



PSC Regular Meeting - Regular Session

Public Services Commission (PSC)

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0:00:00 Thank you. Good morning. You're in charge of me.

0:01:30 Thank you. Thank you. Thank you. Thank you. . Thank you. All right, good morning again. We're back in regular session during executive session. The commission discussed pending legal matters, um certain litigation of personnel matters and decisions were made so we're going to continue

0:05:03 with our agenda we're now on to item number two the consent agenda she speaks to that matter good morning brenda connor i come to internet um today's staff recommends the commission to enter assessments under following dockets dockets 556 by telco universal service fund in the amount of \$3,606.95. Docket 589, Choice Vitelsum Application for ETC Certification in the amount of \$4,902.79. Docket 669, Broadband VI ETC Benefit Certification in the amount of 11 317.50 and docket 670 liberty and at and t application for etc certification in the amount of five thousand seven hundred ten dollars that concludes the consent agenda all right any questions on the consent agenda okay none can we approve it word of acclamation all those in favor all right all right all right okay item number three outstanding assessment you speak to that issue we're in that kind of again i come to witness officer um Annual assessment update for fiscal year 2026. As of November 3rd, 2025, the Public Services Commission has received annual assessments from the following entities. Transportation services of St. John, Valdaventure, Waste Management Authority, totaling \$76,726.48. The following assessments remain outstanding for fiscal year 2026. virgin islands set a full company dva

0:06:55 one communications in the amount of 121 800 87 cents one communications cable tv saint damas and john 65 000 15.68 cents one communication cable tv saint roy 43 600.97 and waste i'm sorry water and power authority the first quarter is now due in the amount of 440 000 520 2013 cents staff have communicated to utilities the financial challenges sorry what was your amount for welcome 440 532 dollars but we have the annual amount on the report is that correct that is the yes that's the quarterly payment for that was the complete right we have the annual amount of four right one million seven hundred okay so that's that's the difference all right good um staff have communicated to the utilities the financial challenges posed to the case when annual assessments are not included in a timely manner. On Thursday, October 30, 2025, Mr. Tori and I met with the WAPO's Chief Financial Officer, Ms. Kelly, to discuss their outstanding assessment.

Following our discussion, Ms. Kelly indicated that WAPO would see what they can do by December 31, 2025. She also noted that WAPO has requested assistance for the legislature to address its outstanding fiscal year 24 and 25 assessments. Although the Waste Management Authority has paid its fiscal year 26 annual assessment, it continues to carry outstanding balances from 2021 to 2025 totaling \$1,656,495.42. One communication stated that they were looking to looking to see why um their annual assessment was not paid and make sure it

0:08:57 gets processed immediately i will follow up with mr corpus um later on thank you miss panning appreciate the report we now move to item number four waste management matters docket number 708 um waste management um rate investigation appointment affairs examiner who speaks to that mr tory attorney this is boyd sprain i i can't speak to it uh we have had on the calendar for some time the opened investigation into waste management as noted in several meetings excuse me as noted in other meetings we are obligated at the public services commission to conduct an investigation into the rates and services of each utility at least once every five years. We are now at the fifth anniversary of Waste Management Authority being added to the Jurisdictionary Public Services Commission, so we have commenced that investigation. We have split that investigation into two parts. A solid waste side, which is the, if you will, the land or the dry side of waste.

0:10:25 That would include all of the operations that are not related to sewage, wastewater, in stormwater we need to have a hearing examiner in order to conduct the investigation the investigation is intended to cover both proposed fees the existing fees making sure that the fees that are already in place are actually being funded we have found in doing research and preparation at least four different funds for sewer systems and waste management that are created by the legislature and we're trying to identify if those funds are in fact being forwarded to water and power to waste management authority there's a fair amount of work to be done here uh we spent some time searching for a hearing examiner who was available and willing to work on this matter ms mcclain is an attorney here she has done previous work for us as a hearing examiner and i at this point would refer to either ms hendricks or ms story or any further comments on ms mcclain's selection and the process uh good morning everyone i ms hendricks is prepared to report on the appointment of the hearing examiner I knew the commissioners have received a copy of attorney mcclain's resume I don't know if you've had a chance to review it but other than that I'm not sure what else we need to know is there a motion to approve the appointment of attorney delays mcclain as a hearing exam no i'm sorry

0:12:22 yes right there i'm not sure is there so just to offer um a couple of um responses as well as confirmation regarding um miss mclean's um appointment as the hearing examiner The PSC has engaged Attorney McLean in a number of our examinations in the past. We have had above average reporting from her as well as responses from her. we have she has consistently um satisfied and met the needs of the public services commission and um so we were uh more than um more than willing to um have attorney mcclain again work on the rape investigation for the waste management authority again her credentials The officials were well vetted and we're confident that attorney McLean will perform at the same standard, if not in excess of exceeding that standard in which she has represented the public services commission previously.

0:13:52 And so we ask the Commission to approve the appointment of Attorney DeLace McLean. Commissioner Raymond Williams has his hand raised. Commissioner Williams? Yes, I move that we accept the staff recommendation for the appointment of Attorney McLean. just so everyone can hear an examiner for the waste management doctor. We have a motion. Commissioner Williams is seconded by Commissioner Nichols-Sams.

0:14:28 Roll call. Roll call to accept the recommendation of Attorney Dulles-McPhee. Commissioner McGrath, Clement McGrath. Yes. Commissioner Nichols-Sams. Yes. Commissioner Raymond Williams. Yes. Commissioner David Hughes is excused absent Commissioner Raymond Pedro Williams yes Commissioner Chairman Williams, we have four voting yes to approve to accept the recommendation of staff to appoint Dolis McLean as the parent examiner on docket 708. Thank you. the next item is the petition for waste collection management disposal fees by waste management authority um the psc staff report um but i believe the new executive director for the waste management authority is present we're going to invite him to the table and see if he wants to um an introduction or say anything um i want to welcome you the honorable hannibal michael weir uh to the psc meeting um we may have taken on an important task i wish you well in that endeavor so the floor is yours thank you very much um it is a a real pleasure for me to sit um before you today the organization to raise your right hand to be sworn oh yes okay you're used to that do you solemnly swear and affirm that the testimony and evidence you're about to give is the truth the whole truth and what the truth still help you guys i do well thank you um again um you're right it's quite quite a task that um is being undertaken here but a task that I feel like I'm up to and I feel that the agency will be able to raise to that standard to get things done. Relative to our fees or our fee petition, I submitted a letter to Director Satori asking for the discussion of this matter to be tabled. While I believe that just about any

- 0:16:42 reasonable person would agree that the waste management authority has to to have fees i mean in order to operate as a fully functioning autonomous um agency of the government but more importantly to enhance regulatory and environmental stewardship period right now we're in a real issue for that at the waste management authority every half a day is a crisis not even every day um and in addition we need to improve public health and safety in terms of how we handle waste in our territories we need to modernize we need to do all these things and we need the fees to do so that being said i'm relatively new to the position i don't believe i've sat in the seat for 30 days yet and what has been presented so far i can see different ways of looking at how the fee could be fairly and more efficiently um affected so um that being said i've asked for this to be tabled for another time i believe uh i thought uh that this story i've conveyed to you that your requests have been granted but i just thought that i heard that you really wanted to appear so that you can meet the commissioners i did maybe we should do that have you met all of our commissioners yes well i know mr mcgrass for uh many years when i was doing audits for the department of interior's office of inspector general senator joseph and i went to school together all right this sounds earlier today all right very well yes um i i just thank you so much mr chairman and thank you so much
- 0:18:32 the honorable uh welcome home thank you uh i also wanted to know i know you're asking that at the table for a later time what a time frame do you anticipate you will be ready and prepared with your team to make a presentation to discuss this matter i hope to be ready and prepared in time for the next meeting which will be december 9th right okay all right i i'm good with that thank you as well commissioner williams did you want to be heard yeah i just wanted to welcome um the new executive director um i i don't know you personally but um my brother and you for uh transparency my brother is a member of your board and he speaks i love you um i just want to caution you that um the psc have been on the member of the psc quite extremely long time um when waste management was literally founded the psc set um opportunities for rates for wastewater solid waste etc and of course um because of political pressure at one point in time those rates were tabled by the legislature and i see all that is to give you history because in my personal opinion waste management authority should have been so much further ahead but because we keep playing this political football um and and and and empowering waste management authority to do its job to collect the fees and and stuff like that you know you just want to caution you that this is a very um strong political community and environment that we live and work in and you know when people cry in our community they don't
- 0:20:20 want to pay for trash collection we don't want to pay for anything um just know that you have a strong back um i personally support moving forward with ensuring that fees are in place and are being collected such that you can run a reputable organization and um we can really see the turn the 180 degree turn around the corner for the waste management authority so welcome on board um you know they generally say you're gonna be crazy to take some of these jobs but somebody's got to step up and do it congratulations i just wish you much success thank you very much thank thank you all right thank you i'd just like to welcome this we've known each other quite a quite a number of years and he's risen way beyond anything he brings he brings some fresh air to the waste management authority his background in auditing should give him an insight as to what needs to be done and what can be done with the limited resources available um and i hope i hope that it will be a good relationship with psc thank you and again hi commissioner laura nichols samms again i want to welcome you it's great meeting you earlier today and look forward to working with you thank you thank you uh thank you so we'll table that matter about the waste management disposal fee for our next meeting scheduled for december 9th thank you for your appearance thank you
- 0:22:12 are we going to have a discussion of docket 692 advanced sustainable technologies uh yes chair um jason levescott here do i need to be sworn in yes do you solemnly swear and affirm that the testimony and evidence you are about to give is the truth the whole truth and nothing but the truth so help you guys i do let me proceed thank you um i'd like to give a brief update and perhaps um at the end suggest um some milestone future accomplishments if we can we had a very productive meeting um with mr ware and his team along with psc representatives director satori legal counsel sprain and engineer springer where we reached agreement to progress uh the supply agreement a draft of that document has been provided and is now in in play we will also provide in the next few days the land lease agreement so that should be coming shortly we also have the purchase power agreement which is as we all discussed in that meeting on the 21st of october is is also critical for the overall progress of the project particularly on st john initially so um we're ready um in a position to sign the current draft of that document however we recognize that this um would need to go through uh wapa and alongside with the the PSE support, we would like to get that document across the finish line.
- 0:24:17 On the final, as I mentioned, we would like to table a proposal if we could all agree on that along with the PSE and the relevant documents in play with either Waste Management authority or wapa that we could conclude these documents by the next meeting next month that's all i have for now yes we need more time to in order to complete the documentation is that what you're saying um well we have the purchase power agreement which in in our opinion is is just requires some cosmetics to finalize and the agreement on with the psc on the sales price per kilowatt we're ready to sign that once the

