

**Experience of a Regulator in the Electricity and Water and Wastewater Sectors –
The Trinidad and Tobago Experience**

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INTRODUCTION

In the wake of poor performance of the public network industries, a new approach to infrastructure service provision, that redefines the role and responsibilities of the State, began to emerge in Trinidad and Tobago in the late eighties. Up until then, the Government had assumed the multiple roles of owner, operator and regulator – a combination of roles that was proving to be generally unsustainable. Despite efforts to introduce private sector participation, the market structures (electricity and water) have retained largely monopolistic characteristics, and the Government continues to have significant ownership in the sectors.

The reform of the sectors fueled major changes at the regulatory and institutional levels. One of the most striking changes has been the establishment of an independent regulator for the Electricity, Water and Wastewater sectors.

Creating an independent regulatory body is no easy task in any setting. It is even more challenging in countries with a limited tradition of independent public institutions and limited regulatory experience and capacity. Regulation plays a central role in subjecting network utilities to competition and regulators must attempt to balance the interests of three key stakeholders: consumers, utilities and the Government. The introduction of independent economic regulation at this time poses a number of challenges in terms of designing a regulatory approach that delivers the desired outcomes. These challenges include:

- Ensuring regulatory approaches strike an appropriate balance between the needs of customers, the financial viability of the service providers and the long term sustainability of resources;

* The views expressed therein are those of the authors and not necessarily those of the RIC.

- Designing a regulatory framework that forces a commercial approach to operations;
- Ensuring regulatory approaches reflect the diverse nature of the services provided, and the different operating environments faced, by the service providers;
- Resisting political interference, especially in the water sector which is a major political vote gainer;
- Understanding the expectations and obligations being imposed by Government and customers' service delivery needs and preferences; and
- Undertaking consultation and making decisions on major issues within relatively tight timeframes, including the need to establish new price control arrangements.

The move to independent economic regulation is occurring at a time of significant policy development and change. The structure and process of infrastructure regulation determines how effectively reforms and other social objectives are supported as well as how efficiency is promoted. One of the major objectives of the new regulatory design in Trinidad and Tobago was to avoid political interference in the regulatory process. Built-in checks and balances, such as financial autonomy for the regulator and status as an independent statutory authority, were supposed to limit political intrusion in policy decisions. The experiences and analyses of international experts suggest that independence, accountability, transparency, predictability, consistency and capacity are the hallmarks of an effective regulatory regime.

The aim of this paper is to analyze the extent to which the Regulated Industries Commission (the regulator for the electricity and water and wastewater sectors) is independent. The regulatory practices in Trinidad and Tobago will be examined and compared with the internationally recognized indicators of regulatory independence, considering that the process is still in a nascent stage. Variances will be identified and conclusions drawn.

THE REGULATORY FRAMEWORK

An Act of Parliament established the Regulated Industries Commission (RIC). The RIC Act was proclaimed in June 2000 and it sets out the functions of the RIC and the Minister. The Act mandates the RIC to exercise its functions in the way it deems best to meet its objectives. Broadly, the objectives are that service providers are able to finance their activities, to promote efficiency and economy of service providers, to facilitate competition, where possible, and to protect the interests of consumers by setting limits on prices or profits and standards of service (the price control clause typically lasts five years). In the performance of its functions, the RIC must have regard to maximum efficiency in the use and allocation of resources to ensure reliable service at the lowest possible cost and to fair and equal treatment of consumers.

