

The Ministry of Communications, Works & Infrastructure

**Cayman Islands'
Electricity Regulatory Authority**

**FINANCIAL STATEMENTS
For the Year Ended 30 June 2008**

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**Electricity Regulatory Authority
Financial Statements
30 June 2008**

STATEMENT OF RESPONSIBILITY FOR FINANCIAL STATEMENTS

These financial statements have been prepared by the Electricity Regulatory Authority in accordance with the provisions of the Public Management and Finance Law, (2005 Revision). The financial statements comply with generally accepted accounting practice as defined in International Public Sector Accounting Standards and International Financial Reporting Standards.

We accept responsibility for the accuracy and integrity of the financial information in these financial statements and their compliance with the Public Management and Finance Law, (2005 Revision).

To the best of my knowledge the statements are:

- (a) complete and reliable;
- (b) fairly reflect the financial position as at 30 June 2008 and performance for the financial year ended 30 June 2008; and
- (c) comply with generally accepted accounting practice.



Managing Director
Mr. Philip D. Thomas F.C.C.A

Date: *October 15th 2008*



Cayman Islands

Electricity Regulatory Authority

CERTIFICATE OF THE AUDITOR GENERAL

**To the Board of Directors of the
Electricity Regulatory Authority
And the Financial Secretary of the Cayman Islands**

I have audited the accompanying financial statements of the Electricity Regulatory Authority ("The Authority") which comprise the Balance Sheet as at 30 June 2008, and the Statement of Net profit and Accumulated surplus and Statement of Cash Flows for the year then ended and a summary of significant accounting policies and other explanatory notes as set out on pages 5 to 12 in accordance with provisions of Section 20 (2) of the *Electricity Regulatory Authority Law (2008 Revision)*, and Section 52(3) of the *Public Management and Finance Law (2005 Revision)*.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair representation of these financial statements in accordance with International Financial Reporting Standards. This responsibility includes: designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend upon the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Electricity Regulatory Authority as at 30 June 2008, and of its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards.

Without qualifying my opinion I draw your attention to one matter. As at 30 June 2008 the Authority did not have the requisite number of board members or an appointed Chairman and did not hold any board of directors meetings. Therefore, these audited financial statements were not countersigned by the chairman or a representative of the board.



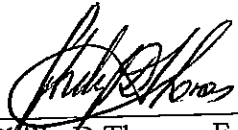
Dan Duguay, MBA, FCGA
Auditor General

Cayman Islands
October 15, 2008

Electricity Regulatory Authority
Balance Sheet
As At 30 June 2008
(Stated in Cayman Islands Dollars)

CURRENT ASSETS	NOTES	2008	2007
		\$	\$
Cash & Cash Equivalents	2(d)	30,088	6,290
Accounts Receivable & Prepayments		211,222	45,093
Deposits		20	20
Total Current Assets		241,330	51,403
CURRENT LIABILITIES			
Due to Related Party	4	(40,000)	-
Accounts Payable and Accrued Liabilities		(48,675)	(44,560)
Leave Accrual		(9,240)	(4,927)
Total Current Liabilities		(97,915)	(49,487)
NET CURRENT ASSETS		143,415	1,916
FIXED ASSETS (Net of Depreciation)			
Computer Equipment		10,865	2,848
Office Desks & Chairs		1,847	1,113
Office Equipment		116	192
Total Fixed Assets	3	12,828	4,153
TOTAL NET ASSETS		156,243	6,069
EQUITY REPRESENTED BY:			
Contributed Capital		146,400	137,425
Accumulative surplus		9,843	(131,356)
Total Equity		156,243	6,069

Approved on behalf of the Board on the 15 of Oct 2008


 Mr. Philip D Thomas F.C.C.A.
 Managing Director

The accompanying notes form an integral part of these financial statements

Electricity Regulatory Authority
Statement of Net Profit and Accumulative Surplus
For the Year Ended 30 June 2008
(Stated in Cayman Islands Dollars)

	<u>NOTES</u>	<u>2008</u> \$	<u>2007</u> \$
INCOME			
Income of the Authority for the period			
From Outputs Sold to Cabinet	4	485,594	329,875
Regulatory Fees	2(e)	207,479	-
Interest Income		58	130
Total Income		<u>693,131</u>	<u>330,005</u>
 OPERATING EXPENSES			
Consultancy Fees		361,515	204,803
Staff Costs		140,687	127,355
Rent of Office	6	20,601	3,195
Professional Fees		11,500	11,000
Telephone		5,591	1,987
Travel and Subsistence		3,833	6,110
Printing & Stationary		2,700	1,670
Depreciation		1,867	760
Miscellaneous		1,083	244
Postage & Courier		884	575
Bank Charges		535	463
Repairs & Maintenance		479	660
Subscriptions & Donations		359	821
Insurance of Assets		298	566
Total Expenses		<u>551,932</u>	<u>360,209</u>
 Net Profit / (Loss) for Period		141,199	(30,204)
Accumulative Deficit at beginning of period		<u>(131,356)</u>	<u>(101,152)</u>
Accumulative Surplus/(Deficit) at end of period		<u>9,843</u>	<u>(131,356)</u>

