

**REQUEST FOR CONFIDENTIALITY BY THE APPLICANT**

**BARBADOS**

**THE FAIR TRADING COMMISSION**

**IN THE MATTER** of the Utilities Regulation Act,  
Cap 282 of the Laws of Barbados;

**IN THE MATTER** of the Utilities Regulation  
(Procedural) Rules, 2003 as amended by the  
Utilities Regulation (Procedural) (Amendment)  
Rules 2009;

**IN THE MATTER** of the Application by The  
Barbados Light & Power Company Limited for a  
Review of Electricity Rates.

**AFFIDAVIT OF ROGER BLACKMAN IN SUPPORT OF CONFIDENTIALITY**  
**REQUEST**

**I ROGER BLACKMAN**, of No. 12 Stepney, St. George, in this island, being duly sworn,  
**MAKE OATH** and say as follows:

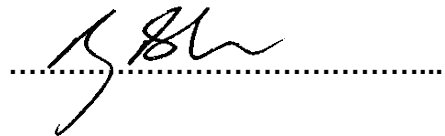
1. I am the Managing Director of The Barbados Light & Power Company Limited (the "BLPC", "the Company" or "the Applicant"), a vertically integrated utility company incorporated on May 6, 1955 and for which a certificate of continuance was granted on December 30, 1986 under the Companies Act, Chapter 308 of the Laws of Barbados with its registered office situate at Garrison Hill in the parish of St. Michael. I make this Affidavit in support of the Company's request for confidentiality filed herein. I am duly authorized to depose to the following facts and matters in this Affidavit on behalf of BLPC and the statement of facts herein are within my personal knowledge unless otherwise stated.

2. The documents for which confidentiality is claimed relate to the Applicant's proposed new operational licences, System Expansion Plan and Five Year Investment Plan and are filed with Company's Application for a review and adjustment of electricity rates are confidential because:
  - a. The documents contain information involving security of the grid, financial, technical and commercially sensitive information. In relation to the draft licences these contain the terms and conditions under which the Applicant will be operating in the new market structure proposed by the Ministry of Energy, Small Business and Entrepreneurship (MESBE). The information contained in the Licences is not currently freely available in the public domain.
  - b. In relation to the System Expansion and Five Year Investment Plan, such information could be used to the competitive advantage of other concerned parties, and release of such information could prejudice the Applicant and cause irreparable harm.
  - c. The information contained in these documents is commercially sensitive and of necessity is customarily not made available to the public or placed in the public domain.
3. Further, to the best of the Applicant's knowledge information and belief holding the Applicant's proposed new operational licences, System Expansion Plan and Five Year Investment Plan in confidence:
  - a. will not prevent either the Commission or any intervenors from fully participating the proceedings and discharging their responsibilities under the Utilities Regulation Act, Cap 282;
  - b. neither will it impinge on any public interest which requires disclosure of the said information.
4. In relation to the System Expansion Plan and the Five Year Investment Plan, the Applicant believes that public disclosure will cause the Applicant direct and indirect harm due to the reasons listed in paragraph 2 a, b, and c. Such harm

outweighs any third party interest ascertaining the contents of the said documents.

5. In light of the confidential nature of the information, the Applicant has taken care to prevent its disclosure in the ordinary course of the Applicant's business and has also limited access to such information in its internal operations. Only the executive management and employees of the Applicant who need know have access to the said confidential information which stored in confidence by the Applicant. The Applicant's executive management and employees who handle the draft licences, System Expansion and Five Year Investment Plans and the information contained in these documents are required to keep the information confidential, and the employment contracts of the Applicant's managers and employees expressly prohibit the disclosure of confidential or proprietary information of the Applicant during and after employment with the Applicant. The information has not been made public by the Applicant in any other context or circumstances.
  
6. In the circumstances, the Applicant requests that the Commission grants an order that the draft licences, System Expansion and Five Year Investment Plans be held in confidence by the Commission pursuant to the rule 13 of Utilities Regulation (Procedural) Rules 2003 as amended Utilities Regulation (Procedural) (Amendment) Rules 2009.

SWORN TO by **ROGER BLACKMAN**            )  
this 30th day of September 2021            )



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Before me:



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**ATTORNEY-AT-LAW**