cosmetics have been done we've provided these supply agreement draft to waste management authority and we'll shortly providing the land or the land sublease agreement for the site on St. John's. So I think those are relatively or less complex things to get finished and that's why I propose that we, if we can agree, that these could be accomplished by the time my next report in our next monthly call. All right, so we'll table them out until our next meeting on December 9th.

0:25:48 Thank you, sir. Thank you. Thank you. All right. Thank you. We now move to item number five, Energy Matters, Dr. 685, Veri Electron.

0:26:41 Is Elanjo on the line? I don't see him. Is he notified? No. Good morning, Mr. Chair Boyd's right here on behalf of the Public Services Commission. We were anticipating a report today from Mr. LaRanger at VI Electron. I would ask our staff if he is on this call. the first question is was he notified yes we received a message from him that he was anticipating submitting a report i have not seen that report as yet we also provided notice to wapa that this would be on the agenda wapa's response was that they were deferred and asked that Mr. Laurentia respond to us. I can very briefly report that of course we know the two projects on St. Croix at Petronella and at Hogansburg are both online. They both have limited battery capacity and they are providing services on St. Croix which have helped reduce the outages on those islands. We know that the Fortuna project is moving forward that WAPA has signed an amended agreement on that one regarding the scope and including additional battery services. I have not seen those amended agreements as yet. I understand there's also an amendment to the agreement for Bovoni as well. The Fortuna project is supposed to be online in two phases in march and june of next year the uh vivoni project will follow that online and then the

0:28:40 saint john project will follow that the saint john project i am uncertain if it will be online in 2026 or 2027. um so those are the information i have and that is mostly um verbal discussions as opposed to documentary evidence like well the agenda lists this as an application for qf designation is that an accurate description of where we're at i'm sorry the agenda says the electron application for qm designation is that an accurate description of the status no no no that that was the original title of the document the qf status was granted several years ago the original ppas were all approved in 2022 so these are these are the build outs of those projects is what we're discussing at this point in time and what appears to be a larger project in fortuna and a potentially a larger project in bovoni than were originally approved uh that that's sort of what we're checking on really is it is it whether they should be qf approved but are they completing their projects in time and on schedule and and are we getting the necessary benefits or more than were anticipated uh we appear to be getting more power than was originally anticipated from these projects and we are adding battery systems to that which were not originally approved we're trying to get details on what that ultimately is providing to the authority and to the rate bearers in terms of benefits and costs.

0:30:25 All right, so even though you've given us a status report, we have no status report from Via Electron, even though they said that they were gonna be present. Am I correct? That was my understanding, yes. My question is, am I correct? Yes or no? but we did it we did notify the electron we anticipated they would either have a report to us or be present it's a simple question yes or no then i i didn't hear the question clearly i'm sorry my communications are not perfect what was the question you gave us a status report there's nobody here from bi electron even though they sent a communication saying that they would be present am i correct yes all right thank you all right so we'll move on to doctor number 709 walker investigation of fuel acquisition process who speaks to that matter from walker Good morning, can you raise your right hand to this one, please?

0:31:55 Do you solemnly affirm that the testimony and evidence you are about to give it the truth, the whole truth and nothing but the truth, so help be done? Thank you. You identify yourself for the record and then you may proceed. Yes, Nicole Avene, contract administration manager for the Virgin Islands, one of our 30. And Dionne Sinclair, general counsel. Good morning. Good morning. Okay. And we did provide a report and I'm going to read it in for last week, I believe, so I'm just going to read through.

0:32:28 Pursuant to your request, we provide the following update on request for proposal number PR-0326. While the PSC has referred to this as a recently closed RFP process, it is important to clarify that only two of five critical stages have been completed, the solicitation and submission of proposals. The remaining steps, evaluation, selection, and final award are still in progress and are essential to ensuring a fair, transparent outcome. Before detailing the current status of the PR 0326 liquefied petroleum gas LPG procurement, we have reaffirm the authority's core objectives to advertise, award, and administer contracts in a manner that is fair impartial and aligned with the best interests of the authority these principles safeguard integrity and accountability throughout the process and ensure that all transactions with contractors and suppliers hold the highest standards of fairness and transfer okay so presently the timeline that we have solicitation live as of September 8, 2025, advertised on various social media platforms, websites, newsletters, and in local newspaper, which includes APPA website and newsletter, Newswire, VIWAPA website, Carolec 360 Digital Magazine, Facebook for Virgin Islands, one of our authority linkedin twitter instagram daily news local paper september 10th and 11th they were

advertised lp gas magazine packages were sent directly to the following 36 local and national vendors um it was previously sent i'm not sure if you wanted me to read out all 36 but there were 36 um vendors that we sent the package directly to um september 19 2025 pre-bid meeting conducted via teams approximately 10 vendors participated along with virginal's water powers project team and contracts team september 23rd 2025 st thomas site visit at the

0:34:48 randolph harley power plant six vendors participated on september 24th 2025 st croix site visit at the richmond power plant four vendors participated october 3rd 2025 lasted for submitting questions on the proposal on october 8 2025 responses due to the questions submitted on the proposal send responses were all listed on addendum one and two which was provided to all vendors as well as it was posted on our website um for the general public october 24 2025 proposals due on or before 11 59 pm ast five proposals were received to include empire gas incorporated equinor us st NOLS, CARIB LPG Trading LTD, and VITAL Virgin Islands Corp. Evaluation Formation and Schedule. Evaluation committee selected on October 27, 2025 scheduled meetings are as follows.

0:35:58 October 30, 2025, we had our kickoff, which was introductions, legal and finance guidance, solution summary overview and review of RFP package begun on October 31st evaluation proposals established criterias and then we also have we're going to have November 6th we have continued evaluation November 13th we're going to continue evaluation and then we do expect um on our schedule november 20th 25 2025 to finalize the evaluation report which would be the recommendation of the evaluation committee final um expected contract award evaluation committee anticipated to present recommendation to the governing board approval at our december 2025 meeting that is the conclusion of my reports today with the updates what date is your december meeting for some reason i think i believe it will be the fifth tenth of the committee schedule what's the question sorry the december special meeting from december 4th and correct the december 4th so it's a special meeting not your regular meeting the regular meeting is normally the last thursday of the month obviously for christmas month it's not usually at that time but it's never as early but it's a special it is a special yeah your list of five submittals does that include the entity that vice chair hughes is is I was asking you to consider.

0:37:44 CARIB LPG. I'm sorry? Yes, he did mention CARIB LPG. Yes, that is one of the vendors that was submitted. My question is, is that one of the finalists? Yes, the vendor that's been advocated for has submitted a proposal. Proposal, yes. I'm not sure I would use the term advocated for. I'll add to it, is that one of the entities that Vice Chairman Hughes has been inquiring about? The select vendor that prior discussions have involved did submit a proposal in line with the RFP directives. If he advocated, he advocated why you change him words.

0:38:34 I know. Because I inquired Commissioner Nicholas down. Commissioner McGrath? Yes, I only have the five finalists related in any way to VITAL. VITAL is one of the submissions. They did submit a proposal. didn't hear that name called retail virgin islands corporation was one of them oh okay yes so we do have details so yeah so yes i believe it was the last one that's the last one mentioned um senator yes i really want to thank you for your work that you're doing so very comprehensive report i'm a survey i wanted to ask how many persons were in your previous meeting and mentioned 10 yes i don't have a specific listing of all who was um who participated but we did have 10 vendors that participated in the previous meeting okay and then uh how many persons are in your panel uh you're bidding evaluation evaluation team five and myself as an ex-officio who say it slowly i'm getting older yeah i had we have five um evaluation committee members and then myself i'm an ex-officio which is a non-voted member just now okay and are the other persons also part of the wapa team or do you have any consultants who you're going to utilize to because they're all part of wapa team okay can you tell us no not at this time can i disclose that no no in in order that the process

0:40:23 just maintain some level of confidentiality and be outside of the influence of everyone. Confidentiality is key right now. We do not disclose the minimum of the evaluations. Yes, yeah, this time, sorry. I'm going to ask you to submit those names to us under confidentiality provision to submit it to 3SA. The value of the information. Yes, you may submit it, you may submit it, and you may submit it.