The accompanying notes form an integral part of these financial statements

Electricity Regulatory Authority
Statement of Cash Flow
For the Year Ended 30 June 2008
(Stated in Cayman Islands Dollars)

	<u>NOTES</u>	<u>2008</u>	<u>2007</u>
CASH FLOW FROM OPERATING ACTIVITIES		\$	\$
Net Profit / (Loss) for period		141,199	(30,204)
Adjustment for non cash transactions:			
Depreciation net of disposals		1,573	760
Operating Profit before Working Capital		142,772	(29,444)
Receivable from Cabinet		44,540	8,809
Regulatory Fees Receivable		(207,479)	-
Due to Related Party		40,000	-
Prepaid Expenses & Deposits		(3,190)	1,344
Accounts Payable and Accrued Liabilities		8,428	(10,903)
Net Cash Used in Operating Activities		25,071	(30,194)
 CASH FLOW FROM INVESTING ACTIVITIES			
Purchase of Fixed Assets Net of Disposals	3	(10,248)	(1,425)
Net Cash Used in Investing Activities		(10,248)	(1,425)
 CASH FLOWS FROM FINANCING ACTIVITIES			
Equity Injection by Cayman Islands Government		8,975	1,425
Net Cash Provided in Financing Activities		8,975	1,425
 Net increase in Cash and Cash Equivalents During the Period		23,798	(30,194)
Cash and Cash Equivalents at the Beginning of the Period		6,290	36,484
Cash and Cash Equivalent at End of Period		30,088	6,290

The accompanying notes form an integral part of these financial statements

**Electricity Regulatory Authority
Notes to Financial Statements
For the Year Ended 30 June 2008
(Stated in Cayman Islands Dollars)**

1. Establishment and Principal Activity

The Electricity Regulatory Authority (ERA) is an independent Statutory Authority. The Electricity Regulatory Authority Law came into effect on 12 April 2005 and was revised and enacted by the Governor in Cabinet on 12 July 2005 and again on 13 May 2008.

The ERA during the financial year assisted the Cayman Islands Government CUC Negotiating Team in negotiating with the present utility company in Grand Cayman for new licences to replace their existing license. Two new Licences were issued to Caribbean Utility Company in April 2008. One Licence is a non exclusive Generating Licence, and the other Licence is an exclusive Transmission and Distribution Licence.

As at 30 June 2008, the ERA had 1 employee and was located at Suite 2, Grand Pavilion, West Bay Road, P.O. Box 10189 George Town, KY1-1002 Grand Cayman, Cayman Islands.

2. Significant Accounting Policies

These financial statements have been prepared in accordance with International Financial Reporting Standards (IFRS) issued by the International Accounting Standards Committee as required under Section 20 (1) of the ERA Law (2008 revision), and interpretations issued by the Standing Interpretations Committee of the IASC. The significant accounting policies adopted by the ERA in these financial statements are as follows:

(a) Basis of preparation

The financial statements of the ERA are presented in Cayman Island dollars and are prepared on the accrual basis under the historical cost convention.

(b) Fixed Assets/depreciation

Fixed assets are stated at cost less accumulated depreciation and impairment losses.

Depreciation is charged to the income statement on a straight-line basis over the estimated useful lives of the fixed assets and other assets that are accounted for separately.

The estimated useful lives of the other fixed assets are as follows:

Office Desks & Chairs	10 Years
Computer Equipment	5 Years
Office Equipment	10 Years

**Electricity Regulatory Authority
Notes to Financial Statements
For the Year Ended 30 June 2008
(Stated in Cayman Islands Dollars)**

2. Significant Accounting Policies (continued)

(c) Foreign currency translation

Assets and liabilities denominated in currencies other than Cayman Islands Dollars are translated at exchange rates in effect at the balance sheet date. Revenue and expense transactions denominated in currencies other than Cayman Islands Dollars are translated at exchange rates ruling at the date of those transactions. Gains and losses arising on translation are included in the Statement of net profit and accumulative surplus.

(d) Cash & cash equivalents

For the purpose of the Statement of Cash Flows, cash and cash equivalents are considered as cash held on demand and fixed deposits with an original maturity of three months or less.

(e) Revenue recognition

The ERA derived its income during the year from outputs delivered to Cabinet which were billed on a monthly basis, under a purchase agreement signed with Cabinet; and in accordance with the new Transmission and Distribution Licence, commencing April 2008 the ERA also receives Regulatory Fees based on the gross revenues of electrical companies licensed in the Cayman Islands and subject to the ERA Law. The 2008 results include an accrual of fees for April, May and June 2008, in the amount of \$207,479 which were received on July 15, 2008. These amounts are included in the accounts receivable as at June 30 2008.

(f) Employees benefits

The Authority participates in the Public Service Pensions Plan, a defined contribution pension fund, in accordance with the Cayman Islands National Pension Law. Contributions are charged to expenses as they are incurred based on set contribution rates. The Authority makes monthly contributions at a rate of 13%.

(g) Start-up Costs

There were no start up costs incurred.

