction Survey, which revealed an 85% average satisfaction rating. Also, the RIC receives complaints from members of the public after they fail to obtain redress from their utility service providers. Notably, over the years 2020–2022, there were 1,215 complaints about T&TEC's service, which comprise less than 20% of the total complaints received by the RIC over the period. Further, data on the performance of T&TEC concerning Quality of Service Standards show that T&TEC has achieved greater than 98% compliance with its Guaranteed Electricity Standards and greater than 92% compliance in Overall Electricity Standards from 2019–2021.

In its review of T&TEC's proposed capital expenditure projects, one of the criteria used by the RIC was the extent to which specific projects addressed areas that required improvement in T&TEC's performance, as indicated either from the quality of service standards or key performance indicators that the RIC reports on. Further details can be found in both the Draft Determination and Final Determination (Chapter 8).

(b) Comments:

T&TEC noted the key performance indicators (KPIs) and descriptions for T&TEC's call centre, such as service level, average handle time, average speed of answer and call abandonment rate, and indicated that this would have to be discussed in depth with the RIC to ensure that it are provided with detailed requirements for these KPIs. T&TEC wanted to ensure that the proposed KPIs align with the capabilities and configuration of T&TEC's current call centre system. An area to be discussed, for example, is whether the statistics pertain only to calls where the customer has opted to speak with an agent, as the system allows customers to make outage reports and receive outage information without talking to a T&TEC representative. In reference to the RIC's proposal within the Draft Determination that the "Service Level" performance standard to assess call centre efficiency was "80% of calls are answered in 20 seconds", T&TEC noted that this is extremely unrealistic for the utility industry.

T&TEC referenced the Customer Satisfaction Survey that is to be administered by a third party but commissioned by T&TEC, and which should cover voltage complaints, unplanned outages, planned outages and new connections. One of their concerns was the size of the random sample of customers to be interviewed, which they suggested needed to be agreed with the RIC. T&TEC also requested RIC specify the survey requirements to gauge customer satisfaction with their call centre experience. Finally, T&TEC suggested that the report to the public on its performance against all customer service targets be published annually on its website rather than half-yearly, as indicated by the RIC.

RIC’s Response:

Consistent with the RIC’s approach to introducing any new regulatory policy, the RIC has and will continue to engage T&TEC before finalisation and implementation. A preliminary discussion on key performance indicators (KPIs) and descriptions for T&TEC’s call centre has already been initiated, and information has been provided for guidance.

The RIC would like to clarify that it did not propose the call centre efficiency performance standard to be achieved by T&TEC, but provided a definition, which included an example for illustrative purposes. Service Level (SL) is an effective KPI used to assess call centre efficiency, and it is often used as a good indicator of customer service quality.

The RIC notes T&TEC’s comment on the sample size, and advises that this is an implementation issue and that the RIC is not averse to discussion with T&TEC on that matter.

The RIC acknowledges T&TEC's suggestion to publish the report annually; however, the requirement remains that the report on its performance against all customer service standards be published semi-annually to ensure that the public is well informed.

6.0 REVENUE REQUIREMENT & RELATED MATTERS

Establishing a revenue requirement involves several areas that have a financial impact, such as capital and operating expenditure including fuel cost, treatment of major debt, other income sources, making efficiency cuts and cost optimisation decisions. These are discussed in detail below.

6.1 International Accounting Standard – IFRS 16

Comments:

T&TEC's view was that the RIC's decision to disallow over $2 billion in expenditure had not factored in the impact of IFRS16. As a result, T&TEC's accounts, which are based on International Accounting Standards, are likely to reflect a financial deficit during PRE2 despite the expected surplus on the regulatory accounts.

RIC's Response:

The RIC acknowledges that IFRS16 requires T&TEC to reclassify PPA costs within its preparation of statutory accounts, which could affect overall profitability. However, for the purposes of rate setting, the various costs must be categorised and allocated in accordance with regulatory accounting guidelines.

6.2 Capital Expenditure

(a) Comments:

One person criticised T&TEC's past use of tariff revenue to execute capital works that should have been funded by the Government and asked for clarity on RIC's strategies to ensure T&TEC uses tariff funding for approved Capex projects in PRE2. The person also suggested that the RIC included "many of these projects" in the regulatory asset base for the period under review and opined that this should not have been allowed.

RIC's Response:

For PRE2, the RIC will implement several strategies to ensure improved tariff-revenue targeting to RIC-approved Capex projects. These were outlined in detail in the Draft Determination and include regular meetings with T&TEC to monitor Capex spending, the use of a semi-annual reporting framework to submit reports on the status of projects, timeframes and cost variances, and the implementation of a Capex safety net to allow for adjustments in Capex allowance if the annual expenditure is greater than 20% of the allowed Capex.

With respect to assets arising out of Capex projects funded by the Government through the Public Sector Investment Programme, since these are typically “long-lived” assets, the RIC has allowed for a return of capital (depreciation) to ensure that these assets are replaced at the end of their useful lives. This decision is in keeping with standard regulatory practice for such assets.

The composition and cost of T&TEC’s projected capital expenditure for the regulatory control period were presented in Chapter 8 of the Draft Determination.

(b) Comments:

T&TEC asked that the RIC identify the Capex that has been disallowed or reduced and the reasons for doing so. Other commenters asked for information on the composition of T&TEC’s projected Capex for the regulatory control period and the source of funding for these projects. T&TEC also noted that the RIC has proposed regular meetings to monitor Capex spending and asked for the Terms of Reference to be defined. Also, they requested clarification on the detailed information that was now required on each project as part of RIC’s annual monitoring, called an Annual Investment Return. In relation to RIC’s intention to use Public Disclosure of Non-Compliance/Public Register Notices, T&TEC asked for the opportunity to provide reasons for non-compliance on the execution of capital projects. T&TEC recommended that the RIC also publish the occurrences where T&TEC were compliant to ensure balance in the information provided to the public.

RIC’s Response:

In Chapter 8 of the Draft Determination, the RIC identified the major areas where the allowed Capex was lower than T&TEC requested. The RIC made adjustments (increases or reductions) to some areas based on cost comparisons of comparable projects and the setting of efficiency gains to be achieved during project execution. The RIC fully disallowed Capex for four (4) out of 207 projects, amounting to TT$11.3 million, for the following reasons:

i. two projects did not benefit the entire rate base; therefore, alternate financing should be sourced;
ii. one project did not pertain to the core business of electricity transmission and distribution; and
iii. one project was viewed as a sub-project of another project that was allowed.

Now that the Final Determination has been published, the RIC and T&TEC will hold implementation meetings to discuss Capex monitoring and reporting requirements, inclusive of details to be provided in the Annual Investment Return. In moving forward with its reporting framework, the RIC will provide the opportunity for T&TEC to explain instances of non-compliance and will consider this information ahead of any intended public disclosure action on its part. **Notwithstanding, the RIC will consider T&TEC's recommendation to publish information on their compliance and non-compliance performance related to Capex projects.**

(c) Comments:

A few people asked about the improvements they could expect from the increased rates in terms of the capital projects and expected benefits, timeframes for completion and the region/area where the projects are identified to take place. In response to the RIC's proposal that self-certification assurances were to be submitted by T&TEC's Board as a commitment that tariff revenue will not be used for activities not approved by the RIC, T&TEC indicated that they intend to meet the directives of the RIC as it relates to projects to be funded by tariffs. Still, they were not in agreement that their Board should have to sign self-certification assurances. T&TEC adopted a similar position to RIC's proposal that Capex forecasts should also be provided with self-certification assurances from T&TEC's Board in its future Business Plan submissions. T&TEC also disagreed with the RIC's use of a "Reporter" (independent consultant/engineer) to interrogate T&TEC's submission of its proposed Capex for future price reviews. T&TEC also disagreed that the Reporter, an independent consultant/engineer, be paid by T&TEC but approved by, and responsible to, the RIC.

RICs Response:

The public will be informed about the status of Capex projects and timelines through various mechanisms, including the semi-annual Capex reporting framework, and the Public Register.

Regarding the self-certification assurances from T&TEC for the use of tariff revenues and forecast Capex in their next Business Plan submission, the RIC has considered T&TEC's comments. The RIC's decision is that Capex projections must accurately reflect the underlying information base, and, when submitting a Business Plan**, assurance certification from the General Manager of T&TEC will be required**. Finally, using an independent consultant, also called a Reporter, to evaluate utility submissions is a common and long-standing feature of regulatory frameworks in jurisdictions such as the UK, similar to what is utilised here.

6.3 Operating Expenditure

(a) Comments:

One commenter requested a breakdown of T&TEC's wages and salaries, including the number of persons in each category of employee and the total annual expense for that category.

RIC's Response:

The RIC considers that sufficient information was provided in the Draft Determination to explain how the RIC determines efficient operating expenditure for the purposes of rate setting and, therefore, how it arrived at its overall allowance of $27.6 billion over the five-year period. Explanations on the RIC's allowance for operating expenditure can be found in Chapter 7 of the Draft Determination and include details on the level of wages and salaries approved for PRE2. Nonetheless, the RIC has conveyed the comment to T&TEC.

(b) Comments:

One person asked several questions about T&TEC's rental cost and suggested that the RIC mandate T&TEC to reduce this cost. Several recommendations were made to reduce T&TEC's rental costs, including retaining independent advisors to compare market rental rates with what T&TEC actually pays, reducing rental contracts to no more than five (5) years and formulating strategies to reduce rental costs.

RIC's Response:

The recommendation to reduce rental costs was duly noted. The projected rental cost for 2023 to 2027 is TT$21.7 million, representing 0.09% of total operating costs. Therefore, this is not a key concern, and further, the RIC recognises that T&TEC's management is responsible for daily operations, including rental contracts. Nonetheless, the RIC has submitted this concern to T&TEC.

(c) Comments:

T&TEC requested the following:

i. an adjustment to employee costs of an additional $8.5 million annually. The basis for this request is a recent decision by T&TEC to make 250 temporary employees permanent;
ii. more details on the $1,116.41 million in employee-related costs (from Table 7.4 in the Draft Determination) which were disallowed;
iii. explanations on the RIC's cuts to material costs of 6.7% over the control period and the RIC's allowances for maintenance expenditure;
iv. the 100% pass-through of capacity charges instead of the 98% allowed by RIC; and
v. an adjustment to operating expenses to cater for the increase in energy cost from the utility-scale renewable energy plants, due to come online in 2024.

RIC's Response:

The RIC's response to T&TEC's various queries is as follows:

i. in its Final Determination, the RIC adjusted the allowed Revenue Requirement to account for the increase in employee costs (wages and salaries) of $8.5 million annually;
ii. the reduction in employee-related costs in Table 7.4 of the Draft Determination is in accordance with the treatment of pension costs as detailed in the RIC paper "Treatment of Pension Costs for Regulatory Decision Making". Accordingly, the RIC has disallowed pension deficit payments;
iii. the reduction in material costs of 6.7% was derived through a combination of benchmarking and consideration of the historical costs;

    In keeping with standard regulatory practice and generally accepted benchmarks, maintenance expenses were set as a percentage of the respective value of the transmission and distribution asset base;
iv. with respect to the pass-through of capacity costs, the RIC explored this issue at length in PRE1. At that time, while acknowledging that the scope for reducing the cost conversion was limited, given the existing terms of both PPAs (TGU did not exist then), the RIC was not inclined to pass-through 100% of these costs as no regulator, inclusive of the RIC, can

knowingly allow inefficiencies to be passed on to consumers in the form of higher rates. For PRE1, the RIC allowed 98% of conversion costs to pass-through into the rates. For PRE2, the RIC's view is that a 98% pass-through of capacity payments and 100% pass-through on the energy component of conversion costs is appropriate; and

v. the RIC has made adjustments in its Final Determination to cater for the increase in costs associated with utility-scale renewable energy generation, which is expected to be available to T&TEC from 2024.

(d) Comments:

A few persons asked for clarity on the measures implemented by the RIC to ensure that T&TEC does not have significant variance between approved and actual operating expenditure, as seen in the first regulatory control period.

RIC's Response:

It is generally acknowledged that there will always be variances between actual and allowed costs, given that no forecast is 100% accurate. In Chapter 7 of its Draft Determination, the RIC discussed various measures it will implement regarding Opex. More generally, as part of its efforts to ensure that T&TEC improves the quality and reliability of its Regulatory Accounts (RAGs), the RIC will collaborate with T&TEC to establish a more comprehensive reporting framework for Opex costs. The RAGs agreed with T&TEC are discussed in Chapter 9 of the Draft Determination. Furthermore, as an input to determining efficient costs and setting price controls in the future, it would be useful to benchmark, in greater detail, T&TEC's Opex expenditure against expenditure incurred by similar utilities elsewhere. For example, Opex per network length (kilometre), Opex per GWh, and Opex per customer. At this time, adequate information is unavailable to derive reasonable estimates; therefore, the RIC will work with T&TEC on reporting these efficiency indicators.