0:41:07 You may submit it, I do have concerns. Hold on, I've just directed you to submit the names to us under our confidentiality provision. WAPA has submitted, and consultants and others have submitted information to the PSC under confidentiality provision. All right. That is fine. I would only ask that if there are any conflicts, that those be disclosed to us prior to such submission. I don't understand.

0:41:40 If there are any conflicts or regular confidentiality checks and agreements that you, I would think, as a body has to do with any information that you get, those are shared with WAPA in advance of the submission. I'm not sure how we do that if we don't know who it is, but here's what we're going to do. Submit them to me personally, and I will handle it. No, the conflicts does not have to do with the individuals. The conflicts has to do with the entities that submitted a proposal. If there are any existing conflicts that the commission should be aware of, because I would think that your process and procedure asks you to withdraw if you're conflicted out of any decision making, that those be shared with the authority prior to us providing your listing. That's what I'm saying. How would I be able to do that if I don't know? No, no. We're

talking about the members of your committee. That's the name that I'm asking for. I am asking that prior to sharing the names of the members of the committee, if there is a conflict with any of the entities that we have made in the report, that that information would be related to the authority ahead of submitting those names.

0:42:59 If there's a conflict within the body, that information be shared, we'd be privy to that information before we turn over the identities of our employees. All right. Mr. Chairman, if I could be recognized. Council, as chairman of this commission, I'm issued a director. I expect WAPA to comply with that director. If you have issues with that, then you can put it in right into me. Yes, Mr. Knight. So we are in the midst of a procurement. We are in the midst of a procurement process.

0:43:40 um we are trying to preserve the integrity of the procurement process your your request is a unprecedented request of the authority in the midst of a procurement process i do not reveal the identity of the evaluation committee until they submit their report because i do not want individuals to compromise or attempt to compromise the folks who are doing this work i can report that ultimately will be submitted at the conclusion of the evaluation will list the names of everyone who was a part of the evaluation as well as their scoring but i think at this juncture it does open the door unnecessarily for the potential of compromising a process that is in the midst of being conducted all information related to the procurement will be transparent and available to the commission and to the general public for that matter i just think that in the midst of this as these five individuals are evaluating proposals for 200 million dollars worth of contract i just don't want anybody in any way feeling that they can influence those individuals period so i understand the request i understand the directive but i i do ask you and and beg the commissioner reconsider what is the value of the request what changes whether you get the information now where you get the information when the report is actually presented is there value to the commission and having that knowledge up front or can it wait until we actually conclude and make an evaluation committee makes a recommendation have you determined that all of these members are going to have it and do not have any kind of conflict of interest yes they all signed the the conflict of interest yes

0:45:28 will the information be provided to us prior to consideration by the board or approval by the board i can provide the report i can provide it at the same so no um but at the same time that it goes before the board for consideration i can provide it what is what is the purpose of of you getting it before the board for us to determine if there's a conflict so you believe that my evaluation committee may have a conflict of interest in evaluating these proposals i'm just saying i'm not saying they are or they're not and you how will you determine if they have a conflict well that's what our investigation would provide you're going to investigate the members of my evaluation committee to determine no let's put it clearly on the record what is it what's the intention of the commission I think what the commission, and this is just me, just evaluating WAPA's past forms.

0:46:41 There is a sense because WAPA did have at one time an employee who set an evaluation team that there were conflicts, there was even, they went down to the AG's office. these are things that came out in a report wouldn't you agree that that person was part of it that is why they just want the names okay I believe it's in a sense of transparency and sense of building trust okay so excuse me okay and when you're building trust and you want to have that art that finite of transparency you provide the information the back and forth is leading even to other persons who are hearing this to have a question about the trust to just provide in confidentiality as the chairman said we have received things here in confidentiality and we have not put it out to the public but if you my sense is if you want this regulatory body to build on the trust under your leadership under the board leadership and under the team leadership i see no reason why you wouldn't provide the needs of your uh review and evaluation team to the pse board mr chairman i have just one final question of the commission do you have a question a question on the commission is the commission members aware that one of your members was openly advocating for one of the active participants in this if you understand the answer to that question but maybe i should wait for the response are you aware that one of your members was openly advocating for one of the proposals in this open active proposal procurement process well if you're acting as chairman and to the extent that i

0:48:40 speak for the commission i do not i cannot say that we were aware that one of our members was advocating and a part of that as i indicated earlier when i address your council depends on how you define advocating for hold on i think we're all pretty aware of the discussions with the vice chair and members of your team relative to a particular um entity if you consider that advocating for again that's your definition of advocating for i don't know that i will necessarily characterize it as such if that is your concern i hear the concern and one of the things i ask is that you just submit the information to me alone and i will handle it and maintain the confidentiality as center joseph said we're dealing with a position of trust i'm hoping that you will trust me with the information to take care of it appropriately okay mr chairman i will trust you to handle it appropriately um i will also say that we i was told that i would receive a proposal and i i think the word was i suggest you accept it that to me is advocacy and that was said on this on the floor we have the record of what was said it was open advocacy that has eroded my trust in integrity Hold on, Mr. Williams. That may involve your trust in a particular member of this commission, but I'm not going to let anybody speak poorly about this commission as an entity

as long as I sit in this chair.

- 0:50:36 And you're probably entitled to your concern and your issues, but don't paint a broad brush of the commission because of the conduct of one person, even the chair, because I only have one vote. So even if I quote unquote advocate for somebody or an entity, it doesn't necessarily mean that that's the commission's position. Until the commission votes and takes a position, there's no commission position. so again you're entitled to your opinion you're entitled to your feelings and all that and that's fine i take no issue with that but don't attribute that to the entire commission that's all i'm saying go ahead and submit the directive and we'll come back i'm sorry commissioner yeah um i think a totally different posture and there's I'm losing you, Raymond.
- 0:51:39 Raymond, can you start over? We can hear you. I too don't understand the request or the value of the request at this point in time. I would have preferred to have heard those reasons. Can you repeat it again? We lost you at the beginning of your question, Raymond. I think we lost him all together. Is he gone? Yes. All right, let's move on.
- 0:52:25 Did you hear me? Yeah, we can hear you now. No, I somehow got this picked up, but I was saying that I don't necessarily agree. I think that this is a matter that we should have at least had some conversation in an executive session so I could have had a better understanding as to why you're requesting that information. I definitely am not in support of providing information without factual, more factual discussions and reasons so i wanted to put that on the record all right thank you commissioner all right any other issues questions or comments on this yes all right um so but you took issue with i guess how we started this as recently closed rfp process you're saying that that's a misnomer yes because it's not closed until So we have an awarded vendor. So at this time right now, when you said it's closed, closed procurement is usually, we're able to provide to the public. So at this time it is not closed.
- 0:53:38 So that was the only difference. And then we're still able to submit an RFP. No, okay. But that's probably why we're standing with a closed RFP, not necessarily a closed procurement or acquisition process. I believe it stated RFP process, so all we wanted to make clear is even though proposals are submitted, the process itself is not going to go right now, so. We understand.
- 0:54:07 Thank you. All right. Okay, we now move to docket 672 of forbidden practices and procedures. Good morning. I will be reporting on the phone. Good morning, you guys. Good morning again. I will be reporting on behalf of staff on this matter. I am Sean Kendricks, the assistant executive director. speaker please yeah sure that goes to everybody i will be reporting on behalf of staff in this matter i am tashaun hendricks the assistant executive director here at the public services commission in relative to docket 672 wapa billing practices and procedures this report outlines the growing customer service concerns related to the virgin islands water and power authority wapa specifically focusing on the surge and complaints tied to issues with electrical meters the reliance on estimated billing and the ongoing meter replacement program these issues have significantly impacted consumer trust and satisfaction prompting increased concern by the virgin islands public services commission the psc over the past year does wapa have a copy of this report over the past year wafa has faced criticism from residents and businesses across the territory
- 0:56:06 do you want me to pause or to print just i guess this question Do you all want to just listen? Yeah, we're going to have a friend of course. Yeah, just put a copy and you can see while we can see. All right. Let's take a two-minute recess. And I think the commissioners are asking for copies also.
- 0:56:37 Want a hard copy? Huh? Or we sent a copy? Yes. email Thank you. Thank you.
- 0:58:11 Thank you. [1 such phrases repeated 11 times · standby audio before the proceeding, transcribed by the recogniser as speech]
- 1:03:41 Thank you. Dr. Malachi, I'll begin again. I really read it. Go ahead, Ashanti. Tashaun, Hendricks, Assistant Executive Director for the Public Services Commission.
- 1:04:35 This report outlines the growing customer service concerns related to the Virgin Islands Water and Power Authority, WAFA, specifically focusing on the surge in complaints tied to issues with electrical meters, the reliance on estimated billing, and the ongoing meter replacement program. these issues have significantly impacted customer trust and satisfaction prompting increased concern by the virgin island public services commission the psc over the past year wapa has faced criticism from residents and businesses across the territory due to persistent billing irregularities the psc has received complaints through multiple channels online submissions phone calls mail in-person visits and social media platforms an overwhelming amount of customer complaints continues to swamp our office daily the major issues are related to estimated billings disputed bills meter issues net billing issues related to conversions and billing accuracy timely resolution of complaints and overall customer satisfaction meter failures and replacement programs numerous smart meters installed by wapa have malfunction leading to inaccurate or missing readings and the need for meter replacements wapa initiated a meter replacement program using manual read meters to restore billing accuracy after a

considerable period all psc customer complaints requiring a meter replacement have been addressed however the psc has noticed an uptick in reoccurring complaints and appeals some customers have reported that immediately following the installation of the new meter

