

ORDER #20180523

Clarification of Replacement Approval Order Dated 6 March 2017

1. THIS ORDER is issued by the Regulatory Authority of Bermuda (the “Authority”) in accordance with section 63(1)(c) of the Regulatory Act 2011 (the “RAA”) and pursuant to sections 12 and 13(z) of the RAA and section 14 of the Electricity Act 2016 (the “EA”), in relation to the Order issued by the Authority on 6 March 2018 (the “Approval Order”) approving the replacement generation proposal (the “Proposal”) submitted to the Authority by Bermuda Electric Light Company Limited (“BELCO”) in its capacity as a holder of a bulk generation licence.
2. The Authority has issued the Approval Order on the basis of the Authority’s responsibility to ensure the adequacy, safety, sustainability and reliability of electricity supply in Bermuda¹. Notwithstanding the issuance of the Approval Order, and for the avoidance of doubt, the Approval Order shall not affect the continuing obligations of BELCO in its respective capacities as a Bulk Generation Licensee or as the Transmission, Distribution and Retail Licensee under the EA, nor does it relieve BELCO of its obligation to act in accordance with its legislative obligations, including those related to the Integrated Resource Plan process.
3. The Authority shall issue information requests in relation to the Proposal in accordance with the RAA and EA. BELCO shall comply with any information requests related to the Proposal.
4. The Authority shall monitor the implementation of the Proposal in order to ensure efficient delivery of the replacement generation. This shall include, without limitation, monitoring of the financial expenditure, the technical specifications of the assets, and the timely delivery of the Proposal.
5. To provide context in relation to the current state of delivery against the Proposal, BELCO shall, as requested, supply documentary evidence for contractual and operational arrangements that have been entered into in relation to the Proposal, including any monies that have been disbursed, or are legally liable to be disbursed.

So ordered this 23rd day of May 2018.

¹ Section 6(a) of the EA