6.4 Other Income - Dividends

Comments:

One person asked about the RIC's treatment of investment and dividend income. More specifically, the person quoted from a Public Utilities Commission (PUC) Order (No. 85 of 1997), which stated inter alia that "…the people of Trinidad and Tobago must benefit from the dividends which T&TEC receives from PowerGen and which must be used to offset the cost of electricity" and asked "the reasons for the reversal of the decision of the PUC to include those revenues in regulated revenues".

RIC's Response:

In Section 11.2 of the Draft Determination, the RIC explained that in calculating the revenue to be recovered from tariffs over the regulatory control period, the RIC made a number of adjustments, as it had done in PRE1. In particular, non-tariff revenue adjustments included reducing the revenue requirement by the periodic dividends received by T&TEC from its investment in PowerGen. Further, Table 11.2 itemises the specific value that was deducted for each year of the forthcoming regulatory control period under the line item "Less: Revenue from Non-Tariffs*" where the asterisk was explained in the footnote to the table as including dividends, capital contributions, pole and transformer rentals, and asset disposals. In this regard, consumers benefit from the dividends earned by T&TEC from PowerGen, as these are removed from the revenue to be recovered through tariffs.

6.5 Generation costs – Fuel Price

(a) Comments:

One person suggested that higher international gas prices will generate windfall revenues for NGC. They believed these windfall revenues should be passed to consumers through lower gas prices to T&TEC. Another person asked for various details regarding the contracted commercial terms for gas between T&TEC and NGC.

RIC's Response:

The fuel cost (natural gas) is a major component of the generation costs that T&TEC incurs, and the fuel cost utilised within the Draft Determination was based on policy directives from the Government, which T&TEC communicated to the RIC. On the one hand, it is easily argued that the benefits from buoyant international prices for natural gas should be passed to consumers locally. On the other hand, it is equally arguable that consumers should pay more when global conditions are not favourable. The mechanism that avoids this uncertainty is using predictable prices contained in the gas supply contracts that protect consumers from price shocks. More information on specific terms of the existing gas supply contracts can be found in documents that are publicly available on the Trinidad and Tobago Parliament website, such as the "Second Report of the Joint Select Committee on Land and Physical Infrastructure", "Second Session (2021/2022) Twelfth Parliament, on the Inquiry into the Management of the Trinidad and Tobago Electricity Commission (T&TEC)" and related recommendations.

(b) Comments:

T&TEC requested the re-introduction of a fuel rate adjustment clause.

Response:

A fuel rate adjustment clause existed under the Public Utilities Commission (PUC), the predecessor of the RIC. In its first determination for T&TEC in 2006, the RIC removed the fuel adjustment clause as the mechanism was not usually part of incentive regulation, especially when the fuel price was not market-driven. The RIC notes the declining availability of gas locally, and the debate continues about the opportunity cost of gas used in electricity generation. These factors may impact the future price of fuel paid by T&TEC to NGC, and the RIC expects to be advised on any changes to the fuel price that is decided between the parties. The Final Determination already provides for certain mechanisms, such as cost drivers/triggers and interim determination to deal with uncertainty in cost items. **With respect to a fuel adjustment mechanism, the RIC reserves the right to introduce same if the situation warrants after seeking public comments.**

6.6 Treatment of NGC Debt

Comments:

There was a request for more clarity on how the T&TEC–IPP–NGC arrangement worked and who pays for what. Several persons asked how T&TEC ended up with such a high debt to NGC and requested the specific sum owed to NGC. A "net-off" was suggested, where the Government could pay what it owed T&TEC, T&TEC would pay NGC what it owed for gas, and NGC could then declare a special dividend to its Shareholder, the Government.

RIC's Response:

The existing arrangement is that T&TEC pays NGC for the natural gas provided to the IPPs, and T&TEC pays the IPPs for the electricity generated.

T&TEC has been unable to service its payables to NGC primarily because of the insufficiency of tariff revenue to cover these costs. The debt to NGC that T&TEC accumulated before 2019 has been taken up by a Government Loan and, therefore, was not included in tariffs for PRE2. When preparing the Draft Determination, the Government did not indicate whether it would assume responsibility for any of the debt incurred by T&TEC for natural gas provided by NGC from January 2019 onwards. Therefore, the RIC had to make provision for the repayment of NGC debt of $3.8 billion accumulated from January 2019 to August 2022. The provision allowed this debt to be repaid over a 10-year period beginning in 2026 (Year 4 of PRE2), as the RIC applied a three-year moratorium commencing from 2023. The decision to provide a moratorium is intended to lessen the impact of this debt on starting tariffs. Consequently, the RIC has included $1.2 billion (of the $3.8 billion) in this review period, spread over Years 4 and 5 (2026 and 2027) of PRE2.

The existing debt to NGC is almost $4 billion, while T&TEC's receivables from the Government are approximately $1.5 billion. The payment of outstanding receivables by the Government will provide funds that T&TEC can use to reduce the debt to NGC. However, this action will neither fully liquidate the existing debt nor contribute to reducing the new debt that will accumulate. Increased tariffs will ensure that T&TEC has sufficient revenue to meet its obligations to NGC sustainably. The RIC has requested that the Government ensure that T&TEC collects the debt owed by Government and Government agencies and that these monies act as a contribution towards the settlement of NGC Debt, which would lead to an improvement in T&TEC's cash flow.

6.7 Efficiency, Cost Optimisation and Productivity

(a) Comments:

A few persons asked whether the RIC carried out studies of efficiency and economy of operation and of performance of the service provider and published the results thereof, as required by Section 6 (1) (d) of the RIC Act. Several stakeholders asked for an operational audit of T&TEC to determine the level of inefficiency. Many contributors shared the concern that T&TEC's inefficiencies have translated over time to inflated costs, which are now being passed to consumers. Persons referred to examples of T&TEC's inefficiency such as their high overtime, large crew sizes, poor procurement controls, inefficient collection practices resulting in the high level of outstanding receivables, high employee per customer ratio and electricity wastage at recreation grounds at night. One comment referred to statements from the RIC's Chairman and Executive Director about "not passing on the inefficiencies of T&TEC to the public in the form of the rate increase". An explanation was requested about how the inefficiencies were calculated and what was the impact assessment on T&TEC over time". Also, a request was made for "workings for how the inefficiencies were subtracted from the requested amount to arrive at the $27 billion approved by the RIC".

Several people believed T&TEC's management problems must be addressed before asking consumers to pay for its inefficiencies. One person asked whether the RIC considered T&TEC's failure to collect receivables, including that owed by the Government, as inefficiency in operations. The person requested the age profile of the receivables and for RIC to outline how it will ensure T&TEC's debt collection problem is addressed.

RIC's Response:

The RIC Act makes provision for the conduct of studies of efficiency and economy of operation and performance. The RIC assures members of the public that only efficient costs are included in the rates to consumers. Such studies are inherent in the building-block approach utilised in PRE2, which is well documented in the RIC's "Framework and Approach", "Information Requirements: Business Plan", and other technical papers. The establishment of prices includes evaluating whether or not costs are efficient. The RIC discussed this issue in its approach to determining efficient Opex and Capex in Chapters 7 and 8 of the Draft Determination, respectively. While nothing precludes the conduct of studies of efficiency and economy of operation on any aspect of the utility, such a study is not mandatory for conducting a Price Review utilising the building-block approach to price setting.

The RIC understands consumers' concerns about inefficiencies of T&TEC being passed on through inflated costs. The RIC's "Approach to Setting Operating Expenditure" was published as a consultative document in March 2022 to explain to stakeholders how it would adjust T&TEC's operating expenses. A feature of incentive regulation is that efficiency cuts are made upfront by the regulator to the utility's proposed expenditure. Therefore, the utility can only recover efficient expenditure through rates. In Chapter 7 of the Draft Determination, the RIC explained the efficiency cuts made to T&TEC's requested operating expenditure in detail. During the regulatory control period, the onus is on the utility's management to implement cost optimisation strategies. If the utility successfully lowers its cost, it can retain the savings and spend as required within the control period. Customers will benefit from lower rates in the new regulatory control period because of lower overall utility costs.

The RIC acknowledges that the late collection of receivables from the Government and Government agencies is a cause for concern. However, these receivables are not included in the proposed tariffs, and furthermore, T&TEC owes NGC in excess of the receivables, a portion of which is included in the later years. To mitigate this problem, the RIC has recommended the implementation of the Reserve Vote system to the Government, which, once implemented, would ensure that funds are transferred directly from the Ministry of Finance to T&TEC, thereby ensuring that receivables are settled. The age profile of the receivables is contained in Chapter 6 of the Draft Determination (Table 6.7). While debt collection is the responsibility of T&TEC's management, the RIC has maintained the implementation of a 1.5% late payment fee in PRE2.

In Section 6.2.1 of its Draft Determination, the RIC considered productivity trends using two key indicators: Customers per Employee, which improved over the five-year period from 2017 to 2021, and Sales per Employee, which improved consistently from 2017–2020 and had a slight decline in 2021. The RIC looked at other productivity indicators (Section 6.2.2), such as operating cost per unit and operating cost per customer, both of which declined over the 2017–2021 period. In its Business Plan, T&TEC included requests for funding for new technology that would improve operational efficiency and lead to the grid's modernisation over time. The RIC made allowances for investment in these technologies.

(b) Comment:

One person asked for evidentiary support via documentation of T&TEC's request for "a $29 billion increase over a five-year period" and for the RIC's "workings to arrive at a proposed increase in revenue streams of $27 billion".

RIC’s Response

T&TEC’s requested revenue is contained in its Business Plan, and appropriate references are included in the RIC’s Draft Determination, along with the adjustments that the RIC made to arrive at the allowed revenues for PRE2. However, by way of clarification, the RIC advises that T&TEC's request for $29 billion was not an increase but its proposed revenue over the five-year regulatory control period (2023–2027).

(c) Comments:

One commenter asked whether a “Zero-Based Budget” was ever attempted for T&TEC. In the context of T&TEC’s high employee-to-customer ratio compared to other countries in the region, it was suggested that T&TEC should institute a hiring freeze of non-essential staff, allow for natural attrition of its labour force, and achieve a gradual reduction in staff.

RIC’s Response:

As far as the RIC is aware, zero-based budgeting has not been attempted by T&TEC. While it is technically possible to use this approach to project operational costs, the benefits must be weighed against the impracticality of using such an approach for T&TEC. Nonetheless, the RIC has forwarded this suggestion to T&TEC.

Regarding the suggestion of a hiring freeze at T&TEC, the utility’s management is responsible for making optimal staffing decisions. The RIC has made various upfront cuts to the employee-related costs of T&TEC; therefore, T&TEC will have to manage its staffing costs more efficiently, including making strategic decisions on hiring new staff.

(d) Comments:

Two recommendations were advanced for the RIC to take to the Government. The first suggested that the method of calculating value-added tax (VAT) is based on the accrual basis and recommended that this be changed to a cash basis so that VAT can be calculated based on actual revenues received. The implication, as suggested by the commenter, was that T&TEC will not incur interest and penalties on receivable revenues. The other recommendation was for T&TEC to change its fleet of vehicles to alternatives such as compressed natural gas (CNG), electric or hybrid vehicles.

RIC's Response:

The RIC's approach to establishing prices does not include any interest or penalties associated with VAT. Notwithstanding, the RIC has advanced its recommendation to the Government to remove VAT on utility bills for vulnerable customers.

Regarding the recommendation that T&TEC change out its fleet of vehicles, the RIC recognises that the Board and Management of T&TEC are responsible for providing strategic direction and the day-to-day operations of the Commission. Hence, changing the fleet of vehicles to alternatives such as CNG, electric, or hybrid is a management decision of T&TEC and not a regulatory one.

6.8 Receivables

Comments:

There were many comments on the status of T&TEC's receivables. Some asked for clarity on T&TEC's actual receivables position. Others felt that the RIC failed to ensure T&TEC's "financial viability and sustainability" as per the RIC Act and did not ensure T&TEC had a robust collection strategy. Most persons were critical of government agencies' high level of receivables, with no apparent culpability or consequence. Many saw this as a double standard and unfair to them, as failure to pay utility bills resulted in disconnection for all customers except the Government. Most felt that if the Government paid off its debt to T&TEC, the utility would have money to fund its expenditure, and customers would not have to face a rate increase. Some wanted to know what specific measures were being implemented by the RIC to minimise receivables, especially from the government.

RIC's Response:

In Chapter 6 of its Draft Determination, Section 6.3.3 provided a breakdown of T&TEC's receivables position by type of customer at the end of 2021. The total amount outstanding was $1.624 billion, of which 82% was attributable to government agencies, and this position did not improve at the end of 2022.

The RIC wishes to make it absolutely clear that T&TEC's receivables did not affect the RIC's forward-looking revenue requirement in this Price Review, as receivables have not been included in rates. Furthermore, T&TEC owes NGC in excess of the receivable, a portion of which is included in the later years. Notwithstanding, carrying such a high level of receivables impacts the utility's cash flow, and continuous ageing of these receivables increases the risk that a portion may become unrecoverable as bad debt, especially those sums owed by the Government. The RIC has recommended the implementation of the Reserve Vote system to the Government. The Reserve Vote would ensure that funds are transferred directly from the Ministry of Finance to T&TEC for payment of receivables.