1:06:40 inflated bills were received and further disputed since january of 2025 the psc has received 35 electric complaints territory wide that resulted in the replacement of meters since the new meter replacement 17 of those 35 customers have submitted supplemental information regarding inflated bills since the new meter was installed estimated billing concerns in the absence of reliable metadata wapa has resorted to estimated billing which has resulted in inflated charges for many customers the most common customer concern received by the psc today and it has led to widespread frustration and confusion with some customers reporting bills that far exceed their actual usage territory-wide the psc has received 62 complaints regarding estimated readings the psc seeks a clearer understanding of how estimated bills are derived what formula or methodology is used to calculate a customer's estimated bill according to act 8 375 the rate pairs bill of rights rate pairs have the right to be given accurate and understandable itemization of billing as well as the price and terms of service at times this is not taking place and leads to customer frustration and dissatisfaction on october 16 2025 the case was recently filed with the district court of the virgin islands division of saint thomas and saint john civil case number 25 civil case number 2025-28 it's seeking damages and alleging civil rights violations due to WAPA's unreliable billing system

1:08:53 the PSC continues to monitor and investigate WAPA's customer service operations and billing practices closely we recommend and seek the following the following expedite the meter replacement program and ensure transparency in its rollout. Improve communication with customers regarding billing methodology and dispute resolution. Establish a dedicated task force to address billing complaints and ensure timely resolution. In conclusion, the PSC remains committed to protecting the interests of the Virgin Islands residents and ensuring that WAPA delivers reliable, transparent, and fair utility services. Continued oversight and collaboration will be essential to restoring public confidence and resolving these systematic issues.

1:09:49 This concludes the report. Thank you, Ms. Hendricks. Any questions for Ms. Hendricks and Commissioners? who speaks for what from this matter good morning this is lorraine kelly richie good morning this is lorraine kelly chief financial officer and here today with me good morning i'm marlene francis director and in addition to that if they could raise their voices as well it'll be great i'm sitting right here i can't barely hear you i'll speak up thank you okay do you solemnly affirm that the testimony and evidence you are about to give is the truth the whole truth and nothing but the truth so help you guys okay thank you please state your full name for the record lorraine kelly chief financial officer good morning again marlene francis direct customer service so um good morning and thank you to the commission and to the public hearing um thank you very much uh commissioner williams for allowing us to receive this report today and please know that now that we've received it we will be able to provide a written response but i'd like to perhaps address some of the items in it um before we speak to some of the presentation items that we have. WAPA has had a failing AMI system, which is our billing system, subsequent to the Irma Maria, and we do have a program grant procedure that Ms. Francis will allude to and give you some specific details, but I do want to address certain items. um there we are addressing and have continued to put a focus and priority to the customer service issues um approximately a year ago um i established a weekly meeting with the psc um my understanding recently is that we've been being able to clear those cases that are ongoing with the psc such that the request now has been submitted asking us to just have that meeting once every two weeks

1:12:22 um where we serve at the pleasure and we would like to continue those to be weekly meetings and i would advocate for that in order that we close these matters promptly and i do however want to also address the fact that um i i want to set the stage for some understanding and or misunderstandings that that may be at large um we have had a situation because of the failing ami system that we have had to estimate read billings um it's not something that we want to do and um certainly when i came to this position was very concerned as to the high numbers of those the volume of those and we have established a procedure of recruiting more meter readers We have also established and put in place 5,000, excuse me, 6,000 new meters that are electric and 6,000 new meters that are water. That is a total of 12,000 new meters that have been installed in the last year. We have also placed on order 2,500 new meters that are going to be delivered to us in the next two weeks and we are placing another order for an additional 2500 meters i do want to put in perspective the complaints that we have received and in terms of working with the psc i believe we've had a very good relationship and there is no question that is is not a good question and we want to be able to support our customers and we want to make sure that we are addressing all of the psc's concerns but at the same time i do want to reiterate we have approximately 75 and a half thousand customers and the 35 electric complaints that are in the meter failures um amounts to less than um one percent in fact it is point zero four of a percent of our customers that are referenced in this we are addressing these weekly and daily and in fact

- 1:14:33 i have tasked miss francis personally to be the lead liaison for the psc matters in addition to that we have made some significant changes organizationally to our organization structure in order to make sure that we can bring a closer and more timely and accurate review of the billing procedures um i have instigated a daily meeting with the billing team that i am personally present on as well as miss francis um for about a year now we have had weekly meetings um in addition to that i want you to know that organizationally We are aligning more closely to make sure that the entire customer service function reports through to me.
- 1:15:28 Ms. Francis was promoted to a director about four or five months ago. Under her, we have brought in the meter reading team that used to report to another department to make sure that the meter reading team and the customer service team and the billing team that we refer to as customer accounts is all under one umbrella we are currently hiring for a customer services manager once that position is recruited the customer services um function excuse me the meter services function will also report to miss francis the intention of some of these moves organizationally is to make sure that we have one owner and one owner will enable an end-to-end solution rather than what we used to have of different departments being responsible for various aspects of the customer relationship um and so i i wanted to to let you know it takes some time for us to reorganize and place those personnel and we have also put in place some significant training activities but i i wanted to provide that is just a little bit of a foundation to the conversation that we're about to have and and i thank you for us providing this um complaint today thank you hi good morning again um first of all i'd like to apologize for the frustration the inconvenience and the overall sentiment what wapa has had on our customer base um we are trying hard now to turn that around and i'm here today to explain about um give a little overview on the estimations but i wanted to make it clear that everyone in this room all of my colleagues all of my family have the same frustration um those that are close to me know that i'm working on it every day to try and improve and um the outcome is um showing we're showing results and um estimations it's being reduced
- 1:17:40 and i'll start now with um letting you know the objective of what i'm here to discuss today first i'd like to discuss the causes of the estimation pardon me hold on oh sorry did you provide us with what you're about to read no these are just bullet points did you provide it no i did not but i have a copy there are several copies i'm so sorry i want to emphasize on the matter of course when folks are making presentations to the commission it should always be submitted in advance and at the very least if you're going to come and read a statement we should have copies so that we can follow you this makes you a much better i i agree thank you for the correction commissioner williams we will make sure to do that um just just to establish um this was something that miss francis and i went when we were presenting um preparing for today's meeting we wanted to have some bullet points for ourselves so that we would just be on point um it it wasn't intended to be a sort of a formal presentation to you but we can make sure in the future that we do that please accept our apologies No apologies necessary. We'll stand in recess until we get this.
- 1:19:33 Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. I'm sorry, Ms. Francis, you need to proceed, we have a presentation. My apologies again. I wanted to highlight the causes of estimation, speak to the mythology used at WAPA, and recognize, identify, acknowledge, and speak to improvements that are needed with the process, and show historical data as it relates to estimations. so why does wapa estimate there's many reasons that we estimate accounts a meter may be an
- 1:24:00 inaccessible due to brush dogs or placement also have a situation where the meter is no longer is no longer communicating so and we're unable to get an actual read we might have lack of resources for instance the barge may not be going to water island that day we may have our own internal challenges where we might have a island-wide outage and we're unable to read on that day we have inclement weather we have emergency situations such as when um high-ranking officials visits the territory so those are some reasons for the estimations um that you may see on the customers bill and what mythology do we use um wapa takes the actual meter reading um and calculates the daily average when an actual meter reading is not available utilities tend to estimate that's just something that's standard across um the industry um it's become a hostile uh fighting word here um mainly i i believe in my opinion because of wapa's um the connotation we have with wapa as well as because some of the estimates has gone down for a long period of time so we understand that that word infuriates um people who are not in the industry uses the average daily consumption method to estimate what is that we take three months average consumption and we take the average billing days and then we get the daily average from that daily average what we do is we multiply that by the amount of billing days
- 1:26:07 in in that billing period that we're estimating so if you had um three months consumption and then you have the number of days for that three months you do the math and then you multiply that by the number of days and billing period and it gives you the average daily usage and then you're able to estimate that customer there's an issue with this method because it does not take into account seasonality or any changes in the home and um in the PSC's report I noted that they spoke about um there are bills that are being issued that are higher once we change out the meter it's also important to note that

once we took the reading from the initial meter that was there that too was higher and for that we offer an adjustment in accordance with 8297. so the so after a period of estimation we get the actual read we adjust the customer's account we put in the new meter and the customer's bill remains high continues to be high that tells us that during the period of estimation there was a change in the customer's usage and if i can just add to that when we use a method of estimating let's say the customer has a with that three-month estimate let's say during that time frame it might have been april may and june and we're determining what the july bill should be april and may might have been cooler than than the july time frame um we do have increasing temperatures there may have been a change at the residence of or the business of that customer um the fact that a bill that