**Electricity Regulatory Authority
Notes to Financial Statements
For the Year Ended 30 June 2008
(Stated in Cayman Islands Dollars)**

2 Significant Accounting Policies (continued)

(h) Financial Instruments

(i) Classification

A financial asset is classified as any asset that is cash, a contractual right to receive cash or another financial asset, exchange financial instruments under conditions that are potentially favourable or an equity instrument of another enterprise. Financial assets comprise of cash and cash equivalents and prepayments.

A financial liability is any liability that is a contractual obligation to deliver cash or another financial instrument or to exchange financial instruments with another enterprise under conditions that are potentially unfavourable. Financial liabilities comprise of accounts payables and accrued expenses. Financial liabilities comprise of accounts payables and accrued expenses.

(ii) Recognition

The Authority recognises financial assets and financial liabilities on the date it becomes party to the contractual provisions of the instrument. From this date, any gains and losses arising from changes in fair value of the assets or liabilities are recognised in the statements of income.

(iii) Measurement

Financial instruments are measured initially at cost which is the fair value of the consideration given or received. Subsequent to initial recognition all financial assets are recorded at historical cost, which is considered to approximate fair value due to the short-term or immediate nature of these instruments.

(iv) Derecognition

A financial asset is derecognised when the Authority realises the rights to the benefits specified in the contract or loses control over any right that comprise that asset. A financial liability is derecognised when it is extinguished, that is when the obligation is discharged, cancelled, or expires.

Electricity Regulatory Authority
Notes to Financial Statements
For the Year Ended 30 June 2008
(Stated in Cayman Islands Dollars)

3. Fixed Assets

Cost	Computer Equipment	Desks & Chairs	Office Equipment	Total
	\$	\$	\$	\$
Opening Balance	3,954	1,377	380	5,711
Additions	9,475	2,000	-	11,475
Disposals	-	(1,227)	-	(1,227)
Balance at 30 June 2008	13,429	2,150	380	15,959
Accumulated Depreciation				
Opening Balance	1,107	263	188	1,558
Charge for Period	1,457	334	76	1,867
Disposals	-	(294)	-	(294)
Balance at 30 June 2008	2,564	303	264	3,131
Net Book Value At 30 June 2008	\$10,865	\$ 1,847	\$116	\$12,828

4. Related Party Transactions

The Cayman Islands Government appoints the Chairman and Members to the Authority's Board of Directors.

The Authority provided Outputs to the Government relating to regulating the Electricity Regulatory Authority, the value of these outputs during the period was CI\$ 485,594. The Authority will in the future engage the services of other government departments of the Cayman Islands Government. Such services will be provided at current prevailing market prices on an arm's length basis. In the period under review services to the value of CI\$ 193 were provided by other Government departments and stamp duty of \$1,436 was paid on the lease for the offices of the Grand Pavilion.

During the year the ERA received an advance of \$80,000 from The Ministry of Communications, Works and Infrastructure, \$40,000 was repaid during the year, with the balance of \$40,000 being outstanding at year end.

As detailed in Note 5 the Authority on behalf of its eligible employee paid contributions of \$ 14,455 to the Public Service Pensions Fund during the period.

**Electricity Regulatory Authority
Notes to Financial Statements
For the Year Ended 30 June 2008
(Stated in Cayman Islands Dollars)**

5. Pensions

The pension contributions of employees of the Authority are paid directly to the Public Service Pensions Fund (the "Fund"). The Fund is administered by the Public Service Pensions Board (the 'Pensions Board') and is operated as a multi-employer non-contributory Fund, whereby the employer pays both the employer and employee contributions. During the current period the Authority contributed 13% of employees' monthly salary.

6. Leases

The Authority rented a small office on the 3rd floor of Alissta Towers under a lease agreement with the ICTA until November 15, 2007. The Authority currently rents a small office at Suite 2, Grand Pavilion Suites, West Bay Road under a lease agreement with the Grand Pavilion Suites. The term of the lease is for a period of one (1) year commencing on November 15, 2007, payments are \$ 2,336 per month, and totaled \$19,244 in the period including stamp duty on the lease of \$1,436.

7. Consultancy Fees

The Electricity Regulatory Authority retains the services of a number of consultants specialising in the electrical utility field and these consultants assisted the ERA in finalising the new Licenses granted to CUC and continues to assist the ERA with ongoing discussions.

8. Financial Instruments

Fair values. The carrying amount of cash deposits, prepayments, and accounts payables and accrued liabilities approximate their fair value due to their short-term maturities. Fair values are made at specific points in time, based on market conditions and information about the financial instrument. These estimates are subjective in nature and involve uncertainties and matters of significant judgement and therefore cannot be determined with precision. Changes in assumptions, economic conditions and other factors could cause significant changes in fair value estimates.

9. Subsequent Event

In July of 2008, the ERA elected a new board of directors, which consists of the following individuals - Mr. Kendal Ryan Chairman, Deputy Chairman Mr. Charles Farrington, the Managing Director Mr. Philip Thomas, Mr. Kenneth Hay, Mr. Samuel Jackson and the Chief Officer of the Ministry of Communications, Works and Infrastructure.