The RIC acknowledges that one of its roles is to ensure the financial viability and sustainability of the service provider. However, this is done through its Price Review, which ensures the service provider can earn sufficient revenue through rates to meet its operational and capital expenditure needs. The responsibility for developing and implementing a robust collection strategy lies with T&TEC, not the regulator; however, the RIC encourages T&TEC to improve collection from all its debtors. The RIC has provided some guidelines in its Codes of Practice related to T&TEC's collection practice for customers with genuine financial difficulty. In practice, these customers are allowed a significant period to settle their bills.

6.9 Cost of Capital and Financial Ratios

Comments:

One commenter expressed the view that to improve T&TEC's efficient allocation of funds, additional ratios need to be provided to the RIC. The first ratio is the cost of capital items supplied by local suppliers over the cost of the same item that could have been supplied to T&TEC if bought directly from the manufacturer. This ratio will give an indication of whether the local suppliers are over-charging T&TEC. The second ratio deals with capital expenditure from 2021 to 2026 on local purchases over total capital expenditure for the 2021 to 2026 period. Total capital expenditure 2021 to 2026 includes capital expenditure on local supplies 2021 to 2026 plus capital expenditure on foreign supplies that local suppliers could have supplied. This will indicate if capital expenditure is concentrated more locally or not.

The person also commented on the weighted average cost of capital (WACC) and implied that this was the RIC's preferred method for determining the cost of capital. Also, the commenter was of the view that the RIC's methodology "double-counted" the payment of interest by allowing interest into operating expenditure, as well as through the cost of debt.

RIC’s Response:

In its Draft Determination, the RIC discussed several ratios used to assess the financial viability; in particular, emphasis was placed on cash-flow-based indicators, as these measure the utility’s ability to service its debt. T&TEC is required to source its materials for Capex competitively. Thus the ratios suggested in the comments are unlikely to provide any meaningful information, as many other factors have to be considered.

In general, regulators would make assumptions about the cost of equity within the computation of WACC; however, the RIC made no allowance for the cost of equity. The claim that the RIC proposed the use of WACC as its cost of capital is not accurate, as the RIC clearly indicated in the Draft Determination that the cost of debt was utilised for this purpose. The RIC would like to clarify that there was no “double-counting” of interest, as this was only recovered once through the cost of debt.

6.10 Regulatory Accounts

Comments:

In reference to the stated requirements for the Regulatory Accounting Guidelines (RAGs), T&TEC requested clarification on the various requirements and noted that it would need to maintain two (2) sets of accounts, which they viewed as a significant administrative task. T&TEC disagreed with providing the RAGs in hard copy and preferred a more cost-effective electronic submission. T&TEC proposed that the RAGs could be submitted by the end of the sixth month, as opposed to the third month of each year, as required by the RIC.

The utility disagreed with the statement that the RIC “may require, from time to time, an independent assurance (audit) on information submitted. The required scope … will be specified by the RIC. The audit must be undertaken by an independent expert nominated and paid for by the service provider but approved by the RIC”. T&TEC’s view was that the cost of any independent audit should be to the RIC’s account.

RIC’s Response:

Now that the Final Determination is published, there will be implementation meetings between RIC and T&TEC, during which the details of the RAGs will be clarified. It is standard regulatory practice for the utility to maintain regulatory accounts together with statutory accounts. **The RIC will accept the final RAGs as an electronic copy, provided it is certified by a designated senior officer in the format set by the RIC.** Regarding the independent auditor, it is accepted regulatory practice for the regulated entity to fund the cost of these types of reviews of its operations. Some of the reviews will be conducted by RIC staff members and others by third parties, in the public's interest.

7.0 TARIFFS, BILL IMPACTS & RELATED MATTERS

This topic generated a significant number of comments surrounding issues such as tariffs, requests for special rates, bill impacts, billing cycles, customer charges, minimum bills, miscellaneous charges, service deposits, unregulated charges, and others. These are discussed below.

7.1 Tariffs

(a) Comments:

A few people shared the view that had the rate reviews been done when they were due (at five-year intervals), there would be no need to have the drastic increases being proposed. One person asked, "How is the RIC protecting our interests by increasing the rates?" Also, another person asked, "If the Determination is for five (5) years, how come the new rates are only for 2023, and does this mean that in the successive years, 2024 to 2027, there will be further annual increases?"

RIC's Response:

The reasons for not conducting price reviews every five (5) years after the 2006–2011 regulatory control period expired were explained earlier in Section 2.3. The last increase in electricity prices occurred in 2009, and costs to provide electricity service have increased over the years, with the current cost being significantly higher than in 2009. Therefore, customers have benefitted from lower prices over the last 14 years. In this price review, the RIC has to ensure that T&TEC can cover the current costs of providing electricity by adjusting the rates based primarily on the costs of serving each customer class. In the case of residential customers, every effort was made to ensure that the rates were affordable, especially to low-income and vulnerable groups, including persons on Government-assisted programmes and those with small fixed incomes, such as pensioners.

The RIC is protecting the interests of all consumers by ensuring that T&TEC has sufficient revenue to maintain and upgrade the existing infrastructure so that there is an overall improvement in the quality of service customers receive, which includes a more reliable electricity supply in the future. It has also taken steps to ensure affordability to low- and middle-income residential customers.

In this Price Review, the RIC has set maximum rates and charges (tariffs) for 2023 only. Before the end of each year of the remainder of the regulatory control period (2024–2027), the utility must submit its proposed tariffs to the RIC for its annual tariff adjustment, as part of the Annual Tariff

Approval process. The RIC will review the proposed tariffs to ensure they accord with the pricing principles established in the RIC's Final Determination Document. Several factors will be considered, including actual revenue outturn and demand and T&TEC's performance against targets set by the RIC. Thereafter, the RIC will issue its decision about new rates (if required) to apply for the subsequent year. Any annual adjustment to tariffs (prices) for each year of 2024–2027 will be communicated by T&TEC to customers before implementation of the new tariffs.

(b) Comments:

The consensus by residential consumers was that the proposed rates were far too onerous, given the current economic climate, and persons were opposed to the increases.

RIC's Response:

The RIC has considered the impact of its pricing decisions on households, especially the low-income and vulnerable groups. For this Price Review, the RIC continued using the inclining block tariffs for residential customers. This allows persons who consume the least amount of electricity to pay the lowest rates and, conversely, high consumers of electricity pay higher rates. The RIC examined the electricity requirements for a household with basic appliances and ensured that the rate set for the first tier or lifeline band (1-200 kWh) was affordable. The existing rate is $0.26 per kWh, and the RIC proposed to increase this rate by two cents to $0.28 per kWh. The RIC notes that the consumption of approximately 90,000 households is within this first tier. Further, based on data collected over several years, the average monthly consumption of the residential class was 627 kWh. Therefore, the RIC established three other tiers from 201-700, 701-1400 and >1400. Note that the width of the first tier was 200 kWh, the second was 500 kWh, and the third was 700 kWh. These band differentials were designed to accommodate more low- and middle-income households in the lower bands of the inclining block, which correspond to lower rates per kWh.

Based on the feedback received at consultations, the RIC reviewed the measures it proposed in the Draft Determination to ensure that the new residential rates were affordable. Those proposals included retaining the inclining block structure, increasing the number of consumption bands (tiers) from three to four and widening the width of the middle tiers. The RIC proposed these measures to ensure that basic-needs electricity remained affordable and that the bill impacts on low- and middle-income households were reasonable. However, those households that continue to use a very high amount of electricity will be in the highest tier, with the highest rate for residential consumption. Additionally, all residential customers benefitted through lower rates via a cross-subsidy by industrial customers in the first year (2023), which the RIC intends to gradually unwind by the end of the regulatory control period. Therefore, in preparing the Final Determination, **the RIC took note of all the comments but made a considered decision to retain the residential rates that were proposed in its Draft Determination**.

(c) Comments:

One stakeholder suggested that the RIC should create a fifth tier (kWh consumption band) for the largest users of electricity in the residential sector or investigate the nature of high-consuming households, placing the highest users into the industrial pricing. The basis for this recommendation was that there are customers in the residential class that use very large quantities of electricity, some of which exceed the lowest consumption for industrial customers. This stakeholder suggested that if inclusion of a fifth tier was not possible at this time, there needs to be an investigation to determine the nature of electricity usage for these very high residential customers so that they can be reclassified, if necessary.

RIC's Response:

In its "Principles of Rate Design and Tariff Structures" consultative document, published in March 2022, the RIC discussed the issue of striking a balance between the number of tiers and achieving stability in tariff design, and proposed adding a fourth tier for residential customers. This proposal was included in the Draft Determination. The RIC considers that a balance must be struck between the incentive to conserve electricity and the potential loss of revenue to the service provider. Loss of revenue is possible if the rates for the highest consumption band are so high that they promote switching out to off-grid renewable energy technologies, which high-income-earning households can afford to do. Further, introducing a fifth tier can be perceived as punitive for affected customers. The RIC has, therefore, maintained its position in the Final Determination. The RIC will observe the tariff structure and review the number of tiers in its future determination, if necessary.

It is the responsibility of the utility to ensure that customers are placed in the right customer category. The RIC is aware that it is a standard practice at T&TEC to re-classify accounts to commercial class, where residential properties are used to conduct business. Notwithstanding, the

RIC agrees that closer monitoring of very high-consumption households by T&TEC may be needed to ensure they are appropriately classified.

(d) Comments:

One stakeholder opposed the proposed rate increases for residential (households) and small to medium commercial customers (B1) and disagreed that the percentage increase for B1 consumers should be five times that for B2 consumers. This person also proposed that, consistent with the principle of "equity", rate increases should only apply to residential customers who consume large quantities of electricity, large commercial customers and industrial users.

Another stakeholder suggested that time-of-use (TOU) tariffs could be introduced at the start of the regulatory control period as it was believed that data for this analysis should already exist.

RIC's Response:

There are two sub-classes within the commercial class (B1 and B2) because the typical B2 customers impose a different cost to serve than B1s. While B1 customers pay only for what they use, B2 customers have to pay a minimum bill equivalent to 5000 kWh even if they consume less than this amount of energy. This guarantees T&TEC a minimum level of revenue for the increased cost to serve them. Therefore, when comparing the percentage increases of B1 vs B2, it is also important to consider other aspects that affect the customer class. **Notwithstanding, based on comments and feedback from the public consultations, the RIC has reduced the B1 commercial rates from the proposed $0.62 to $0.56 per kWh.**

The use of the inclining block aligns with the comment that residential consumers who use more should pay more per unit. Tariffs are set based on the cost to serve the various rating categories. The RIC Act (Section 6 (3)) requires that there be no discrimination between customers similarly placed (of similar type). Customers who are similarly placed but have divergent economic circumstances are encouraged to adjust their consumption in line with their budget or income levels.

The RIC does not agree that TOU rates can be implemented from the onset of PRE2. The existing AMI infrastructure cannot support the rollout of TOU, and T&TEC would need to implement the necessary metering and network infrastructure to facilitate the effective deployment of TOU rates. Therefore, RIC's position is that T&TEC must make a robust proposal to the RIC before implementing TOU rates. The study that informs this proposal should be undertaken after the implementation of starting tariffs for PRE2, as this will allow T&TEC to consider the impact of price changes on its load profiles.

(e) Comments:

The business sectors had a number of concerns about the proposed increases, in particular, the industrial D customers. Many persons said that the additional electricity costs would compound the overall cost of doing business. They further stated that while some of the increase will be absorbed, it is likely that the majority will be passed to consumers, and this could have significant multiplier effects.

RIC's Response:

In the Draft Determination, the proposed increases (bill impacts) for Industrial D customers ranged from 72% to 87%. **The RIC noted the comments of the business sectors and has adjusted its position for Industrial D customers, with increases now ranging from 58% to 70%.** This, along with the changes to commercial B1 rates, are expected to mitigate the anticipated "knock-on" effects that businesses were concerned about. Industrial E rates remain unchanged. The RIC anticipates that for commercial and industrial customers who primarily serve domestic markets, the increases could be spread across a large number of goods and services offered to the public. The RIC thus encourages consumers to remain vigilant and seek further information on increases imposed or recommended by various suppliers.

7.2 Bill Impacts

(a) Comments:

Many persons shared the view that the rate increases will significantly impact households, especially among the poor and middle classes. Some spoke about additional concerns surrounding rate increases, such as the health and well-being of persons in the lower income brackets and an adverse impact on children's education since families on very low incomes have to choose between paying for electricity and spending on food, sanitation and their children's education.

Several persons were curious about the assistance that may be given to customers who could not afford to pay bills and may be disconnected. Some spoke about customers in the lower income bracket being severely affected by the increase in rates, as they are currently facing the effects of the increase in gas prices, unemployment arising from a lower level of economic activity associated with the COVID-19 pandemic and rising food prices. One person referred to the COVID-19 Food Security and Impact Survey published in July 2022, which stated that "71% of persons surveyed in Trinidad and Tobago were not able to afford food". The person asked, what would happen to this 71% when the rates increase? Another commenter stated that the average income used by RIC does not consider the number of households with zero income. One person made the point that additional lighting is now needed for security reasons; hence, on average, customers are using more electricity than they did ten (10) years ago. Also, "work-from-home" and "homeschooling" have contributed to increased electricity consumption. They wanted to know whether these new consumption patterns had been considered in setting the new rates.