1:28:10 comes afterwards on an actual read is higher or lower is the part of the process that we go through to make sure that the actual read then is taken into account when we do an estimate there's one of two outcomes generally the bill is higher or the bill is lower the bill being lower effectively means that the estimate was higher than than it should be for the now that we've got the actual read we go and give the customer an adjustment of credit to their account so that they are not um in a position of of paying that they now receive a credit to their account however on the flip side if the estimate was lower than it should be i.e the actual read now says we underestimated the customer which half of them are over reads half of them are under reads it's just a natural you know normal distribution some of them are going to be over and some of them are going to be under when the bill comes out and it is reflecting that there would be an increase by its nature that does not mean it is wrong it means that the estimate was lower and now the actual read is indicating that we under build the customer and so i i think when we come to the table of a conversation with the customer sometimes the customer might be predicating the fact that my bill went up, therefore it's wrong. The bill may have been underestimated previously. Now, the methodology in terms of the correction for that, we have statute that requires that we only go back one billing period. So in actuality, when we've underestimated a customer, the customer benefits because we only take that back one month of billing. And if we underbill the customer, effectively, they've had consumption that they're not going to pay for. So I think it's important that we understand there's a mathematical

1:30:20 approach to this in terms of identifying that daily average and then utilizing that average in terms of determining what that estimate amount is and that correction of the bill if i can continue why actual reads create higher bills after estimates ms kelly just spoke to consecutive estimates consecutive estimates can understate or overstate amounts bill when an actual read is received a true up occurs as part of that true up more times than not you have the customer's usage being over the 250 kilowatt hours so they're built at a higher rate per the rates approved by the psc so that also gives the customer concern but again as mentioned we do adjust those bills um it doesn't it has a seasonal or sudden changes in consumption may not be captured in estimates as mentioned the summer cooling spikes and then we also have the holiday period where it may be cooler but because you're doing more than normal in the household you would consume more um you also have property changes and sometimes you might have someone um that's no longer in the household sometimes you may have visitors um sometimes you may do an addition sometimes um there's a host of reasons why your usage would fluctuate that's the that's the point um recognizing that it is a big concern um even prior to this meeting um wafa has been proactive we did an aggressive campaign in terms of installing meters ms kelly did mention the 6 000 electric 6 000 water we have an additional 5 000 meters on order and today she mentioned that we're also doing another 2500 meters another thing we've been doing is minimizing estimates

1:32:38 we're trying to get to every meter in some cases we're sending other departments out to try and get that reading so we can build that customer base on an actual read um as you know we're launching the new ami system which will help us reduce estimates significantly and i'd like to repeat that significantly once the ami is on board the course word of estimations would be a thing of the past we're also researching so that we could implement another mythology to do estimates that includes seasonality there's other utilities that do it we have to try and get some data local data so that we can see what that increase should look like whether it's five percent up in our estimation one month five percent down the next one depending on what seasons where we are in but we need to get that data before something like that to be launched we're also trying to be more more proactive and how to communicate with our customers customers need to know what caused the increase we're working with our communications team or not having that information readily available to our customers advising them of our responsibility when they're overestimated and or underestimated and their responsibility i also want to speak to some of the the historical data that we've seen back in if you look at the chart um back in october 2025 you were estimated at 20.86 almost 21 percent and it's breaking down by island

1:34:33 in march we were at 28 percent um we're slightly reducing um that um with aggressive campaign the estimate so if we can back up a little bit to allow all of you to read the the graphic that we have in front no no i added this page so this has the data the last page yeah so if you look at the last page you're going to see at march 1st it was at 28.82 since i was talking to it i wanted to just not show the graph i wanted to have the numbers because it is hard for me to read um and i think i took over in may june and went down to 24.7 percent and today october 1st at october 1st we were at 18.09 so the

trajectory is going down for the estimates we are going to continue to drive those numbers down because we do realize the frustration it has on our customers and again i would like to apologize to our customers because i understand the frustration and uh hear it every day every every day so in in summary uh to the commission thank you for allowing us the opportunity to present and speak to these matters i also apologize on behalf of wapa i mean certainly when i came on board in this position recognizing that our estimates were significantly high we did put in place a very significant campaign and we certainly miss tonight um in our meetings is is very proactive in saying we've got to be able to get our billing right and it has been a a very critical priority for us and our customers and um i do want to make sure um and uh miss francis if you can also just reiterate

1:36:39 to customers here today and for the listening public if you have a concern about your bill you can reach us in many ways if you would maybe reference the website and the email address that yes um you can reach us at www.viwapa.vi you can also reach us by telephone 340-774-3552 or 773-2250 select option five and then we have our customer service email which is customer.service@biwapa.bi and as most of or a lot of people do when you see me you can reach out to me as well personally and and also please know that our customer service representatives are in multiple locations and certainly in terms of on the islands in st thomas st croix and st john and many customers choose to come in in person with their bill and ask us questions and and we are here to serve our customers and the residents of the virgin islands and we want to make sure that we are getting better at what we do um while it's we are not where we want to be we are taking very big strides to improve our processes you're inviting customers to stop you in the supermarket yeah that's not regular um i want to say um personally i'm um besides schooling education i've been a lot lifelong resident of the virgin islands my family's from here and um you can trust me to do what i can to make it better for um the people that visit the psc but for my people as well okay is raymond he said um he's in his meeting but if okay did somebody i do have something but did somebody text him

1:38:54 you said text someone he's listening oh he needs us to um we need him to come up with you okay because i know he wanted to make a comment or something no he's fine okay um so first of all i got a bunch of things here let's see what's going on here um congratulations on your promotion first of all yeah um you said a customer service manager is going to be higher when have you guys hired them yet or we still we just have applications out or what's going on we're waiting um for a decision for uh from our okay so you've already made it so it's coming up um how many customer service representatives do you guys employ like how how does that work because i've had really really bad problems myself with just even getting somebody on the phone right we have um 21 employees dedicated to customer service throughout the territory on st john there's um only three right and what about like your call center like when i call i know you've got numbers for each island right when when i call is there like a central call center or do you all have like you know based on what island you're going to how does that work we have um two separate numbers um but they're in service from people throughout the territory you could be speaking call the sanctuary number and you would speak to someone in st thomas or st john so that one bank serves the entire territory um one since we do have an influx of customers yes the wait time could be be challenging but um there is an option where you can leave your number yeah that never works just so you know okay well i'll speak to our i.t department about that we i mean it may work like

1:40:52 maybe the system works but nobody calls back oh we've seen a delay because there's a day or so because it's so many people in that queue it's a challenge to you get through the queue thank you do you feel like you're short staff and customer service area um if we weren't under these challenging circumstances the team would be fine but because we have so many complaints and multiple issues yes we are another short staff and i have gotten the commitment to ramp up like what percentage are you sure um i would say that you need um like percentage of eyes but i haven't done but i would say um like at least two more in st thomas and two more in st john i mean st croix yeah just two more could make a difference and i saw that you guys hired is it 17 meter readers is that correct no or what was it are you asking how many meter readers we have today yeah was it something that we recently read that they just they hire they have on staff now so we we have recently hired one new and we have um uh job openings currently for three um i i will say that um three on st thomas one of the challenges that we have is to work within the rate structure in which we are um we do our best every day and every month and strategically in terms of forecasting um the the the breakages that have occurred in the ami because of the oma maria um you know one of the challenges candidly speaking is um we just recently got that approved um maria was many many years ago and for us only

1:42:51 now for our federal partners only in the last year to have approved that on our behalf um we we do not have the funding to be able to spend the you know tens of billions of dollars that it requires to go put in a new system um we we have a balancing act every day for the vendors that we owe and the commitments that we make to either hiring new personnel and or taking on new procurement and it is a balancing act every day um in a perfect world if we had more funding absolutely we would have more customer service reps we would have a larger billing team um so that we could handle the current overflow that we have and that is in the information thank you that you provided we talk about the number of

leaders that are that we have that we recently received and the number of new meters coming into the territory what what percentage or what number of those are actually smart meters and does it make sense to get meters that are not smart meters at this time so that is what we're doing um all of them going to be smart meters the ami is going to be putting in smart meters and it is new technology um the current meters that we are installing right now require manual read and we are in addition to this working with we received a proposal from our current provider that has not been selected for the new ami but we are working with that current proposal to look at a temporary solution where we would ask them to provide us some additional services to repair and replace some of the the meters that currently are not able to be read and that the challenge is if if the automated read doesn't come through it immediately puts an increased demand on us needing to go do a manual read that then puts a requirement upon

1:44:52 the billing department to go do a manual billing right that then means that because i think my question i hear what you're saying but i think my question was just out of the meters that you recently have had a manual and they're all the ones that came in are all manual yes okay the ones that are on order that are coming into the territory are they are manual okay at what point like i need like a time when are we going to be getting smart meters in because i think i got a new meter myself about i don't know i want to say january or february i came home somebody was doing something i was like what yeah but they were they said we're putting up a new meter because your meter wasn't functioning which i and um i asked them if it was a smart meter and they said yes so maybe it wasn't i don't know maybe they didn't understand the question so so in in terms of clarity um i don't have all of the details and we can provide you a written response on the ami project yeah so i want to know like when you can expect to see this market next year I can't hear this time next year, so we're not going to see any any smart meters coming into the territory until this time next year is what we're saying. The implementation is itself the installation of those smart meters takes some time.

