



Procedures for Hearings, Open Meetings and Issuing Decisions

1. POLICY STATEMENT

It is the general policy of the PUC to conduct its business in an open manner and to facilitate the broadest level of participation practical by the general public and consumers in its processes and deliberations. To implement this policy, the Commission will foster and encourage transparency and public participation by:

- i. Providing adequate notice and continually informing the public about the licensee and the Commission activities and otherwise making its processes and information accessible.
- ii. Making its processes and information accessible as practical by providing avenues for the public and consumers to acquire information and convey opinions to the Commission and its staff.
- iii. Confirm to the required procedure as outlined in Part X of the Public Utilities Commission Act No. 10 of 1999.

1.1 Definitions

“Commission” means the Chairman and Commissioners of the Guyana Public Utilities Commission.

“Chairman” means Chairman of the Commission.

“Hearing” means a public meeting held by the Commission for the purpose of issuing a decision/order.

“Open Meeting” means a public meeting held by the Commission that does not result in a decision.

1.2 General Provisions for Hearings and Open Meetings

1.2.1 All Hearings and Open Meetings will be open to the public, except under the following circumstances:

- i. The discussion of confidential information which shall be subject to the *Policy and Procedures for Confidential Information* of the Commission.

- ii. To consult with legal counsel concerning the Commission's rights and duties in regard to current litigation or litigation that might be filed.

1.2.2 The Commission may initiate a Hearing or Open Meeting at its discretion.

1.2.3 With respect to a Hearing, any interested party may request that the Commission holds a Hearing, but the final decision to do so is at the discretion of the Commission.

1.2.4 The agenda for the Commission Hearings and Open Meetings shall be approved by the Commission.

1.2.5 A period for an opportunity for general public comment may be included in the agenda of all Commission Hearings and Open Meetings.

2. NOTIFICATION OF COMMISSION HEARINGS AND OPEN MEETINGS

2.1 Registry

2.1.1 The PUC shall maintain a registry of parties requesting notification of Commission Hearings and Open Meetings.

2.1.2 Any person, organization or enterprise may request inclusion on the Registry's list.

2.2 Notification Process

2.2.1 Notification of Commission Hearings and Open Meetings required at least five (5) business days before the event.

2.2.2 Notification shall include the following means:

- i. Post an announcement/a notice of the Hearing or Open Meeting and the agenda on the PUC's website accessible to the public using generally available browser software.
- ii. Provide to newspapers, television and radio stations a news release or public service announcement of the meeting date and agenda.
- iii. Notice of proceedings in sufficiently readable print in at least one daily newspaper having circulation in Guyana.
- iv. Notice posted on the Commission's external notice board.
- v. Notification by telephone, mail, e-mail or fax to the parties listed and maintained in the registry list of the Commission.

vi. Notification through the use of community based organizations in rural areas.

2.2.3 The notice must contain at least the following information:

- i. Date, time and location of the Hearing or Open Meeting.
- ii. A brief explanation of the purpose and topic of the Hearing or Open Meeting.
- iii. Contact information for the Commission.

2.2.4 In cases where it is deemed relevant, the PUC may accompany the notification with specific information, reports, and analyses relevant to the matter to be discussed. These may be documents prepared by the PUC, by the regulated entity, or others.

3. COMMISSION DECISION

3.1 Requirements for Commission Decision

3.1.1 Decisions by the Commission shall be made after the Hearings of the Commission, and require a quorum as provided for in 13 of the PUC Act.

3.1.2 Decisions require a majority of the Commissioners present, subject to 59 of the PUC Act.

3.1.3 The Commission shall publish, in a timely manner, a written record of the decision.

3.1.4 The record may contain the following:

- i. The date of the decision.
- ii. The vote of the Commission
- iii. A summary of the issues presented and considered, including those raised by intervening parties.
- iv. Description of alternatives considered.
- v. The justification for the decision.
- vi. Written minority opinions offered by dissenting Commission members.

3.2 Publication and Records of Decisions

3.2.1 The PUC shall keep a record of its proceedings, which may include:

- i. Minutes, notes and/or transcripts of the Commission's hearings.
- ii. Reports with respect to the proceedings.

iii. Orders.

3.2.2 Copies of Commission's records shall be kept in the Registry at the PUC offices and may be made available to the public for inspection or copying upon request.

3.2.3 The Commission may adopt a fee schedule for copying of documents of a specified size, provided the fees are not above the actual costs and do not constitute an undue barrier to public access to records.

3.2.4 The Commission may prepare and publish written decisions in the following matters:

- i. License applications or modifications.
- ii. Tariff changes.
- iii. Formal complaints.
- iv. Changes in rules and regulations.
- v. Commission comments on a public utility's development and expansion plans, standard terms and conditions, and/or operating standards and performance targets.

3.2.5 Publication shall include at least the following:

- i. Provision to news editors of every newspaper, television and radio station in its jurisdiction of a news release or public service announcement of the decision.
- ii. Submissions to the relevant subject minister.
- iii. Copies of the record of decision available on request.
- iv. Circulation of copies to all parties participating in any related consultative process.
- v. Posting on the PUC's website, accessible to public using generally available browser software.
- vi. Summary of the decision and accompanying background information in the PUC's Annual Report.

4. OPEN MEETINGS

4.1 Procedures for Open Meetings

- 4.1.1 At the decision of the Commission, the Commission may schedule Open Meetings for the sole purpose of receiving public comment on issues such as tariffs, license modifications, review of licensee investment plans, service quality or any other issue deemed necessary by the Commission.
- 4.1.2 Meetings solely for the purpose of taking public comment under the above provisions require attendance of at least two Commission members, but no quorum is required. Such meetings are not exempt from the notice requirements or publication and records requirements of these procedures.

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