RIC's Response:

With regard to customers' ability to pay bills, as outlined above, the RIC has taken steps to maintain affordability for low- and middle-income households. However, if persons are genuinely in financial difficulty, there are a number of measures that can assist, including direct support from programmes operated by the Ministry of Public Utilities (MPU). The RIC understands that there may be negative, indirect impacts of the increase in electricity rates, which are social issues that the Government is better placed to address. The Government currently supports low-income persons and vulnerable groups who are unable to pay utility bills through the Utilities Assistance Programme and a 35% bill rebate to residential customers for bi-monthly electricity bills of $300.00 or lower. The RIC has recently engaged with the MPU, which has indicated that it is developing a "utility cash card" programme to assist in mitigating the impact of rate increases for low-income and vulnerable customers. At the same time, the RIC will write to the MPU to recommend that this support is targeted based on means testing rather than solely on the cost of the bill. The MPU has also indicated that the Bill Assistance programme will continue after consultation with T&TEC to reflect changes in the billing cycle. Therefore, residential customers, especially low-income and vulnerable groups, are encouraged to access the aforementioned Government programmes and implement other initiatives proposed by the RIC to reduce the potential impacts of the electricity price increase.

Additionally, the RIC established Codes of Practice for T&TEC, within which is the option and obligation for the utility to assist persons in genuine financial difficulty. The Codes of Practice also provide guidelines regarding disconnection for non-payment of bills. Following the public consultations, the RIC has also requested T&TEC to engage in public education to advise consumers on how to control their electricity costs. In addition, consumers can review RIC's brochures published on its website for energy conservation tips.

(b) Comments:

Concerns were raised about whether persons could afford to pay increases in electricity rates. Several persons commented about the RIC using outdated data from the Central Statistical Office (CSO) to assess affordability in its Draft Determination and that the RIC should wait until the CSO completes its survey to do the Price Review.

RIC's Response:

The RIC considered the ability of customers to afford an increase in electricity rates by examining the impact of its pricing decisions on households, especially low-income and vulnerable groups in society. The RIC included several tables in its Draft Determination where sample bills for existing and proposed rates across various classes of customers were shown. In its Draft Determination, the RIC also noted that an internationally accepted guideline (World Bank) for assessing affordability is the percentage of household expenditure spent on electricity should not exceed 10%. As discussed earlier (Section 4.3), the RIC acknowledged that the CSO data was not current; however, the assessment in the Draft Determination was intended to show that the average residential bill as a percentage of average monthly household expenditure ($7,233.40 in 2009) would be significantly lower (3.3%) than the internationally accepted guideline. In the Final Determination, the RIC utilised an acceptable methodology to adjust the household expenditure figure provided in the Draft Determination and also considered the impact on low-income customers through the use of the senior citizen monthly pension grant of $3,500 as the equivalent of household expenditure for low-income customers, both of which yielded results which were lower than the international guideline. In this regard, the RIC's view is that it is neither reasonable nor practical for the RIC to delay its completion of the Price Review.

(c) Comments:

One person suggested that a rate increase that is too high could result in customers reducing their energy consumption significantly or customers switching to alternative electricity sources, like solar. The person stated, "…this means that T&TEC will not be operating close to capacity utilisation and enjoying economies of scale eventually, customers using T&TEC electricity will have to absorb more cost".

RIC's Response:

The RIC agrees that increases in the price of electricity might be associated with a negative demand response (reduction in electricity consumption); however, the degree of demand response (elasticity) is undocumented in Trinidad and Tobago because considerable time has passed without a change in the price of electricity. The RIC intends to pay close attention to the demand response across the various customer classes after the implementation of the new rates, as this is an important consideration when the RIC is undertaking its annual tariff adjustment evaluation within PRE2 and also for future price reviews. Regarding the comment that a reduction in demand could impact rates, cost reductions are also possible based on the utility's actions in response to RIC's incentives. The net effect would only be known after the fact; therefore, the RIC prefers not to speculate about customers having to "absorb more cost" in the future.

(d) Comments:

The business sectors commented that higher electricity costs would put pressure on business profitability, which was already affected by the COVID-19 pandemic. They also felt that higher electricity rates could jeopardise the country's profile with potential investors, who are likely to relocate to countries with more attractive investment climates like Guyana and Suriname. Several persons representing Small and Medium-sized enterprises (SMEs) shared similar concerns with the wider business stakeholders.

RIC's Response:

The RIC acknowledges the concerns raised by the business sectors. However, with respect to the increases in the cost of doing business, the RIC assessed electricity costs as a percentage of the operating costs of various commercial and industrial sectors. Based on 2015 data from the CSO, on average, electricity cost represents 1.5% of overall operating costs. Therefore, while electricity rates for commercial and industrial customers will increase, the RIC expects businesses to consider the proportion of its overall costs that are affected. While the impact of electricity increases on the local manufacturing sector was raised as an issue that would hinder market expansion, the RIC's view is that market expansion decisions are usually holistic and concerned with the potential of a fair return on the investment rather than a focus on a single input cost, such as electricity. As part of their pricing decisions, businesses should also consider the range of products over which electricity costs can be spread and the resultant impact of turnover on revenues. In so doing, competition in the various sectors will help to keep specific firm pricing behaviour in check.

There are many factors that potential investors consider before making an investment decision, of which the cost of electricity is often one consideration. Very often, investors wish to be assured about the stability and reliability of the electrical supply, which the Price Review is also intended to address. Further, in Table 12.17 of its Draft Determination, the RIC showed that comparing the typical bills of industrial customers in the Caribbean, Trinidad and Tobago will still be among the lowest in the region after the new industrial rates are implemented. The Government can also implement specific policy measures to support targeted segments of the population (businesses, manufacturers, and small and medium enterprises). For example, these measures/incentives can include tax breaks, fiscal support and access to funding on preferential terms.

(e) Comments:

Some manufacturers spoke about being pushed by the Government to increase their exports but suggested that the proposed electricity price increases would affect the manufacturers' international competitiveness. They believed that the increases would be a disincentive for expansion and cause a retraction in the capacity of local manufacturers. One of the key stakeholders spoke about the impact of the increase in electricity prices on average unit costs across all sectors and highlighted that there would be a compounded impact (multiplier effect) of increased electricity costs being passed down the value chain to consumers' grocery bills. Further, the increase in direct electricity costs for a household would result in an increase in total monthly household expenses. They expressed concern about the potential impact of the proposed rate hikes on the wider macro-economy and suggested that increases would impact key economic indicators negatively.

RIC's Response:

The RIC understands that the electricity rate increases can impact the manufacturing sector's value chain. While the RIC recognises that costs can be passed on, companies should carefully decide their pricing strategy, especially when operating within highly competitive industries within their respective markets. The RIC recognises the possibility of a multiplier effect; however, estimating the quantum of this effect requires assumptions that may or may not materialise, such as the extent to which companies pass on costs. For instance, when the RIC assessed electricity as a percentage of operating costs of various commercial and industrial sectors (based on 2015 data from the CSO), electricity comprised 1.5% of operating costs on average. Therefore, while electricity rates for commercial and industrial customers may increase by double-digits, the RIC expects businesses to consider the proportion of its overall costs that are affected. The RIC would also encourage consumers to be vigilant with price increases attributed to changes in electricity rates.

The RIC also acknowledges that changes in electricity rates can have an inflationary impact on the economy. The RIC has discussed bill impacts for commercial and industrial customers in its Draft Determination, and has taken steps to address the impact of increases in electricity on households (discussed earlier). Regarding the concern raised on the impact of exports, it is arguable that local manufacturers should not base their competitive advantage on electricity rates.

(f) Comments:

Many persons across the various customer classes requested preferential rates to mitigate the effects of the impending price increases on consumers and the wider economy. Some groups also made representation for special rates, such as an agricultural/food production rate, a poultry farmers' rate, an SME rate, and a pensioners/elderly rate. Also, persons representing micro, small and medium enterprises and start-up businesses asked whether any special consideration or leniency could be given, at least in their first year of operation.

RIC's Response:

The RIC is constrained by its legislation to non-discrimination in pricing among similarly placed consumers (Section 6 (3) of the RIC Act). Setting a preferential rate implies that the RIC should favour one set of customers regarding the rate they pay for electricity. This is not permitted by the RIC Act, and it is not best practice for rate design. Electricity customers are organised into broad groups (classes). There is further segmentation into sub-classes based on technical criteria with minimal consideration for end-use, usually only to distinguish between residential and commercial customers. The RIC discussed earlier how it has considered issues of affordability to cater to low-income and vulnerable groups, as well as the decisions it has made to mitigate the bill impacts for low and middle-income households.

The RIC recognises that micro, small, and medium enterprises and start-up businesses do experience challenges and may require special considerations to assist with making their enterprise viable; however, for tariff purposes they all fall within the commercial class. **The RIC has reduced rates for the commercial and industrial classes, where most SMEs will fall.** Even with this, the Government can implement fiscal measures to bring relief to specific segments of the population depending on their policy decisions and agenda.

(g) Comments:

One person asked, "What is the inflationary impact of a $27 billion increase over five (5) years on the prices of goods and services," and "Over what timeframe is this impact expected to complete its cycle through the economy of T&T?"

RIC's Response:

Overall costs are not increasing by $27 billion over five (5) years. Instead, this value represents the total cost to T&TEC to continue providing its services over the next five (5) years, which is approximately $5 billion annually. For comparison, the 2021 costs of providing electricity were approximately $3 billion.

The RIC understands that increases in electricity can have an inflationary impact. The extent to which inflation increases depends heavily on the actions of commercial and industrial customers in response to the changes in their electricity costs (discussed above).

7.3 Staggered Rate Implementation

Comments:

Various members of the business sectors (commercial and industrial) requested rates to be staggered or implemented on a phased basis over the regulatory period. The arguments put forward by the business sectors was that a phased/staggered approach would meet the objective of improving T&TEC's revenue stream while minimising the negative impact of "frontloaded increases" by giving businesses time to plan and incorporate the new costs into their budgets, to make investments in energy-efficient devices and to make adjustments to their behaviour. A few contributors shared their specific views on how the staggered rate increases could be apportioned, which included spreading the first-year increase over five (5) years, implementing a two-step increase across three (3) to five (5) years, capping the increase at 50% and phasing it in.

There was also a request for a moratorium on the implementation of rates for 2023 on the basis that "2024 may be better suited to absorb this second rate increase" as it may coincide with the predicted increase in economic growth.

RIC's Response:

The rates presented in the Draft Determination and at the public consultations were starting (2023) rates. At this stage, the RIC does not project rates for the remainder of the period, as these depend on actual revenue outturn, actual electricity demand, and RIC's evaluation of how well T&TEC has met or exceeded the targets set in the Final Determination. The starting (2023) rates allow the utility to earn the revenue needed to fund its operations for 2023. The suggestions made by the stakeholders to stagger and/or phase the first year increase to a later year jeopardise the ability of the utility to execute its capital expenditure projects and other operational activities. Moreover, moving revenue away from 2023, whether by a moratorium, staggering or phasing, jeopardises the regulatory settlement and undermines the incentives system established by the regulator at the time of the Price Review. Further, at the end of each year in the regulatory control period, the RIC will assess whether an annual rate adjustment is warranted (for the forthcoming year), which can be an increase or decrease and can affect some or all rate classes.

Notwithstanding the above, the RIC has carefully considered the comments from the business sectors and made adjustments to commercial B1 and industrial D rates in its Final Determination. The bill impacts for B1 customers in the Draft Determination were between 51% and 63%, but after adjustment to the rates, the B1 bill impacts will now range from 32% to 46%. The bill impacts for industrial D customers in the Draft Determination were between 72% and 86%. After the adjustments made by the RIC, the bill impact increases now range from 58%-70% for industrial D customers.

All customers are reminded that before the end of each year of the regulatory control period, the utility must apply to the RIC for an annual tariff adjustment in its Annual Tariff Approval Submission, which may result in rate changes for some or all rate classes. **The RIC's decision to provide reduced rates in 2023 may result in higher increases in subsequent years.**

7.4 Unregulated Charges

Comments:

One person commented that the RIC considers "pole rentals and installation … are not incidental to T&TEC's core business and therefore, the RIC's decision is that these services will remain unregulated. Therefore, the RIC considered the revenues derived from pole rental and installation non-regulated revenues. This is at variance with previous PUC Orders, which considered poles and the installation of poles as an integral part of T&TEC's core network and included the revenue derived from pole rental as regulated revenue … The exclusion of revenues obtained from pole rental as regulated revenues suggests that the cost of pole installation and maintenance is recovered from an alternative revenue stream. The RIC, therefore, needs to identify the revenue stream from which pole installation is recovered and to whom do the unregulated revenues obtained from rental of T&TEC's distribution network be passed". Another commenter was concerned that the RIC allowed T&TEC to recover pole installation costs twice, once from consumers through rates and the other from rental to telecommunications companies.