1:46:12 But I just want to know what time I don't need to know this time next year, so we expect to be online, and then we will go to St. Thomas and St. Croix and install them. if i could add um at times a customer although we haven't ordered smart meters at times a customer may receive a smart meter because someone else has moved out and we're trying to be good with our resources we'll pull that meter and give it to the customer that's now requesting service Okay, concerning concerning the issues that we're having right now with the meters not being operational and you are having to estimate the meters do you guys have like a customer bill of rights listed on your website for you know for customers to look at that's easily accessible so like if i'm a customer which i am um and i'm having issues with my bill is there like a bill of rights that i can go like you know this has been going on for some time now um i've spoken with someone and they're going to review it and i haven't received anything it do you all have a bill of rights that i can look at and see like what what's actual what are the actual requirements of wapa to getting this bill rectified is that on your website and is it like yes i know that's part of our dispute form there's a um not a form but just like a bill which is like you know that's something that i think is really important and it's something that should be front and center

1:47:59 maybe not on the first page but easy to access so that customers know like what's required so that they're not calling us or anybody else saying i don't this doesn't look right i don't know what i'm supposed to do they should be able to look at that bill of rights and say hey this is what's required of wapa and this hasn't happened or this has happened i'm within the time frame that they're supposed to fix this so i think that's something that i think you all should consider get or actually put on your website excellent okay and your printed material that you send out yes if you notice in part as part of the presentation we talked about areas of improvement and being proactive communication that's part of it as a matter of fact um i'm supportive of the notice that's on the ferry dock i've asked for in saint john they have a notice saying um if you're unsatisfied with your uh bill or service bill of rights i just want something like i just want to be able to see that on the website um let people know like this is and and when people come into the office if they want to know that should be something you should be able to hand out absolutely right so okay that's part of the community i think that might be it but i might jump back in later let me let somebody else go thanks so um tell me what exactly is the number of meter readers that you do have i'm saying thomas presently we have four and we have um five on st croix we're trying to source two fill two vacancies and on st thomas we're trying to fill three i thought it was testified to earlier that several months ago that you were going to hire 17. that's what i was referring to i'm not familiar with that but i know that we did hire some employees

1:49:52 but unfortunately they didn't um make it to the probationary period so you all did hire 17 not 17 but we did hire some employees i'm not familiar with the 17 number do you think four for st thomas is sufficient no we we have open positions that we're hiring for now say again miss francis if you can repeat that three vacancies on city thomas we have yeah three vacancies that we have currently have four employees and we have three vacancies on saint thomas that we're trying to fill my question is do you think that is sufficient for the number of meters that you have on saint thomas to read yes seven um prior to ami i think we had eight So some meters will still be performing.

- 1:50:42 We're getting readings for some meters. So seven employees should be able to assist. And then we have the opportunity at times to have supporting departments assist us when we need help with the reads. And in addition to this, we have received a proposal from our current smart meter provider, and we are in discussion with them to engage them to supplement our current team of meter readers so that we can reduce the number of manual meters that need to be read.
- 1:51:23 And I will give you an update at the next meeting in terms of whether we have been able to go forward and engage that company. It will significantly reduce your number of estimated readings. It will. And that's why we've been in conversation with them to get a proposal. If you really want to improve your customer service, you would hire more of you to read us. Sounds crazy, but... So let me, if I may speak to that. We do have job ads out for meter readers. We need to make sure that those meter readers are effectively performing their job as outlined. It is a role where we have some phenomenal meter readers that have been with the organisation many, many years, but it is not a straightforward position. It involves driving a vehicle, maintaining professionalism with regards to that, making sure that we're professional with the customer. We have standards and we need to make sure that we uphold those standards. And so the turnover that Ms. Francis has just recently spoken to in some part is addressing those matters. But please know that it is a forefront priority for us to make sure that we reduce the estimates we have done so they are still not where we want them to be we are taking further action to get manual meters we're taking further action with our current provider to be able to assist us so that we can get more of the meters electronically read that means either fixing the meters that currently aren't working um bringing them in-house repairing them and and installing them and we're engaging in a we've received a proposal from them um i do anticipate in the next month that we will have made a decision regarding that um and those are temporary measures while we can have the full implementation of the ami for the electronic meters can you clarify something for me um
- 1:53:34 you mentioned here customer not available for internal meters what do you mean by internal meters right um for instance at main street a lot of the meters are inside the building in a secured locked area if the person who's responsible for letting the meter reader in is not there we have to move on to the next customer because what knows me doesn't be read during the day when these businesses yeah but the person is not there but the person may not be there who's responsible for opening the secured area for the meter reader to get to i see we have a lot of this is the only incidents of internal internal meters um yeah that for the most part is businesses whether main street they are someone saint croix as well for the main part it's it's business no no residential well the res residential residential customers do um limit access to the meter sometimes they might have a dog that that would prevent us from going in sometimes we don't have gate access residential internal resident no no not inside the home okay they're outside right okay something so i i referenced the gating um miss hendrix is referencing um we may not have access to the meter because it's inside of a locked gated area of the house of the resident um that that isn't in necessarily inside the building but it may be locked inside their property and that might prevent us from getting divided communities that is a consideration for us yes it's a customer's responsibility to relocate the meter to where it can be served so they will have to move the meter base and of course that's a expense in these trying times that some customers are i'm willing to do that it's it's not my responsibility to move the meter base
- 1:55:39 um that's on the customer that's a problem isn't it yes yes so we work as best as we could with the customer and try and have us provide access maybe you might need to move the dog so that we get access or unlock the gate and we do work with the overbank customers um i i will say that there are some customers that just uh for the days that we arrive uh seem never to be there um and then when we call them they said we'll come now the gate is open and that meter reader has now gone on to another location and we have to be very judicious in terms of um you know 75 000 customers we have cycles we have routes for efficiency and the meter readers drive they do meter one meter two meter three meter four and they have a wrap they need to do for efficiency purposes if if meter number five is not accessible they have to do maybe 300 meters that day they've got to move on to the next meter um and so we we do take the time that we can um we send out communications to the customers to let them know that we can't access the meter um but that is part of the challenge with which we you know it's part of this process do they leave a note behind when they you know wapa was here and i could not read your meetup no we don't i know they used to do that yes but then residents complained about the trash um you know leaving in there so that's an issue what we're trying to do really is to try and update our database so we could send more proactive communications to the customer um instead of leaving the paper one of the things that we are trying to do and work with our communications department is when a customer comes in and when we communicate with our customers regarding any matter to validate not only their address their email address and for them to provide a cell phone and we have in the last couple of months been coordinating with our i.t department and our communications department to be able to in a new you know the new worker to be able to send out text messages to our customers so that we can alert them either one-on-one of an instance where we perhaps may not be able to read the meter might be one communication an outage might be another communication that we put there in order for us to be able to do that we need the support of

our customers to provide that

1:58:07 information um to us some customers have cell phones some do not um but we're these are avenues that we're looking as part of our process improvement so that we can better serve our customers thank you i have a quick question um under what circumstances does the law of our walker to estimated billers. May I ask our legal counsel to step up? We certainly don't want to misrepresent the law. We have guidance from counsel. I'm sure you know it very well.

1:58:57 good afternoon um just so that i fully understand if i could just have a question one more time The question was a simple one. Under what circumstances does the law allow or commit or authorize WAPA to estimate a felony? The law itself, and excuse me as I pull up the prohibition at the same time does not um specify exact circumstances in which the field can be estimated but there are some examples for you know so for example if a meter is out of reach where it is um in an area location that's either hazardous or maybe there's a phone or there's some other set of circumstances that um in which the meter reader is unable to physically mean the neither is one there are instances where a cycle is being completed and because So, because it's regimented and we are under still the 30 day requirement, then there has to be a consideration on whether you end the cycle and take the actual readings that you have and estimate the remaining, or if you want to get the actuals, you're going to go well beyond the 30 day time. that instance um we may decide that it's more judicious for us to estimate the remaining um houses on the route than to have a fully um a red cycle that goes well beyond the statutory

2:01:10 mandated time so so it it depends is the is the quick answer that i am still pulling up the statute because i'm trying to tell them the examples you gave about it being inaccessible the dogs whatever are you saying that the law allows you to estimate under those circumstances when when it's inaccessible and there is a documented documented reason that you cannot get to that meter then that there are other areas of the law so for example where you cannot backfill and things things of that nature usually that is in place because it's assumed that okay maybe you couldn't get the meter read this one time but next month you can go and get it but if the meter is just in a location you know on the side of a cliff say to speak and you can't get to it then clearly that's going to be a meter unless you get a smart meter in place that's going to be a meter where actual read is impossible similarly if you have dogs in the yard and you just refuse to clear them and your meter is not one that can be read from outside the gate that's going to be a meter that is consistently estimated so there are provisions within the statute that allows for the real life consequential. Does the law allow you to estimate billings for lack of resources?

