

**PUBLIC STATEMENT OF
THE REGULATED INDUSTRIES COMMISSION
IN COMPLIANCE WITH SECTIONS 7, 8 AND 9
OF THE FREEDOM OF INFORMATION ACT 1999**

In accordance with Sections 7, 8 and 9 of the Freedom of Information Act (FOIA) the Regulated Industries Commission (the Commission) is required by law as a statutory body to publish certain information for the benefit of the public. The statement identifies documents that are available for public scrutiny and purchase. The following information is being published by the Regulated Industries Commission.

Section 7 - STATEMENTS

FUNCTION AND STRUCTURE OF THE REGULATED INDUSTRIES COMMISSION

The RIC is a statutory body established by Act No. 26, of 1998 (the RIC Act) to regulate and monitor the operations of the service providers named in the RIC Act. The RIC replaced the Public Utilities Commission (PUC) whose jurisdiction was issued under the Public Utilities Commission Act Chap 34:01, which was repealed under the RIC Act. The named service providers that presently fall under the purview of the RIC Act include:

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

With the proclamation of the Telecommunications Act 2001, the Commission no longer possesses regulatory authority over the Telecommunications Services of Trinidad and Tobago (TSTT) and telephone services. TSTT now falls under the purview of the Telecommunications Authority of Trinidad and Tobago (TATT).

The role of the Commission has been expanded under the RIC Act to include:

- Making Recommendations to the Minister on the awarding of licences.
- Monitoring and enforcing compliance with licence conditions and imposing penalties for non-compliance.
- Prescribing and monitoring standards of services.
- Establishing the principles on which tariffs will be based and conducting periodic reviews of rates.
- Conducting studies of efficiency and economy of operation and performance by service providers.
- Investigating consumer complaints and facilitating relief in respect of rates, billing and unsatisfactory service.

- Facilitating competition among service providers, where desirable.
- Collection of Licence fees.

The Commission shall consist of a Chairman, Deputy Chairman and at least three (3) other members. The total composition of the Commission shall not consist of less than five (5) or more than seven (7) members, appointed by the President for a maximum of five (5) years in each case. The RIC Act also provides for an Executive Director, who is presently contracted for two (2) years.

The RIC Act makes provision for the establishment of Consumer Services Committees, members of which are appointed by the Minister and will consist of a Chairman, a representative nominated by the Tobago House of Assembly and three (3) other members who will serve as consumer advocates. Such committees will advise the Commission on matters related to quality of service delivered and ensure that complaints procedures of Service Providers produce speedy resolutions for consumers. They may also be required to contribute to deliberations of the Commission where rates and licence conditions come under review.

Section 7 STATEMENTS

Section 7 (1) (a)(i)

FUNCTION AND STRUCTURE OF THE PUBLIC AUTHORITY

MISSION STATEMENT

To ensure the promotion of the highest quality of utility services at fair and reasonable rates while building a credible regulatory regime that responds adequately to stakeholders' concerns and to ensure fairness, transparency and equity in the provision of utility services throughout the country.

The functions of the Commission are discharged with the assistance of the thirty (30) members of staff employed at the office of the Commission. Staff serve as a support arm of the Commission by functioning in furtherance to the mandate of the Commission. The organizational structure of the Commission is attached.

The office of the Commission is located on the 1st and 3rd Floors, Furness House, Corner of Wrightson Road and Independence Square, Port-of-Spain.

Section 7 (1) (a) (ii)

CATEGORIES OF DOCUMENTS HELD BY THE REGULATED INDUSTRIES COMMISSION

These documents pertain to: -

- The operations of the Commission with respect to the RIC under its jurisdiction, and
- The administration of the Commission.

OPERATIONAL RECORDS

- The Regulated Industries Commission Act
- Reports
- Policies, decisions of the Commission includes Minutes/Agenda
- Establishment Records
- Personal files of employees of the Commission
- Customer Service Records
- Research Papers on various areas of the Service Providers
- News releases, speeches originating in the Commission
- Legislation and Legal Instruments
- Book, Brochures, newspaper clippings
- Materials dealing with conferences and events hosted by the Commission.

ADMINISTRATION RECORDS

Strategic Plans

Policies pertaining to the internal operations of the Commission

Human Resource matters

General office files required for internal administration

Accounting files and reports.

Section 7 (1) (a) (iii)

MATERIALS FOR ACCESS

The Regulated Industries Commission Act

Reports

Utility Standards

Social Action Plan: Initial Framework

Research Papers

Publications

Business/Economic Journals

Regulatory Journals/Magazines.

Section 7 (1) (a) (iv)

Literature available by Subscription

The Commission does not possess any literature available by subscription.

Section 7 (1) (a) (v) and Section 7 (1) (a) (vi)

PROCEDURE TO BE FOLLOWED WHEN ACCESSING A DOCUMENT FROM THE PUBLIC AUTHORITY AND OFFICERS RESPONSIBLE

PROCEDURE FOR ACCESSING DOCUMENTS

The Designated Officer for the Department is Ms. Lilibeth Ackbarali, Librarian/Information Specialist, telephone: 627-7820 Ext. 233. The Alternate Officer is Ms. Turkessa Blades, Legal/Corporate Secretary, Telephone: 627-7820 Ext 325.