RIC's Response:

The RIC concurs that the installation of poles is essential to the transmission and distribution of electricity; however, pole rentals, as it was under the PUC, are unregulated. Therefore, T&TEC is free to negotiate rental fees with third parties. The RIC is of the view that this should remain unregulated as the rental does not affect the vast majority of ratepayers (pole rentals mainly affect various telecommunications providers), and T&TEC is best placed to negotiate the cost with these providers.

In the RIC's building block methodology, the cost of new poles and replacement/repair of existing poles for the forthcoming period is included in the revenue requirement. However, since T&TEC earns income from pole rentals to telecoms service providers, the RIC removes this aggregate income from the revenue requirement to be recovered through rates. Therefore, the benefits to

T&TEC from renting the poles are transferred to customers by way of a lower revenue requirement and, by extension, lower rates.

7.5 Cross Subsidisation

(a) Comments:

One stakeholder commented, "In computing cross-subsidy, the document (Draft Determination) discussed short-run marginal cost and long-run cost of production and presented in tabular form cross-subsidy calculation. No data is presented to validate the RIC's calculation". Further, the comment continued that "it would be more appropriate for the RIC to advise the Minister to consider a cross-subsidy than the grant of a "Utility Card". A cross-subsidy is both transparent and non-discriminatory against similarly situated customers as compared to a "Utility Card" that is discriminatory and non-transparent when void of a means test".

RIC's Response:

The RIC, in its Draft Determination, sought to determine if there were any existing cross-subsidies between the customer classes and showed its calculations in Section 13.3.5 under the sub-headings "Short Run Cost of Producing another kWh (2020)" and "Long-term Cost of Producing Additional kWh." However, as Section 13.8.5 of the Draft Determination indicates, the RIC sought to balance the initial impact of full cost recovery on residential customers by allowing some cross-subsidies to them by industrial customers.

The RIC agrees that a means-tested, targeted subsidy mechanism is superior to a general across-the-board subsidy. The RIC's views on the use of targeted subsidies are documented in its technical paper "Addressing Affordability of Regulatory Prices", published in January 2021.

(b) Comments:

Members of the business community emphasised that electricity rates should reflect the true costs of electricity and, therefore, suggested the removal of cross-subsidies of residential customers by industrial customers. They suggested that any subsidy to the residential customers should come from the higher bands to the lower bands within the residential class.

RIC’s Response:

The RIC understands the concerns expressed. As indicated in the Draft Determination, there is some cross-subsidy to residential customers. However, the RIC intends to fully unwind these cross-subsidies by the fifth year of the price control. By the inclining block for residential customers and higher rates set for each successive band, there is already a level of intra-class subsidy applied.

7.6 Utilities Assistance Programme and Bill Rebates

Comments:

Many persons asked about the requirements of the Government’s Utilities Assistance Programme (UAP) and the Bill Rebate programme, and enquired whether these requirements may be impacted by the proposed rate increases in light of the change to a monthly billing cycle.

Respondents also expressed concerns about the bureaucracy surrounding gaining access to the UAP and the lengthy timeframe for a decision to be made. The RIC received several comments that persons in Tobago have less access to the UAP as there was no consistent presence of dedicated personnel in Tobago to facilitate their applications.

One group strongly opposed the Government’s policy that a safety net utilising “utility cash cards” would be implemented after the rate increase. They stated, “It is wrong to push people off the cliff and then try to catch them, all the while convincing them that because they were “caught” the person who did the pushing has their best interests!”

RIC’s Response:

As indicated during the consultations, the UAP and Bill Rebate programme are administered by the MPU, not the RIC, and comments from stakeholders have been sent to the Ministry for its attention. The RIC underscores that the Government can make changes to these programmes as it determines to meet its social policy objectives. Through the MPU, the Government has recently indicated that it is developing a “utility card” programme to mitigate further the impact of rate increases for low-income customers and those made vulnerable by the COVID-19 pandemic. The MPU has also indicated that the Bill Assistance programme will be revised after consultation with T&TEC to reflect changes in the billing cycle.

Regarding the concern surrounding the bureaucracy involved in gaining access to the utility assistance programmes, the MPU indicated that there are specific criteria to be met to qualify for the programmes, and once these are satisfied, the applicant will benefit. Additionally, the MPU explained that it had implemented measures to prevent "double dipping in the social programmes", which may result in a longer wait time for a response. Notwithstanding, the MPU indicated they would try to reduce the timeframe for the approval process.

The RIC communicated with the MPU regarding its presence in Tobago, and the Ministry has indicated it will make every effort to improve the accessibility to UAP in Tobago.

Social safety net programmes are utilised worldwide to ensure that low-income and vulnerable persons are afforded support when needed. As discussed earlier in this section, the RIC took deliberate steps to ensure affordability in setting residential rates. Therefore, it does not agree with the comment that its pricing decisions were "pushing people off a cliff."

7.7 Miscellaneous Charges

Comments:

One person raised the concern that there were notable increases in miscellaneous service charges, including disconnection for non-payment, which increased from $118.00 to $297.00, and change and/or repositioning of meter, which increased from $194.00 to $246.00.

RIC's Response:

In its Draft Determination, the RIC explained its rationale for adjusting miscellaneous charges, which was utilising the annual change in inflation as the basis for setting new miscellaneous service charges, except disconnection for non-payment, which, in the RIC's view, should be equal to the charge applied for a visit for non-payment of account.

Based on feedback obtained at public consultations, the RIC has revisited its position and has adjusted the new charge for disconnection for non-payment from the proposed $297.00 to $150.00 (original charge adjusted by the rate of inflation). The new charge for Change and/or Repositioning of Meter ($246.00) is consistent with the other charges that have been adjusted by the rate of inflation.

7.8 Service Deposits

Comments:

T&TEC asked the RIC's rationale for changing the current arrangement of retaining the Service Deposit (SD) until the account is closed to returning the Service Deposit after one year. T&TEC provided reasons for the requirement to retain the SD until the account is closed.

Also, T&TEC asked the RIC to confirm whether the SD for commercial B2 customers will remain as the equivalent of the minimum bill of 5,000 kWh and whether the SD for commercial B2 and industrial customers (C, D & E) included the respective customer charge, consistent with the RIC's calculation of SD for residential and commercial B1 customers.

T&TEC reiterated its position that the SD should correspond to the value of two bills (as disconnections are only effected for customers with at least two outstanding bills). It also maintained that SDs for tenanted premises should be increased because of the greater risk of debt being incurred from these arrangements, where T&TEC is unable to force landlords to provide a guarantee to their tenant's electricity account.

Finally, the RIC had proposed that T&TEC use discretion when implementing the new SD requirement for customers they assess as vulnerable, such as those receiving government grants. T&TEC indicated it cannot exercise this discretion as there is a greater risk of debt being incurred from these customers, and the SD offers a level of protection from disconnection.

RIC's Response:

The RIC agrees, in principle, with the proposal to increase the SDs for residential and commercial B1 customers to the value of one month's average bill at the new rates. Similarly, the RIC agrees that the SD for commercial B2 customers will be the equivalent of the minimum bill of 5,000 kWh. The SD charge for industrial customers, in principle, will also be the value of one month's average bill (the higher of 75% reserve capacity or minimum kVA consumption). T&TEC is to make an appropriate recommendation for the service deposit for the new class of High Density customers within one month of the publication of the Final Determination.

Even so, the RIC recognises that there are several implementation issues that require further discussion between the RIC and T&TEC. Therefore, the RIC's decision is to keep the existing service deposits in place until all implementation issues are discussed and resolved. Thereafter, new service deposit charges will become effective on a date(s) to be determined by the RIC.

7.9 New Regulated Charges

Comments:

T&TEC strongly disagrees with the RIC's decision to regulate three previously unregulated charges, namely HV isolation, temporary supply and transformer rentals. Its view was that these services should not be regulated as they are not monopolised but offered within a competitive environment. Customers do not have to rely solely on T&TEC to provide these services and may opt to have them provided by another entity/contractor.

RIC's Response:

The decision to regulate these services was based on the fact that these activities are all incidental to the core business of T&TEC, and while there may be other providers of some of these services, T&TEC remains with significant market power (monopoly power). As far as the RIC is aware, no other entity can do HV isolation but T&TEC. The rates that the RIC has set for these services are initial rates based on T&TEC's existing charges. T&TEC will be required to submit the detailed breakdown of costs for HV isolation, temporary supply and transformer rentals, as the RIC intends to review the charges for these new Miscellaneous Services by the mid-point of PRE2.

7.10 Billing Cycle

Comments:

Several persons enquired about the reason for switching the billing cycle of residential and commercial B (now B1) customers from bi-monthly to monthly. The RIC was asked whether it considered the opportunity cost of this switch, including the inconvenience and financial burden. A group representing retired persons requested the retention of bi-monthly billing for owner-occupiers and the creation of a dedicated line for elderly and senior citizens at customer service centres to facilitate the more frequent visits due to monthly billing. Conversely, some persons supported the change in the billing cycle from bi-monthly to monthly as it would ease the financial burden on the public by paying a smaller amount monthly instead of a larger bi-monthly bill.

RIC's Response:

The frequency of the billing cycle was discussed in the RIC's consultative paper "Principles of Rate Design and Tariff Structures", published in March 2022. One of the main arguments for monthly billing is that it improves the cash flow position of the utility. From a customer standpoint, monthly billing can ease the burden on low-income consumers so that they can better align their monthly expenditure on utilities with their monthly (weekly or fortnightly) earnings. More frequent billing also allows consumers to make quicker adjustments to their consumption.

The RIC has examined the opportunity cost to T&TEC of changing the billing cycle as well as the trade-off from switching from a bi-monthly to a monthly billing cycle for residential and commercial B (now B1) customers. Customers now have more options for paying utility bills via the introduction of online payment on the utility's web portal, payment through online banking via commercial banks and payment through other conveniently located terminals. Therefore, the inconvenience (and transaction costs) to customers paying bills more frequently (monthly) is lower. Notwithstanding, the RIC notes the suggestion that a dedicated/priority line should be created at customer service centres for senior citizens, and we will hold discussions with T&TEC on this matter. This issue will also be considered when the RIC's Codes of Practice for T&TEC are being reviewed next year. The change to monthly billing for residential and commercial B customers will apply to all persons in the respective classes, as the RIC must ensure fairness in the treatment of similarly-placed customers.

7.11 Customer Charge

Comments:

T&TEC noted that the RIC had not agreed to its proposal for a two-tiered customer charge to encourage customers to move to e-billing (T&TEC had proposed using a higher customer charge for those customers who remain on paper-based bills vs those on e-billing).

RIC's Response:

Currently, most of T&TEC's customer base still operates on paper-based billing. The RIC's initial thinking was that customers should be encouraged to move to e-billing rather than through differential charges, as proposed by T&TEC. **The RIC has reconsidered its position and requires that T&TEC, at the time of the first Annual Tariff Adjustment, submit an**

appropriate cost-based proposal for a differential customer charge for those customers who choose to receive a paper bill. Until differential charges are effected, T&TEC must increase its efforts to encourage customers to move to e-billing.

7.12 Minimum Bills

Comments:

T&TEC noted that the RIC had only specified a minimum bill for B2 (formerly B1) customers in its Draft Determination but had yet to specify a minimum bill for other customers. T&TEC requested that the RIC specify the minimum bill for all classes, including industrial and High Density customers.

RIC's Response:

For PRE1, the RIC had allowed T&TEC to establish minimum bills for all rate classes except B2 (formerly B1) customers. In their Business Plan submission for PRE2, T&TEC did not propose new minimum bills nor did they express a desire for the RIC to establish these charges. However, the RIC has no objection to placing minimum bills under close regulatory scrutiny. The RIC notes that typically, a minimum bill is designed to recover a minimum level of revenue, recognising that some costs are still incurred to maintain service even if a customer does not use energy or uses very little. **T&TEC must, therefore, provide a proposal within two (2) months of the publication of the Final Determination for minimum bills for each rate category, which must be cost-justified. In the interim, the current minimum bills will continue to apply.**

APPENDICES

APPENDIX 1

LIST OF STAKEHOLDERS WHO ATTENDED THE RIC'S PUBLIC CONSULTATIONS ON THE DRAFT DETERMINATION [5]

<table>
<tr><th>DATE/VENUE</th><th>NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="2">Thursday, 12 January, 2023
TTARP Office</td><td>Special Interest Groups
- Trinidad and Tobago Association for Retired Persons (TTARP)</td></tr>
<tr><td>1. Reynold Cooper
2. Michelle Nunes
3. Kern Williams
4. Mayling Younglao</td></tr>
</table>

<table>
<tr><th>DATE/VENUE</th><th colspan="2">NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="3">Tuesday, January 17, 2023
Centre of Excellence, Macoya</td><td colspan="2">Special Interest Groups
- Greater Tunapuna Chamber of Commerce
- San Juan Business Association

1. Abrahim Ali</td></tr>
<tr><td colspan="2">Public Consultation</td></tr>
<tr><td>1. Denzil Ali*
2. Nadia Ali
3. Sonia Alkhal
4. Robert Amar*
5. M.P. Khadijah Ameen*
6. Brian Baig*
7. Richard Baker
8. Roland Baksh
9. Narendra Balgobin
10. Shanika Baljit
11. Alderman Dianne Bishop
12. Annabelle Brasnell
13. M. Bridgewater
14. Phylis Bruce
15. Nigel Charles
16. Suresh Cholai
17. Vanessa Choonie
18. Zarion Choonie</td><td>19. Harold Cousins
20. Jermaine Cruickshank
21. Lyndon De Gannes*
22. Anne De Silva
23. Leisha Dhoray
24. Richardson Diaz
25. Sean Douglas
26. Alicia Evelyn
27. Rhondall Feeles
28. Kay Marie Fletcher
29. Sheryllan Fraser
30. Neil Fraser*
31. Flora Geoffroy
32. Councillor Racquel Ghany
33. Jackie Gittens
34. Councillor Balmati Gosyne
35. Anthony Gulston*
36. Edison Hoolasie
37. Louann Hospedales</td></tr>
</table>

[5] * Represent persons who stated their names and made comments at the respective meetings.