2:02:49 In terms of personnel and things like that? You tell me that's what you have on your report, lack of resources. Listen to my question. The law specifically says that WAPA could estimate feeling because of lack of resources well again that depends because realistically if you have 50 million meter readers right you can complete a cycle within the 30 days without having to worry about overtime or or any of the other realistic impediments to getting it done within the constricted time frame that we have i mean we have 30 days so that doesn't even allow for when you have holidays for whether you know you have weather anything happens 30 days assumes that everything will always be perfect in those circumstances you can have the estimate and then when you true up you can only go back no no i'm not i don't want to get into that it's a simple question but i've already said that but say it again okay let me say it again the law does not delineate specifically when you can and cannot estimate there are other parameters of the law that constricts us the 30 days the back billing all of those come into play when you're examining whether estimations should or can be done does the law allow you to estimate because of system altitudes i mean sometimes yes we've we've had um previous occasions the law specifically says that that's not prohibited it doesn't i i've already about actions that's prohibited

2:04:35 the law is open the law does not mandate that estimations can only happen because of x y and z but what the law also does is that it puts parameters in there so that um estimations are not just unfettered but it does not specifically state when and how the estimates should be done but then it has other provisions such as the 30 days such as back billing that you have to adhere to that kind of restrains your ability to just continue i'm just trying to clarify before there's a law allowing you to estimate because of the climate weather well naturally they're going to be, particularly here in the Virgin Islands, we know that there are times when that realistically must be done and has been done. Yes.

2:05:27 So you're saying the law allows you to do that? The law does not prohibit you from doing that, which would be probably disastrous here. all right um question how would you rate your customer service or customer complaint responses a b c d and f in terms of um timeliness i would say due to the plethora of complaints i would say that we can do much better and we're probably at a c at a c i would say a c yes um like see like if you respond in time yes yes i mean there are many customers that do receive a response right there on as they make the complaint and there are others that do not because they have we have to do an investigation investigation may take time and the timeliness of it causes the frustration but there are customers that come in every day that receive a resolution on their specific complaint and just that's fine just try to answer the questions that i'm asking to you see so she said okay that's what i'm saying so i need to reiterate so no she said relative to timeliness of a response you're giving yourself a gradient of a c right okay other than timeliness of

response in terms of responding to customers and you know addressing their complaints what would be your grade for the walker i would still say at c where we start to fall if we're going to compare the a number of

2:07:19 complaints that are resolved in comparison to five minutes and stuff like that because we have so much complaints we have so many complaints so that's where our scorecard begins to drop but with the ami coming on board next year yes it's a long time but with other measures being put in place i expect the score to go out these complaints arise from the fact that customers are not getting satisfactory responses or answers yes that is true but then there are times that they do get the the appropriate response but they're not satisfied with that response again we alluded to that um customers sometimes have this default sense that the bill is a hundred dollars because they've been estimated for so long so now when they have the new meter and you're telling them the bill is 150 no matter how you try to explain it to them they can't see that the bill is now 150. you have that period of estimations you got the true up which showed the old meter um and now you know you got the adjustment but the new meter is showing your actual usage and some people um you know because of i guess because of our history again just cannot accept it do you maintain any reports or data to show what's your average turn around time for complaints so i i cannot answer that um one of the things so you can you cannot yes um i can give you can't cannot i can CAF. Okay, I can address that. When Miss Francis was promoted to the new position, we created a new position of Director of Customer Service, and that is the position that Miss Francis holds. And one of the first tasks that I gave her was to provide more reporting regarding

2:09:28 the number of customer complaints better tracking so that i can manage the time frame in which we respond to customers inquiries the time frame it takes us to read the meter to build the meter to issue the paper bill and so forth um i i might say that she's done a fabulous job in establishing reporting right now it is generally manual reporting where we get data from the database that we have and the graphics that you have seen in the data that you have right now and we're working with the it department to provide more and improve reporting and so that we can simply do a better job of that um one of the challenges that we have is in terms of our erp system and the limitations that we have with that if we had a spare 60 or 80 million dollars we'd love to replace it but we don't and so to that extent we're doing the best we can with the systems and the tools i will say on the record that miss francis generally every week or two reminds me of the fact that she's put in a request to me for a customer reporting management system that we currently do not have the money to pay for um and that is a request that she and i spoke about last week i think and i spoke with the cio um we we do have requests for improvements that currently are not within the um grant eligibility of the ami grant um that's something that we would have to provide operational funds for we are doing our best to make sure that we don't increase um the the rates to our customers so we're working within the the dollars that we have Nirvana would provide us a new customer reporting management system. Nirvana would give us a better telephone system. Nirvana would give us a lot more things that we have access to today. We are trying to make the improvements that we are describing to you within the resources that we have. And Ms. Kelly, in all that you said, I still don't know what the answer to my question is.

2:11:38 Please repeat your question. let me give it to you a different way the daily news is going to report tomorrow wapa testifies that the turnaround times for responding to customers complaints is you fill in the blank x days what's in the blank i do not have an average for that um i will get that to you by end of week i apologize sir but i didn't bring that particular statistic i just want folks to know you know what they can expect and again we understand that some complaints are more complex involved than others some may be simple but i think most people keep statistics so you have to you know try to say okay the average amount time is 21 days 50 days whatever i will get that geez okay out of what circumstances do your customer service representatives refer folks to the psc i have heard that there are um reps that do that but yes i have been i have i have heard but no one has said it to me and the reason why i i would expect you mean none of your employees no no none of my employees have said to me that they referred a customer to the pnc What I would like to do is get the PSC informed you that folks are coming to us and say, what was sent you to us?

2:13:09 I don't remember the PSC telling me that either, but I've heard it outside the PSC. And if I remember, I think one person may have told me that this customer, one of my reps sent the customer to the PSC from the PSC. but it's i'm vague on that um but i have heard it outside i know i have heard it outside and i've queried my team on it and no one has lived up to it but what i suspect but to be clear that's not something that your rep should be doing am i correct that is an accurate statement huh that is accurate then the representative to try to resolve um the the customer's complaint the lady period let me in the period right try to resolve the customer's complaint however i believe that there should be as commissioner sam said some type of communication letting the customer know what their rights are as it pertains to when they feel that the issue hasn't been solved within a certain amount of time right um and then i think that the yeah the reason i would like to know from the the customer service reps so i can tell you why they're doing it or tell someone why they're doing it and see if we could come up with a workaround but um um sending the customer if you've exhausted all your remedies and you've um given the customer information that is accurate and they're still not satisfied Marlene Francis doesn't see a problem with referring a customer to the PSC if you've done your due diligence I mean because the PSC is here

- 2:15:08 WAPA and the customer. So when you feel that you guys, your WAPA has discussed with the client, this is your issue. This is why your bill is this much. We've gone through it bill by bill. And in our opinion, this is accurate. Then you will tell them you need to contact the public service. I would have them escalate. I would have the CSR escalated to their supervisor. And you know, we go go through our escalation process and if the customer is not satisfied they have to buy a new dress maybe if someone else steps in and says it differently that makes sense they would um be uh receptive to the information yeah and i think that happens across the board my office does that as well what kind of if any educational campaign does one for engaging to inform customers the bill of rights um you know what happens who they should talk to contact information those types of things right that's um where i mentioned in the report that we have to be more proactive and more aggressive about that so i i'm working on that now um when can we expect to see that like a copy of what that bill of rights is and when you put it on your website well the bill of rights is going to really track what the ratepayers bill of rights says and yeah yeah i mean that already exists right right we're going to track that information and then um you know if the customer needs to visit with the pnc i don't see that's a bad thing but but we also have some some pretty real-time initiatives that are going on so that's going to be you know no or yes yes there have been updates to the website um recently i think one is coming on probably this week that's going to incorporate the repair bill of rights oh cool we've also um spoken with our vendor in terms of putting on the bill the back of the bill and know your rights section so that you know you know that if you have been with us for 30 days and you feel that your if it's um issue has not been resolved that you are free to go to the psv and enlist their help as well so um and that should be coming out right so we're just trying to figure out where
- 2:17:32 so that should be i would say within if not this billing cycle then the next um to get on so so to ensure we are working on being more proactive the fruits of that labor you don't see it as yet but it's coming and in addition i think that's really important the more information the public has it makes everybody's life easier for the psc the whole community because everybody's on the same page people know they talk to each other i mean they find your best resource if you know one person knows that he could tell or she could tell her friends neighbors you know this is what you're supposed to do about this issue because they were to resolve it or talk to whoever in our recent hearing with uh the senate um one of the senators asked do we have campaigns where we go out into the local communities and that was a point that we took on um uh i will say that about five six months ago i don't remember the exact time frame um i asked miss um i think it was i asked miss francis to open up the customer service desks on a saturday we did that for four consecutive saturdays um in order that we could address some of our customers complaining on certain days we had we had more people and then certain days there really weren't too many people came um so that wasn't a productive use of our funds and we decided not to expand that um we have looked at the potential um of having different hours of service for our customers um as i said we have been looking at other ways to communicate not only to put additional comments on the bill so that the customer knows on our website to collecting cell phones and emails to be able to get messages out um we have a campaign within wapa to address multiple aspects of better communication so that we can address that with with our customers i mean i would suggest i mean
- 2:19:35 part of your campaign should be you know you go out and you meet with community organizations um churches um sororities um political organizations those types of things so that you're getting the information out and people know you know what you're doing or you know last question i know everybody needs to go before we we did start a public outreach campaign um but then the priority it shifts it a little bit because we do have this crisis with the estimated bills but one of the initiatives that we want to take that to is going to the census government employees so many people it's going to the government offices and explaining you know how to read your bill what happens with with estimated bills, how to get WAPA alerts and those types of initiatives.
- 2:20:29 But with all due respect, it seems to me that if you engage in the education campaign, that's going to help to cut down on your estimated bill issues and people come into the office because you now, you know, have the information. They know, you know, what's the reason number, what is it, why is this being done so that you have to explain it to them three times and then still not be satisfied. I agree, but we just have to make different things. One of the things that I find to be very helpful when it comes to customer services on some websites that I was doing is websites that have like a little cartoon or something that kind of shows the steps.
- 2:21:12 Because people may not want to take the time to read something, but if they can sit and look little short video that can be a little bit of fun or whatever it gets the point across so no we do have a few of those for customer service where the team has actually gone on video explaining certain processes and um as we i guess put up our new media sentence in the business office those are things that the communication team and i have spoke about being the constant news instead of the regular news we're going to try and show everything all things wapa when you're inside one oh i think it'd be effective on this side as well yeah yeah that's true but this is just an additional platform that's a captive audience on page five of your presentation ms francis let's turn in how you do the estimated billing She said, this method does not address seasonal

variations, et cetera, et cetera.

