

**JOINT STATEMENT BY THE INTEGRITY COMMISSION AND THE OFFICE
OF UTILITIES REGULATION**

**(The Office of the Contractor General has now been fully subsumed into the
Integrity Commission pursuant to Sections 1 and 5 of the Integrity Commission Act,
2017)**

In September, 2013 the Contractor General issued a Report of Special Investigation concerning the process utilised by the Office of Utilities Regulation (“OUR”) in reviewing proposals submitted to the OUR for increasing/replacing electricity generating capacity to satisfy Jamaica’s energy needs. This Report, entitled “Report of Special Investigation: Right to Supply 360 Megawatts of Power to the National Grid, Office of Utilities Regulation, Ministry of Science, Technology, Energy and Mining” (“Contractor General’s Report”), contained findings based on information and evidence obtained in the course of investigations. These findings were critical of the process utilized by the OUR.

The OUR disagreed with the findings and conclusions arrived at by the Contractor General, and on 27th September, 2013 issued a response entitled “Response to Office of Contractor General’s Report of Special Investigation on the Right to Supply 360 MW of Power to the National Grid” (“OUR’s Response to the Report”) and subsequently sought the intervention of the Court. On the 4th May, 2016 the OUR filed a claim in the Supreme Court of Jamaica (Claim No. 2016 HCV 01799 - Office of Utilities Regulation v Contractor General) seeking a number of orders and declarations. The Contractor General has contested this claim and has filed documents in Court setting out the basis for its opposition to the orders and declarations being sought by the OUR.

The parties have since been in discussion and have now resolved certain misunderstandings. The parties accept that neither had any bad intention or malice in issuing the Report, the OUR's Response to the Report or in filing suit in Court. Further, neither party had any intention to sully or cause damage to the other party's organizational reputation. Accordingly, the parties have mutually agreed that there is no further need for the Court's intervention or for either party to incur further litigation expense. The OUR has therefore agreed to withdraw Claim No. 2016 HCV 01799 with each party bearing its own costs. A Notice of Discontinuance will be filed in this regard.

The OUR on the one hand and the Contractor General (which has now been fully subsumed into the Integrity Commission pursuant to Sections 1 and 5 of the Integrity Commission Act, 2017) on the other hand, both being statutory bodies, each with responsibilities for regulatory monitoring and compliance, are committed to continuing collaboration in keeping with their mandate, in order to ensure best practices and the observance of good governance for the national good and to optimize outcomes, as they each perform their particular statutory obligations.



**DIRK HARRISON FOR AND ON
BEHALF OF THE INTEGRITY
COMMISSION**



**DIRECTOR-GENERAL FOR AND ON
BEHALF OF THE OFFICE OF
UTILITIES REGULATION**