DATE/VENUE	NAME OF STAKEHOLDERS	
Tuesday, 17 January, 2023 Centre of Excellence, Macoya	**Public Consultation – Continued**	
	38. Kazim Ishmael 39. Sunadai Jagroo 40. Kaysho Jaikaran 41. Chanroutie Jattan 42. Neville John 43. Curtis John 44. Boodram John 45. Stanley Jones* 46. Rishard Khan 47. K. Khan 48. Chanty Lalsingh 49. Shawn Lamy 50. Monica Lewis* 51. Nadira Maharaj 52. Kenneth Maring 53. Wendell Mayers 54. Dr. Kirk Meighoo 55. Ray Mohammed 56. Shakir Mohammed 57. Alderman Nazeemool Mohammed 58. Joanne Mora 59. Dharia Nelson-Seales 60. Immanuel Nunez 61. Taharqa Obika 62. M.P. Barry Padarath* 63. D. Phillips* 64. Pamela Pillai 65. J. Price	66. Adam Raffoul* 67. Farida Ragoonanan 68. Rawantee Ramlal 69. Jaggernauth Ramoutar 70. Tricia Ramoutar 71. Councillor Ryan Rampersad 72. Councillor Richard Rampersad 73. Gillian Ramsaran 74. Councillor Seema Ramsaran-Augustine 75. C. Ramsewak 76. Albert Reyes 77. Senator Anil Roberts* 78. James A. Robinson 79. Councillor J-Lynn Roopnarine 80. Theo Sammy 81. Liza Samuel 82. Rose-Marie Seebrath 83. Joanne Seebrath-Hoyte 84. Indramaltie Seenath 85. Meena Seeraj 86. Cindy B. Singh 87. Marilyn Smith 88. Henreatta Smith 89. Dr. Vidhya Gyan Tota-Maharaj 90. Marsha Walker* 91. Jack Warner* 92. Anthony Wilson

- There were approximately 1,700 online views during the Tunapuna public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS
Thursday, 19 January, 2023 Arima Community Center	**Special Interest Groups** – Arima Business Association
	1. Israel Armstrong 2. Avind Ramcharan 3. Christian Rampersad

DATE/VENUE	NAME OF STAKEHOLDERS	
Thursday, 19 January, 2023 Arima Community Center	**Public Consultation**	
	1. Fuad Abu Bakr* 2. Dianne Alexander 3. Imran Ali* 4. Aleema Ali 5. Sonia Alkhal 6. Eugene Allemany 7. M.P. Khadijah Ameen 8. Radica Arjoon 9. M. Assee 10. Phillip Atiba 11. Roger B.* 12. Brian Baig* 13. David Bally 14. Stern Barnes 15. Alderman Dianne Bishop 16. Mariela Bruzual 17. Jerome Chaitan 18. Nigel Charles 19. Kerwin Charles 20. Lenroy Cornwall 21. Dianne Diaz 22. Ryan Diaz 23. Richardson Diaz 24. Lincoln Douglas 25. Kay Fletcher 26. Ayinde Frederick 27. Lyndon Gannes 28. Flora Geoffroy 29. Racquel Ghany 30. Elizabeth Gonzales 31. Azim Gulab 32. Roxanne Harris Dalrymple* 33. Frank Hopin 34. Roger Jacob 35. Krysta James 36. Neville John 37. Bertram Jordan 38. Haydn Joseph* 39. Zahir Khan 40. Curlene Lambie	41. Sophia Leps 42. Monica Lewis* 43. Councillor John Lezama 44. Ann Lui 45. Daniel Mackoondal 46. Vedya Mahabir 47. Balliram Maharaj* 48. Dr. Kirk Meighoo 49. Kerwin Meloney 50. Anthon Meloney 51. Ashel Murray 52. Priya Nagassar 53. Senator David Nakhid 54. Immanuel Nunez 55. Curtis O'Brady* 56. M.P. Barry Padarath* 57. Clint Pamphile 58. Councillor Brennon Patterson 59. Claudia Paul 60. Ann Pollard 61. Sonia Ragoopath 62. Councillor Linette Ramcharan 63. Sudesh Ramkissoon* 64. Roodal Ramlal 65. Fazeem Rampersad 66. Seema Ramsaran-Augustine 67. Devron Richards 68. Jairzinho Rigsby* 69. Senator Anil Roberts* 70. Councillor J-Lynn Roopnarine 71. Liza Samuel 72. Rodger Samuel* 73. Henreatte Smith 74. Ryan Spicer* 75. Clyde Stephan 76. Wayne Thompson 77. Marsha Walker* 78. H. Wilson 79. Councillor Joycelyn Worrell

- There were approximately 1600 online views during the Arima public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Monday, 23 January, 2023 Canaan, Tobago	**Public Consultation**	
	1. Peter Alberto 2. Laurison P. Baird 3. Andre Baker 4. Anthony Baynes* 5. Dolly Charles* 6. Nigel Charles 7. Anson Clarke* 8. Corey Connelly 9. Rhondall Feeles* 10. Daud George 11. Uriana George-Nathaniel 12. Sean Giles 13. Vindra Gopaul 14. Che Gordon* 15. Gillianne Gray 16. Pete Gray* 17. Noreen Guy 18. Marilyn Hackett 19. Curtis Harry	20. Darren Joseph* 21. Lyndon Mark* 22. Colin Martin* 23. Wendell Mayers 24. Vera Melville 25. Lucille Parcy* 26. Marjorie Phillips 27. Kimmi Potts 28. Safiya Potts-Makou 29. Arista Quaccoo 30. Denesha Roberts 31. Anson Robley 32. Marsha Sandy Fraser 33. Tracy Shields* 34. Earla Shields 35. Reginald Vidale* 36. Emmarie Waldron 37. Liz Williams 38. Kenneth Winchester

DATE/VENUE	NAME OF STAKEHOLDERS
Tuesday, 24 January, 2023 Settlements, Public Utilities and Rural Development Crown Point, Tobago	**Special Interest Groups** – Tobago House of Assembly
	1. Kern Alexis 2. Assemblyman Niall George 3. Dalia Jerry 4. Anson McDonald 5. Assemblyman Ian Pollard 6. Jiselle Small 7. Shana Thomas

DATE/VENUE	NAME OF STAKEHOLDERS
Tuesday, 24 January, 2023 Milford Road, Scarborough, Tobago	**Special Interest Groups** – Trinidad and Tobago Chamber of Commerce – Tobago Division
	1. Demi-John Cruikshank 2. Diane Hadad 3. James Morshead 4. Curtis Williams

DATE/VENUE	NAME OF STAKEHOLDERS	
Tuesday, 24 January, 2023 Belle Gardens, Tobago	**Public Consultation**	
	1. Yvette Andrew 2. Kenrick Andrews 3. Curtis D. Archie 4. Andre Baker 5. Annabelle Brasnell 6. Adina Campbell* 7. Peter Cox* 8. Curvis Francois 9. Pete Gray* 10. Curtis Stephen Harry Sr.* 11. Maurice Hercules* 12. Shelley-Anne James	13. Max James* 14. Geva Job 15. Wendell Mayers 16. Safiya Potts 17. Arista Quaccoo 18. Rondell Richards 19. Eon Robley* 20. Schekeil Rochford 21. Rosemary Sandy* 22. Tarnya Sergeant 23. Leslie St. Hillaire 24. Nickson Trotman

- There were 744 online views during the Tobago public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Monday, 6 February, 2023 Hilton Trinidad & Conference Centre	**Special Interest Groups** – Supermarket Association of Trinidad and Tobago	
	1. Wazeer Aleem 2. Shamshad Ali 3. Daniel Austin 4. Dave Baijoo 5. L. Bhooplall 6. Anand Deopersad	7. Rajiv Diptee 8. Heeranand Maharaj 9. Nigel Persad 10. Stephen Sookhan 11. Pamela Vargas Goveia

DATE/VENUE	NAME OF STAKEHOLDERS
Monday, 6 February, 2023 Hilton Trinidad & Conference Centre	**Special Interest Groups** – Fishermen & Friends of the Sea
	1. Gary Aboud 2. Lisa Premchand

DATE/VENUE	NAME OF STAKEHOLDERS
Monday, 6 February, 2023 Hilton Trinidad & Conference Centre	**Special Interest Groups** – Agricultural Society of Trinidad and Tobago
	1. Harryram Pragg 2. Gregory C. Reece

DATE/VENUE	NAME OF STAKEHOLDERS
Monday, 6 February, 2023 Hilton Trinidad & Conference Centre	**Special Interest Groups** – Poultry Association of Trinidad & Tobago
	1. Kalam Ali 2. Ronnie Mohammed 3. Robin Phillips 4. Jerry Ramdass

<table>
<tr><th>DATE/VENUE</th><th colspan="2">NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="2">Tuesday, 7 February, 2023
Paria Suites Hotel & Conference Centre</td><td colspan="2">Special Interest Groups
– Greater San Fernando Chamber of Industry and Commerce
– Confederation of Regional Business Associations
– Penal/Debe Chamber of Commerce
– Rio Claro Chamber of Commerce
– Fyzabad Chamber of Commerce</td></tr>
<tr><td>1. Shareeza Ali
2. Kalawatie Borielal
3. Vivek Charran
4. Anthony Da Costa
5. Sunil Ganase
6. Samuel George
7. Winston George
8. Jai Leladharsingh</td><td>9. Ricardo Mohammed
10. Deo Ramdass
11. Shirley Ramdeen
12. Arun Ramdeen
13. Sandra Ramjit
14. Rampersad Sieuraj
15. Kiran Singh</td></tr>
</table>

<table>
<tr><th>DATE/VENUE</th><th colspan="2">NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="2">Wednesday, 8 February, 2023
Hilton Trinidad & Conference Centre</td><td colspan="2">Special Interest Groups
– Trinidad and Tobago Manufacturers’ Association</td></tr>
<tr><td>1. Ryan Besai
2. Troy Burns
3. Tricia Coosal
4. Ryan Hamilton Davis
5. Josue de la Maza
6. Kristen De Montbrun
7. Jorge Hoyos
8. Sheldon Jerome
9. Craig La Croix
10. Nigel Lucky-Samaroo
11. I. Manrique
12. Manzue Mohammed</td><td>13. Jason Mohammed
14. Dale Parson
15. Roland Phillips
16. Rajesh Rajkumarsingh
17. Ramesh Ramdeen
18. Emil Ramkissoon
19. Marlon Rattan
20. Roger Roach
21. Sheldon Thomas
22. Richard Thompson
23. Clint Villafana</td></tr>
</table>

<table>
<tr><th>DATE/VENUE</th><th colspan="2">NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="2">Friday, 10 February, 2023
Hilton Trinidad & Conference Centre</td><td colspan="2">Special Interest Groups
– Oilfield Workers Trade Union
– Communication workers Union
– Other Unions (attended but did not stay for the entire session)</td></tr>
<tr><td>1. Michael Annisette
2. Peter Burke
3. Ann Chan Chow
4. Ashton Cunningham
5. Clyde Elder
6. Colin Gumbs</td><td>7. Reesa Jodha
8. Alvard Mitchell
9. Khadijah Mohammed
10. Joseph Remy
11. Clifton Simpson
12. Steve Theodore</td></tr>
</table>

<table>
<tr><th>DATE/VENUE</th><th colspan="2">NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="2">Monday, 13 February, 2023
Couva</td><td colspan="2">Special Interest Groups
– Couva/Point Lisas Chamber of Commerce</td></tr>
<tr><td>1. Rasheed Allaham
2. Mala Cardinal
3. Lois Carmino
4. Amit Dass
5. Derek Joseph
6. Tishara Khan
7. Kean Kirton
8. Steve Kuadaroo
9. Tara Lakhan
10. Alisha Mohamed Stephen
11. Shaheed Mohammed
12. Diann Ragoonanan</td><td>13. Marisa Ragoonath
14. Colin Ramesar
15. Serala Ramlogan
16. Mukesh Ramsingh
17. Amanda Ramsingh
18. Kerryn Roopnarine
19. Arneal Sieupresad
20. Loise Silva
21. Joselle G. Sirju
22. Patrick Smith
23. Ryan Stephens
24. Sharon Thomas</td></tr>
</table>