- 2:22:20 If that's the case, then why we use it? Well, we never used to estimate for a long period. I'm sorry? Estimations were not continuous prior to Armour Maria. Only when we have the situation where our ami system was uh destroyed we have these consecutive periods of estimation of customers account i think your question is a little bit different if i may take your question commissioner yes so now now that we have that because if you were estimated one month the next month you would receive an actual bill that was for most customers now because the meters are destroyed were destroyed and we're unable we're unable to change those those meters we have several months where the customer is estimated and then they receive the high bill so this method would work under those circumstances when you're not estimated for a prolonged period time but if you have a prolonged estimation you need to incorporate some type of mythology that addresses seasonality um in the billing and we're currently not able to do that pardon me and we're currently not able to do that right because um like i said it's new for us being in this position so we would have to get um you know data to support um and and research what other utilities do if we should incorporate five percent on the bill this month because it's hotter um ten percent downward probably in the winter we would need that type of information
- 2:24:18 in order to increase seasonal variations though if i understood your question correctly um you were referring to the fact that the method that we use currently does not address seasonal um variations to miss francis's point if we had an actual read last month and we are estimating this month the the estimate should be quite close to what the extended consumption would be for the month now if that then takes place that we've estimated three for a second month or a third month which we fully recognize that is not our intent but should that occur if the temperatures are reducing or the temperatures are increasing those seasonal fluctuations of the consumption pattern of the customer are not built into the three-month average that we've just referenced the intent of the three-month average is that if the customer's bill last month specifically was either higher or lower than a normal pattern would ensure would allow the three-month average is intended to make sure that we're not over billing the customer right if you take an average of three months that is the intent we've got three actual bills um but the challenge that we've had is when we're estimating for several months um that that three month period you don't want to estimate an estimate you want to be able to estimate based on an actual read i think what miss francis was saying is if if you're now estimating for a fourth month you're estimating with the basis that you're estimating upon itself is an estimate so that breaks down the accuracy of the calculation first and foremost we don't want to get to that point we want to be able to have a proper read we want to be able to have an actual
- 2:26:24 meter read whether it's electronic or manual be that that's what's on the bill okay i think the point is we're already at that point again to summarize and what i'm understanding is um we're estimated multiple months um but we the method the methodology that we're using is not accurate enough to take into consideration the realities of life and what we need to come up with a new methodology that will consider the seasonal variation the highs and lows and you're probably many months old before we're able to do that boy so hold on hold on do i summarize that correctly miss francis man you aren't beautiful right all right you left out a very important aspect of that because within that period we anticipate that the ami will start where we want and if that were to happen to bob will be having this conversation but we're not there yet but i i do want to i do want to address publicly um the when we make general statements that's the headline right and i want to be very very specific the intent of the three-month average is to utilize calculations that do take into account seasonality so for example if last month's bill was high we don't know whether it was high because you had more people in the house because you turned the air conditioning on more um or or perhaps even some some other circumstance so we use the three-month average the intent underlying that is to address seasonal variations now that said seasonal variations can cause a
- 2:28:21 homeowner to put the air conditioning on more or less or to have more food in the fridge etc to use washing machines more or less we we do utilize a three-month average the intent of that is to take into account an averaging of seasonal fluctuations so i i don't want tomorrow's headline to be what doesn't care what doesn't take into account seasonal averages we do and that is the intent of the three-month average could it be better and and that's the part that miss francis as as she's tasked herself to make sure that the data that underlies that is there a better method we are looking at that i i don't want there to be any misunderstanding you can't account for what the headlines are going to be yeah that's why we're careful with the words that we use we we do have to be careful of the headlines um i did receive a well and i had an issue too with the complaint about the robo calls that roll out apparently on fridays what people tell me it happened to me on a friday um that my electric my electric was going to get shut off because I have a issue pending and I was told just pay this portion of it so there's like this portion still sitting there so I get a robo call on a Friday I want to say one o'clock that says we're going to shut you down right and I try to call the office to say hey what's going on you know because i just paid that portion of the bill that was told to pay and i was on hold for about two hours okay so i'm catering a wedding at the time by the way so i'm on hold for two hours and did that thing where we will call you back didn't happen called back still on hold so i don't think it's a good idea to do those robo robo calls on a friday because this is the weekend and you know

nothing can happen um and when i went to the office on monday to say because my power never got cut off right and i have solar too so i'm okay but when i went to the office on um in st john on monday um to to address that i was told oh it's something new that they're doing yeah everybody at it it's no big deal that's the when you're thinking i'm getting ready to go into the weekend and and this is happening that's very stressful so yeah don't don't fix it don't about

2:31:06 because i i don't like that and the fact that other people said oh yeah that happens to me because i didn't know anything about it um but yeah that's something that i wanted to say something about and then when a meter is blank like there's no reading nobody can come and read it how long does it take for you guys to get rid of that meter and put another meter in it depends on the availability of me on average i understand what you're saying that i understand like if a dog's there we can't get to it or whatever right they all all things were good in the world if all things were good in the world would be the same day oh okay that's what i just same day commissioner okay i i do want to address however that the fact that you cannot read the meter and that being because the meter is blank doesn't mean to say we cannot read i understand that and we recently had a customer that came through to the psc um where we worked with the psc stuff um regarding the fact that the customer's meter was the the display on it was broken and miss francis used a wonderful analogy that you know just similar to when an airplane goes down there's a black box and we can sometimes take that meter hook it up and get a reading from it so um part of the time in terms of us evaluating do we need to replace the meter or can we read it in another manner enables us the time frame to be able to make that assessment um so i i just wanted you the the fact that you have a meter that perhaps you can't read yourself may mean that there is an issue with the meter but it may not necessarily mean we can't read it many times it

2:32:53 is that but sometimes it is thank you um given the number and types of complaints that we've been receiving um i know you want to address those companies as much as much as we do um what we'd like to do and offer to you is that uh we want to work collaboratively to develop a process where we can address these concerns even if at the end of the debate we bumped them to the psc so staff intends to um put together a proposal along those lines share it with um whopper have come up with an agreement uh we could schedule this for formal hearing at our next meeting so we're all in the same page i think if we could develop that it helps everybody it helps your staff it helps us it helps the public to know that you know these are the steps that you need to take um so that you know we can start addressing these questions we understand we're never going to make everybody happy or the resolution because you're governed by what the law says you're governed by your limitation of your resources we understand all that but i think as commissioner sounds has been indicated if we have quote-unquote a bill of rights or step by step if people understand what needs to happen then it'll make life easier for miss francis and she can sleep at night and people won't have to stop her in the supermarket and ask about their bills so you'll be getting some communication from us i will say again for the record i would like for us to keep up the weekly meetings that we had with the PSE and not to have them slow down to be in once every two weeks. It's been very helpful for us. So if that's something where it's helpful for you, and we're certainly committing the investment of time. We want to make this a better process, not only for our customers, but also the customers that come through you. So whatever we need to do

2:34:53 collaboratively yes we want to do that thank you um we had weekly meetings scheduled but we found that they were repetitious so there was no need to meet on a weekly basis if we're bringing the same customers forward and we're waiting responses there's no need to bring john doe back to say hey we're still investigating that matter so that's why the request for a two-week period was um done so that we can give the authority some more time to give us some sufficient information so that we can relate back to the customers it was getting a bit repetitive because we were presenting the same information and we needed you needed more time to reply back to the psc so that's why the two-week request was granted i'm not sure that's why it was requested i remember receiving an email from one of the maybe that's one of the reasons but i remember receiving an email from one of the staff members indicating that they had a backlog they needed to provide certain things to work and they were unable to because we were meeting too frequently but we have a good relationship we are resolving cases and i don't have a problem with one week two week as long as the end of the day we're resolving some of these issues. And we're going to leave it up to staff to figure that out. Thank you. In terms of how frequently they need to meet, under what circumstances, etc. As long as members of the public are getting resolution and getting their issues addressed, that's why we're here. That is what is important. All right. If there's nothing Anything else? Thank you for your questions. Thank you for your presentations, your responses. Appreciate it.

2:36:47 Thank you, guys. Thank you. Does that conclude our agenda? Good day. Thank you, guys. Thank you for adjourn. I'm one of acclamations to stand by adjourn. Thank you very much.

People named in this transcript

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- 6x **Commissioner Raymond Williams**
the surname alone also matches: Pedro Williams
heard in this transcript as: Raymond Pedro Williams, Williams
- 3x **Commissioner Clement McGrath**
heard in this transcript as: McGrath
- 3x **Commissioner Laura Nichols-Sams**
heard in this transcript as: Nichols-Sams
- 2x **Commissioner David Hughes**