The public may view documents from Mon-Fri between the hours of 9:00am – 12:00 noon and 2:00pm – 3:30pm at the office of the Regulated Industries Commission, Furness House, 1st Floor, Corner Wrightson Road and Independence Square, Port-of-Spain, by making a request to either of the above persons or by enquiring to the address above.

HOW TO REQUEST INFORMATION

▪ *General Procedure*

Our policy is to answer all requests, oral and written requests, for information. However, in order to have the rights given to you by the FOIA (for example the right to challenge a decision if your request for information is refused), **you must make your request in writing.** The applicant must therefore, complete the appropriate form (**Request for Access to Official Documents**) available from any Public Authority, in order to access information that is not readily available in the public domain.

▪ *Addressing Requests*

To expedite the processing of your request, please address it to the Designated Officer, Lilibeth Ackbarali, Librarian/Information Specialist.

▪ *Details in the Request*

Applicants should provide details that will allow for ready identification and location of the records that are being requested. If insufficient information is provided clarification will be sought from the applicant. If you are not sure how to write your request or what details to include, communicate with our Designated Officer.

Requests not handled under the FOIA

A request under the FOIA will not be processed to the extent that it asks for information, which is readily available to the public, either from the Commission or from another public authority, for example brochures, pamphlets, reports, magazines, journals.

Responding to your request

- *Retrieving Documents*

The Commission is required to furnish copies of documents only when they are in our possession or we can retrieve them from storage.

Furnishing Documents

An applicant is entitled to copies of information we have in our possession, custody or power. We are required to furnish only one copy of a document. If we cannot make a legible copy of a document to be released, we will not attempt to reconstruct. Instead, we will furnish the best copy possible and note its quality in our reply.

Section 7 (1) (a) (viii)

Library/Reading Room Facilities

Information in the public domain may be assessed in our Library/Information Centre or through our website at www.ric.org.tt. You may make general enquiries to our Designated Officer. **Please see Section 7 (1)(a)(v).**

No eating, smoking or drinking is allowed in the Library/Information Centre.

PLEASE NOTE WE ARE NOT COMPELLED TO DO THE FOLLOWING:

Create new documents. For example, we are not required to write a new program so that a computer will print information in the format you prefer.

Section 8: STATEMENTS

Section 8 (1) (a) (i)

Documents containing interpretations or particulars of written laws or schemes administered by the Commission, not being particulars contained in another written law.

The following Legal Notices can be purchased at the Government Printery:

1. Legal Notice No. 83 of 2001 – The Regulated Industries Commission (Approval of Cess) Order 2001.
2. Legal Notice No. 42 of 2002 – The Regulated Industries Commission (Approval of Cess) Order 2002.
3. Legal Notice No. 104 of 2003 – The Regulated Industries Commission (Approval of Cess) Order 2003.

4. Legal Notice No. 133 of 2004 – The Regulated Industries Commission (Approval of Cess) Order 2004.
5. Legal Notice No. 64 of 2004 – The Regulated Industries Commission Electricity (Transmission and Distribution) Order 2004.

Section 8 (1)(a)(ii)

Manuals of rules of procedure, statements of policy, records of decisions, letters of advice to persons outside the public authority, or similar documents containing rules, policies, guidelines, practices or procedures.

1. The Commission's Tender Rules
2. FOIA responses
3. Complaints Responses

Section 8 (1) (b)

In enforcing written laws or schemes administered by the public authority where a member of the public might be directly affected by that enforcement, being documents containing information on the procedures to be employed or the objectives to be pursued in the enforcement of, the written laws or schemes.

1. Legal Notice No. 64 of 2004 - Regulated Industries Commission Electricity (Transmission and Distribution) Order 2004.

Section 9 – STATEMENTS

Section 9 (1) (e)

A report (including a report concerning the results of studies, surveys or tests) prepared for the public by a scientific – relating to or based on science; systematic, methodical - or technical – having to do with the practical skills of a particular subject, for example, science - expert, whether employed within the public authority or not, including a report expressing the opinion of such an expert on scientific or technical matters.

- Water Quality testing from outside agency/agencies
- International Call Centres
- 2003 Report on T&TEC's Rio Claro Substation
- 2003-2004 Report on Pollution of the Caroni River affecting the Caroni Arena Water Treatment Plant.

Section 9 (1) (f)

- 2003 Report on The Willingness To Pay for Changes in Water, Wastewater and Electricity Services in Trinidad and Tobago.
- Report of Rate of Return Review for TSTT 1999-2003.

Section 9(1)(h)

A report on the performance or efficiency of the public authority, or of an office, division or branch of the public authority, whether the report is of a general nature or concerns a particular policy, programme or project administered by the public authority.

The following reports relate to the performance and efficiency of the RIC:

- Certificate and Report of the Auditor General on the Accounts of the RIC for the year ended 2000 June 01 to 2000 December 31.
- Certificate and Report of the Auditor General on the Accounts of the RIC for the year ended 2001 December 31.

The Commission is not in possession of information under Sections 9 (1), (a), (b), (c), (d), (g), (j), (k), (l), (m).

RIC Organisation Structure