<table>
<tr><th>DATE/VENUE</th><th colspan="2">NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="2">Monday. 13 February, 2023
Couva</td><td colspan="2">Special Interest Groups
– Energy Chamber of Trinidad and Tobago</td></tr>
<tr><td>1. Gordon Bute
2. Shivanand Chanderbally
3. Vishard Chandool
4. Jerome Dookie
5. Thackwray Driver</td><td>6. Andrew Hosein
7. David Maharaj
8. Lara Quentrall-Thomas
9. Dale Ramlakhan
10. Geevan Sankersingh</td></tr>
</table>

DATE/VENUE	NAME OF STAKEHOLDERS
Monday, 20 February, 2023 (PM) Hilton Trinidad & Conference Centre	**Special Interest Groups** – Trinidad and Tobago Chamber of Industry and Commerce
	1. Jason Berkeley 2. Stephen De Gannes 3. Jackie Gittens 4. Sultan Hosein 5. D'Angelo Merritt

DATE/VENUE	NAME OF STAKEHOLDERS
Monday, 20 February, 2023 Hilton Trinidad & Conference Centre - (ONLINE)	**Special Interest Groups**
	1. Pritam Agard 2. Hayden Charles 3. Amjad H. 4. Mukesh Mahangro 5. Spkendra

DATE/VENUE	NAME OF STAKEHOLDERS
Friday, 24 February, 2023 (ONLINE)	**Special Interest Groups** – Trinidad and Tobago Publishers and Broadcasters Association (TTPBA)
	1. Jason Corbie 2. Douglas Wilson

DATE/VENUE	NAME OF STAKEHOLDERS	
Tuesday, 07 March, 2023 Auditorium - Government Campus Plaza, Port of Spain	**Public Consultation**	
	1. Andre Acres 2. Sonia Alkhal 3. Rebekah Archer 4. Annabelle Brasnell 5. Germaine Cruickshank 6. Zsaria Diaz 7. Kay Fletcher 8. Stanley Jones	9. Wendell Mayers 10. Curt J. Mohammed 11. Kishan Roopan 12. Riane Rosales 13. Janelle Souza 14. Marsha Walker 15. Eli Zakour

- There were 248 online views during the Port of Spain (East) public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Saturday, 11 March, 2023 **(10:00 am)** Mayaro Civic Center	**Public Consultation**	
	1. Oliver Alexander* 2. Mintra R. Baksh 3. Annabelle Brasnell 4. Margaret Burris 5. Nicole Cameron 6. Grant Cameron* 7. Nigel Charles 8. Alderman Raymond Cozier 9. Priscilla Daniel 10. Althea De Fretas 11. Alderman Toolsie Deokailie 12. Solangé Delpino 13. Ria Figaro 14. Deomatie Gangaram 15. Vcanney Honora* 16. Kathleen Jones 17. Shaquilla Jones 18. Tahira Joseph 19. Catherine Joseph 20. Tamika Joseph 21. Brenda Joseph 22. Councillor Renelle Kissoon 23. Councillor David Law*	24. Bartholomew Lynch* 25. Dulcie Mahabir 26. Wendell Mayers 27. Councillor Shaffik Mohammed 28. Asha Devi Mohan* 29. Sherry Mohan 30. Councillor Charleen Moona 31. Joshelle Oudai 32. Whitney Pacheco* 33. M.P. Rushton Paray* 34. Councillor Wendell Perez* 35. Karina Persad 36. Cindy Persad 37. Susan Pierre 38. Councillor Hazarie Ramdeen 39. Nandanee R. Ramdhanie 40. Steve Rampersad 41. Lilawatie Sankar 42. Sabrina Sookdeo 43. Krishna Sookoo* 44. Antonia Suzano

- There were 1,600 online views during the Mayaro public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Saturday, 11 March, 2023 (3:00 pm) Sangre Grande Civic Center	**Public Consultation**	
	1. Brian Baig* 2. Vishma Balliram 3. Sacha Budhu 4. Nigel Charles 5. Vincent H. 6. Alderman Suzan Holder* 7. Councillor Nassar Hosein* 8. Haile A.B. N James 9. Anthony Joseph* 10. Sabrina Khillawan 11. Wendell Mayers 12. Councillor Paul Mongolas* 13. M.P. Barry Padarath*	14. Devika Persad-Suraj 15. Councillor Kenwyn Phillip* 16. Wendell Phillip 17. Debra Prescott Spencer* 18. Adelia Prince 19. Shalini Ragoobir Mohammed 20. Glen Ram 21. Mary Ramdath 22. Kareena Ramdath 23. Councillor Calvin Seecharan* 24. Lystra Sutton 25. Joseph Toney*

- There were 501 online views during the Sangre Grande public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Wednesday, 15 March, 2023 (5:00 pm) Centrum Auditorium, Center Pointe Mall, Chaguanas	**Public Consultation**	
	1. Sandra Abdool 2. Vivica Aguillera 3. Narinedaye Ajodha 4. Faiz Ali 5. Ronald Ali 6. Susan Ali 7. Sheerize Ali 8. Nazma S. Ali 9. Nafarah Ali 10. Raffiena Ali Boodoosingh 11. Sheriffa Naseem Ali-Ballantine 12. Sonia Alkhal 13. Solomon Antoine 14. Councillor Henry Awong 15. Darrin B. 16. Carla Babwah 17. Parbatie Babwah 18. Sharen Badal Ahyew 19. Siewdath Bahal 20. Brian Baig 21. Edme Baird 22. Sheldon Balgobin 23. Dularie Balgobin 24. Councillor Anil Baliram 25. Priya Barran 26. Kristal Beharry-Shadick 27. Judy Benjamin 28. Shirley Birbal 29. Councillor Debbie Boodhan 30. Kim Boodram 31. Kurt Bowlah 32. Avinash Carl 33. Rangit Chaitlal 34. Doolarchan Chattergoon* 35. Geeta Chickooree 36. Jasmine Cordes 37. Colin Cuffy 38. Natasha Dalchan 39. Omatee Dass 40. Kenny Deonarine	41. Ralph Deonarine 42. Chris Deonarine 43. Carla Dhanraj 44. Parmati Dhiram 45. Vinod Dipchand 46. Andre Dookie 47. Lauren Ehoura 48. Hilary Elliott 49. Councillor Wendy Francis 50. Daniel Gandelal 51. Michael Gobin 52. Councillor Gangaram Gopaul 53. Sharda Gopaulchan 54. Sahadeo Gosine* 55. Councillor Balmati Gosyne 56. Rudy Gowrie 57. Ophilea Grazette 58. Michael Guelmo 59. Kyle Guyton 60. Rudolph Hanamji 61. Parvatie Harripersad 62. Rishi Harrynanan 63. Lutchman Harrypersad 64. M.P. Anita Haynes 65. M. Hosein 66. M.P. Saddam Hosein 67. Gloria Huggins 68. Mary Isaac 69. M.P. Rudranath Indarsingh 70. Dhanwantie J. 71. Sandra Jadoonanan 72. Indra K. Jagessar 73. Samuel Jaglal 74. Jasodra Jagroop 75. Yoegita Jaikaran 76. Lakpati Jaikaran 77. Sangeeta Jaimungal 78. Rhoda Jattan 79. Terence Jokhu 80. Sundar Jookoo 81. Rahendra Jookoo

DATE/VENUE	NAME OF STAKEHOLDERS	
Wednesday, 15 March, 2023 (5:00 pm)	**Public Consultation - Continued**	
Centrum Auditorium, Center Pointe Mall, Chaguanas	82. Sharda Khan 83. Darlene Khan 84. Councillor Shazeeda Khan-Mohammed 85. Ken Lakhan 86. Franka Lawrence 87. Lester Leu 88. Councillor John Lezama 89. Karen Lopez 90. Ramesh Lutchmedial 91. Waheeda M. 92. Marie Madoo 93. Taradath Manack 94. Alderman P. Mangaroo 95. Nicholas Manohar 96. Jaganath Manohar 97. Karuna Maraj 98. Anisha Maraj 99. Alderman Venosh Maraj 100. Wendell Mayers 101. Dr. Kirk Meighoo 102. Councillor Faaiq Mohammed 103. Wazim Mohammed 104. Shaheed Mohammed* 105. Ashley Mohammed 106. Councillor Vishan Mohammed 107. Rahaz Mohammed 108. Sheheza Mohammed 109. Vashti Mohammed 110. Majeed Mohammed 111. Kavita Moonasar 112. Wendell N. 113. Priya Nagassar 114. Orlando Nagessar 115. Kim Nanan 116. Councillor Dubraj Persad 117. Kamla Phagoo 118. Maria Pierre 119. Diane Pilgrim 120. Geeta Pittiman 121. Renuka Pramsook	122. Deokie Pramsook 123. Ramdeo R. 124. Indra Ragbir 125. Indarjit Ragoonanan 126. Guyadath Ragoonanan 127. Ritu Rahim 128. Parmesh Rajkumar 129. M.P. Arnold Ram 130. M.P. Dinesh Rambally 131. Angela Rambhajan 132. Nandaram Ramdass 133. Nizam Ramdath 134. Mahadai Ramdeen 135. Ralph Ramdeo 136. Councillor Arelene Ramesar 137. Anjanie Ramjattan 138. Ramkalawan Ramkalawan 139. Chelsea Ramkumar 140. Mohan Ramlogan 141. Nigel Ramnanan 142. Vashaala Ramnanan 143. Ken Ramnarine 144. Gopichan Ramnath 145. Sherryl Ann Ramparsingh 146. Fazeera M. Rampersad 147. Jasodra Rampersad 148. Angela Rampersad 149. Videsh Rampersad 150. Anara Rampersad 151. Hemrajh Rampersad* 152. Dinesh Rampersad 153. Savita Ramphal 154. Premchan Ramsaroop 155. J. R. Ramsaroop 156. Emmanuel Ramsaroop 157. Rianne Ramtahal 158. Daniel Rasheed 159. Amanda Reason 160. Chackon Richard 161. Nirmala Roodal

DATE/VENUE	NAME OF STAKEHOLDERS	
Wednesday, 15 March, 2023 (5:00 pm) Centrum Auditorium, Center Pointe Mall, Chaguanas	**Public Consultation - Continued**	
	162. Kishan Roopan 163. Anand Roopchand 164. Radhica R. Roopchand 165. Kimal Roopnarine 166. Asha Sadal 167. Radha Salick 168. Gowrie Salick Selochan 169. Phyllis Sammy 170. Dhanraj Saroop 171. Radica Seecharan 172. Shane Seelal 173. Councillor Allan Seepersad 174. Ved Seereeram 175. Danice Sheppard 176. Rishi Singh 177. Rajkumar Singh 178. Krishna Sirju	179. Kirdell Sookdeo 180. Marve St. Louis 181. Councillor Whitney Stevenson-Hamlet 182. Councillor Richard Sukdeo 183. Ramrajie Sumairsingh 184. Shirley Supersad 185. Shane Superville 186. Kiel Taklalsingh* 187. Keith Tambie 188. Sheriff Thomas 189. Velda Thurton 190. Marsha Walker 191. Giselle Williams 192. Sumariya Wilson 193. Percine Yeates 194. Tricia Yeates

- There were 393 online views during the Chaguanas public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Saturday, 18 March, 2023 (10:00 am) Point Fortin Town Hall	**Public Consultation**	
	1. Umar Abdullah* 2. Sonia Alkhal 3. Brent Clarke 4. Clarke* 5. Innis Francis 6. Radhaka Gualbance* 7. Rajesh Hardyal 8. Edward Marcelle* 9. Nyahuma Obika*	10. Kishan Roopan 11. Sunil Sookram 12. Kester Swan* 13. Councillor Shankar Teelucksingh* 14. Garnett Thompson 15. Nigel Whyte* 16. Anthony Williams*

- There were 447 online views during the Point Fortin public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Saturday, 18 March, 2023 **(3:00 pm)** San Fernando North Community Centre	**Public Consultation**	
	1. David Abdulah*	42. Shaliza Mohammed
	2. Victor Albert	43. S. Mootoo*
	3. Damian Alexander	44. Ashanie Nandlal
	4. Mary Allum	45. Andrew Nannan
	5. Jordon Ashoon	46. Vashtie Nannan
	6. Keisha Balkaran	47. M.P. Barry Padarath*
	7. Anthony Baptiste	48. Patrick Padmore
	8. Angela Billy	49. Patrick Patterson
	9. Councillor K. Chulan	50. Councillor Krishna Persadsingh*
	10. Wayne Cyrus	51. Naresh Ragoonanan*
	11. Lawrence Deonarine	52. Leela Ramdeo
	12. Dexter Dytho	53. Dirk Ramdial
	13. Rhondall Feeles*	54. Nicholas Rampersad
	14. Winston Francois	55. Randy Ramrattan
	15. M. Gajadhar	56. Sylveina Ramroop
	16. Raheem Ghany	57. Sindey Ramsawak
	17. Tara Goliath	58. Raven Ramsawak
	18. Vijay Gopie	59. Monifa Russell Andrews*
	19. Veronica Guillan	60. Satyam Samaroo
	20. Kern Hankey	61. Shanti Samlal
	21. Abigail Harrilal	62. Alderman Allen Sammy*
	22. Nirmala L. Harrilal	63. Reshma Sammy Jankie
	23. Foster Harrington	64. Alderman Denish Sankersingh
	24. Maria Jagnanan	65. Ryan Seepersad
	25. Selena Kanhai	66. Roshan Seeramsingh
	26. Councillor Nicholas Kanhai*	67. Pearl Seeramsingh
	27. Kamini Kanhai	68. Richard Sibaran
	28. Clint Katwaroo	69. Rooplal Sieu
	29. Azard Khan	70. Devica Sookhai
	30. R. Khan	71. Hema Sookraj
	31. Sharmine Khan	72. Rookmin Sookram
	32. Ramsakhie Laing	73. Steve T.
	33. Shamila Lalla-Barran	74. M.P. Davendranath Tancoo*
	34. M.P. David Lee*	75. Hedy Tenia
	35. Cecil Lincoln Nurse	76. Nigel Traverso
	36. Senator Jayanti Lutchmedial*	77. Neville Warner
	37. Kevin Mahabir	78. Ozzi Warwick*
	38. Dana Manickchand	79. Trevor Watson
	39. Rani Maraj	80. Yvonne Webb
	40. Brian Mohammed	81. Kathy Ann Wills
	41. Shazan Mohammed	82. Winston Wilson

- There were 662 online views during the San Fernando public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Wednesday, 22 March, 2023 (5:00 pm) Diego Martin Community Centre	**Public Consultation**	
	1. Nisa Ackbarali 2. Andre Acres* 3. Nicole Alexander 4. Sonia Alkhal 5. Gillian Arneaud 6. Terrence Butcher* 7. Greta Frank 8. Marissa Gomez 9. Suzanne Hinds 10. Ayesha Hinkson 11. Camille Hunte 12. Sabrina Khillawan	13. Gail La Touche 14. C. La Touche 15. John Laquis* 16. Senator Damian Lyder* 17. D. Maillard* 18. Alana Mussio 19. Immanuel Nunez 20. Kishan Roopan 21. Ishmael Salandy 22. Marsha Walker* 23. Eli Zakour*

- There were 616 online views during the Diego Martin public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Saturday, 25 March, 2023 (10:00 am) JRD Mohammed Convention Centre, St. Croix Road, Princes Town	**Public Consultation**	
	1. Anjalie Ali 2. Steve Ali 3. Sherifa Ali Balgobin 4. Shaheed Allaham* 5. Leia Allen 6. Shamiroon Amarile 7. Valini Baboolal-Ragbirsingh 8. Hameraj Balmacoon 9. M.P. Michelle Benjamin* 10. Ramdeo Boochoon* 11. M.P. Rodney Charles* 12. Celine Charlo 13. A. Daniel 14. David Darsan 15. Tricia Deonanan 16. R. Deonarine 17. Katisha Dookoo 18. Kimoy Leon Sing Frederick	19. Debbie George 20. Marvin Hamilton 21. Kamla Harrilal 22. Deborah James 23. N. Karapan 24. Azard Khan 25. Rookmin Khan 26. Councillor Rajesh Lall 27. Councillor Joseph Lorant 28. Garib Maharaj 29. Diawantee Maharaj 30. Doreen Maharaj 31. Karen Maharaj-Peetan 32. Councillor Deryck Mathura* 33. Rookmin Mathura 34. Shazan Mohammed 35. Tataree Mohammed 36. Imran Wayne Mohammed

<table>
<tr><th>DATE/VENUE</th><th colspan="2">NAME OF STAKEHOLDERS</th></tr>
<tr><td rowspan="2">Saturday, 25 March, 2023 (10:00 am)
JRD Mohammed Convention Centre, St. Croix Road, Princes Town</td><td colspan="2">Public Consultation - Continued</td></tr>
<tr><td>37. Wazir Mohammed
38. Nadirah Mohammed
39. Karamath Mohammed
40. Shaz Mohammed
41. A. Mohammed*
42. Ayoub Mohammed
43. Councillor Rafi Mohammed
44. S. Mootoo*
45. Peterson Morales*
46. Siew Nandlal
47. Councillor Latchmi Narine Ramdhan*
48. M.P. Barry Padarath*
49. Bachan Pariag
50. Savitri Persad
51. Marlon Peters
52. Anwar Pierre
53. Shawn Premchand
54. Ronnie R.
55. Vincent Raghoo
56. Prakash Ragoonanan
57. Gayatri Ragoonanan
58. Rishi Ragoonath
59. Shyam Rajack
60. A. Ram
61. Indira Ram</td><td>62. Maltee Ramdath
63. Oosha Ramdeen
64. Radley Ramdhan
65. Susan Ramkhalawan
66. Cynthia L. Ramkissoon
67. Dhanraj Ramkissoon
68. Sean Ramlochan
69. N. Rampersad
70. Sherril Ravello
71. Kishan Roopan
72. Gourie Roopnarine
73. Scherry Samaroo
74. Dexter Samaroo
75. Sharlene Samuel
76. Asha Seecharan
77. Sandra Seepersad
78. Shivani Seepersad
79. Ronald Simmons
80. Rodney Simmons
81. Rudy Sookhai
82. Alderman Vashti Sookhoo
83. Rajpatee Sooroojdeen
84. T. Watson
85. Dave Williams
86. Laurel V. Williams</td></tr>
</table>

- There were 353 online views during the Princes Town public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Saturday, 25 March, 2023 (3:00 pm)	**Public Consultation**	
Thick Village Community Centre, Siparia	1. Councillor Jason Ali* 2. Eileen Applewhite Steele 3. Nazim Awadie* 4. Micah Beal 5. Councillor Shanty Boodram 6. Girley Boodram 7. Councillor Deryck Bowrin* 8. Kenneth Bridgelal 9. Amar Bridgelal 10. Shelly Ann Cayenne 11. Adrian Chaddie 12. Jaishama Chadeesingh 13. Daniel Charles 14. Michael Chattargoon 15. Kenneth Dumar* 16. Stephen De Gannes 17. Justus De Gannes* 18. Nirmal Dookhoo* 19. K. Dookie 20. Alderman Christopher Encinas 21. Malcolm Gajadhar. 22. Phyllis Gall* 23. Wesley George 24. Ravi George 25. Vijay Gopie 26. Vashti Harripersad 27. Pearl Jackman 28. Joel Jeffery	29. Dale Kawal 30. Paige Maharaj 31. Councillor D. Mayrhoo* 32. Councillor Javed Mohammed* 33. Daniella Mootoo 34. S. Mootoo 35. Peterson Morales 36. Alderman Christine Neptune 37. Jason Perch 38. Michelle Perch 39. Gene Porther 40. Rishi Ragoonath 41. Lystra Rajnath 42. Kumar Ramdass* 43. Vishal Ramlochan 44. Sylverine Ramroop 45. Sahadeo Ranjit 46. Chairman/Alderman Denish Sankersingh* 47. Roshan Seeramsingh 48. M.P. Davendranath Tancoo* 49. Appolinus Titt 50. Carlisa Titt Kokaram 51. Nessa Titt Toussaint 52. Ivan Toolsie 53. Councillor Ramona Victor* 54. Trevor Watson

- There were 743 online views during the Siparia public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS	
Monday, 27 March, 2023 **(5:00 pm)** Queen's Hall, Port of Spain	**Public Consultation**	
	1. Sonia Alkhal 2. Anabelle Brasnell 3. Jermane Cruickshank 4. Kay-Marie Fletcher 5. Sabrina Khillawan 6. Gregory Lalbeharie* 7. Kurt Lange	8. Heather Mohammed* 9. Wendell Mayers 10. Kishan Roopan 11. Neil Stephens 12. Brian Stone* 13. Aaron Williams

- There were 220 online views during the Port of Spain (West) public consultations

DATE/VENUE	NAME OF STAKEHOLDERS
Tuesday, 28 March, 2023 **(9:00 am)** Government Plaza Auditorium Port of Spain	**Special Interest Groups** – Members of the Network of NGOs for the Advancement of Women
	1. Eileen Blackman 2. Marcia Rollock

DATE/VENUE	NAME OF STAKEHOLDERS
Tuesday, 28 March, 2023 **(3:00 pm)** Maracas Bay Community Centre, Maracas	**Public Consultation**
	1. Kevon James 2. Carl La Guerre 3. Nizam Mohammed 4. Ronda Neaves 5. Kishan Roopan

- There were 204 online views during the Maracas Bay public consultations.

DATE/VENUE	NAME OF STAKEHOLDERS
Friday, 31 March, 2023 Tobago	**Special Interest Group** – Tobago Hotel and Tourism Association
	1. Maria Yip-John

APPENDIX 2

LIST OF INVIDIDUALS WHO PROVIDED WRITTEN COMMENTS

NAMES	LOCATION OF RESPONSES
Andre Acres	Sections 6.9, 6.3 (b), 6.7 (d).
Robert Amar	Not addressed. Comments not related to the matters raised in the Draft Determination.
Bianca Banfield	Sections 5.2, 6.7, 6.8.
Judy Bedayse	Section 7.2
Curtis Boodoo	Sections 2.4, 4.2, 4.3, 5.3, 6.3, 7.2.
Edwin Caines	Sections 5.2, 6.5, 6.6, 6.7
Yasim Edoo	Sections 3.5, 5.2, 5.3, 5.7, 5.8, 5.9, 5.11, 5.12, 6.6, 7.1, 7.2
Ramesh Lutchmedial	Not addressed. Comments not related to matters raised in the Draft Determination.
Franklyn Maraj	Sections 5.7, 5.8, 7.10
Clifford Radhay	Sections 6.7 (a), 6.7 (c)
Adam Raffoul	Sections 6.6, 6.7 (c), 7.3.
Marisa Ragoonath	Sections 5.1, 6.3
Fahd Rahman	Not addressed. Comments not related to matters raised in the Draft Determination.
Dinesh Rambally M.P.	Sections 2.1, 2.2, 2.4, 3.5, 4.3, 5.3, 7.1, 7.2, 7.5
Jerry Ramdass	Section 7.1
Valmikki Arjoon and Kiel Taklalsingh	Sections 2.1, 2.2, 4.2, 5.1, 5.6, 6.2, 6.3, 6.6, 6.7, 6.8, 7.2, 7.4
Jack Warner	Sections 1.0, 2.1, 2.2, 2.3, 3.1, 3.2, 4.1, 5.1, 6.2, 6.3, 6.4, 6.8, 7.5

- There was one individual, Mr. Nizam Mohammed, who submitted comments on June 30, 2023. Mr. Mohammed's specific comments could not be included since his submission was made after the deadline, but some of his concerns were addressed in the RIC's responses to similar queries raised by other stakeholders.

LIST OF ORGANISATIONS THAT PROVIDED WRITTEN COMMENTS

NAMES	LOCATION OF RESPONSES
Confederation of Regional Business Chambers	Sections 2.4, 7.3
Energy Chamber of Trinidad and Tobago	Sections 5.4, 5.10, 6.7, 7.1, 7.3, 7.5
Fishermen and Friends of the Sea	Sections 1.0, 2.1, 3.1, 3.2, 3.6, 4.4, 5.1, 6.7,
Movement for Social Justice	Sections 3.6, 4.1, 5.1, 7.1, 7.3.
National Trade Union Centre of Trinidad and Tobago	Sections 2.1, 6.7, 7.2, 7.6,
Poultry Association of Trinidad and Tobago	Sections 3.5, 5.3, 5.5, 7.2, 7.3
Trinidad and Tobago Civil Advocacy Network	Sections 2.4, 4.1, 4.3, 7.2
Trinidad and Tobago Electricity Commission	Sections 4.4, 5.1, 5.2, 5.9, 5.11, 5.12(b), 6.1, 6.2(b), 6.3(c), 7.7(a), 7.7(b), 6.2(b), 6.2(c), 6.10, 7.8, 7.9

- The Trinidad and Tobago Manufacturers Association (TTMA) submitted comments on April 6, 2023, which was after the March 31, 2023 deadline. While the TTMA's specific comments could not be included as a result of their late submission, the issues that they raised were adequately addressed in the RIC's responses to similar queries that were raised by other stakeholders.

APPENDIX 3

LIST OF MEDIA INTERVIEWS & APPEARANCES

Date	Type of Interview and Media House
Tuesday 10th January 2023	**Radio Media Interview** - i95.5fm
Thursday 12th January 2023	**Radio Media Interview** - CNC3 Morning Brew
Tuesday 17th January 2023	**Television Media Interview -** TTT The Morning Show
Thursday 19th January 2023	**Radio Media Interview** - The Street 91.1fm
Monday 23rd January 2023	**Radio Media Interview** - Radio Tambrin (Tobago)
Tuesday 24th January 2023	**Television Media Interview -** Tobago Channel 5
Tuesday 7th March 2023	**Television Media Interview –** TV6 Morning Edition
Wednesday 19th April 2023	**Television Media Interview –** Delving Deeper – TTT