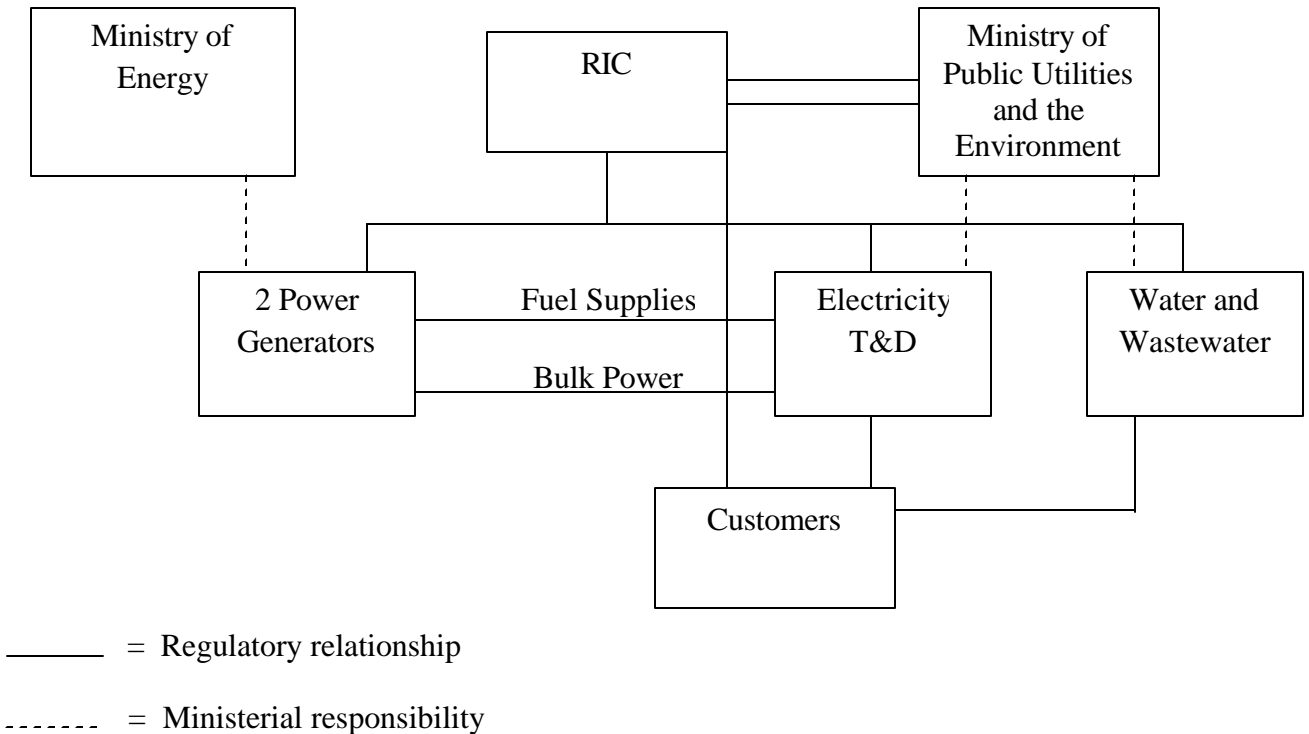
The Minister's functions are mainly in two areas: the granting of licences, after receiving the advice from the RIC, and approving the RIC's budget and the maximum terms and conditions of staff of the RIC.

The Act gives the President the power to appoint the Board of Commissioners who are subject to removal only by incompetence or misconduct.

Two main bodies (the Courts and Fair Trading Tribunal) are involved in the oversight of the decisions of the RIC. The Fair Trading Tribunal can be approached in relation to granting/suspension of licences. The RIC, as any branch of the Government, can be subject to judicial review, which does not concern itself with the substance of the decision but with the following of proper procedure and/or the reasonableness of decision given the procedure. **Figure 1** below shows the regulated entities and their relationship with the RIC.

Figure 1

Regulatory Structure in Trinidad and Tobago



INDEPENDENCE ATTRIBUTES

Regulatory independence is the most debated and controversial topic in the regulatory community. Effective regulation requires that regulators be largely free from political influence. Still, complete independence for regulators is not possible or even desirable (Kahn 1996). Regulatory agencies are not created in a vacuum. They are products of political, social, legal and economic conditions that exist at fixed points in time. The executive branch of the country should be able to ensure that its policy goals are not compromised. At the same time, if regulators are not insulated from political intrusiveness, the regulatory process may become politicized, decisions may be discredited and policies may lack coherence and continuity. There are economic and political benefits of an independent regulator:

- More consistency of decision-making;
- Decisions are based on long-term considerations rather than short-term;
- More transparency and accountability;
- Freedom from regulatory process becoming politicized;
- High level of expertise to deal with complex issues; and
- Shifted responsibility (Minister can hide behind independence when questioned).

Compromise, perhaps, is needed to ensure that regulators are both independent and responsive to Government's policy objectives. What, then, makes a regulator independent? The challenge is to design a regulatory agency insulated from the vagaries of politics that is still consistent with notions of accountability and transparency. A number of experts in the regulatory field have identified qualities that regulators should hold as measures of their independence. They include (Smith 1997):

- Giving the regulator statutory authority, free of ministerial control;
- Setting clear professional criteria for appointing regulators;
- Appointing regulators for fixed periods and prohibiting their removal without clearly defined cause;
- Staggering the terms of an agency's board members so that they can be replaced gradually by successive administrations;
- Funding agency operations with user fees or levies on service providers, to insulate agencies from political interference through the budget process;

- Exempting agencies from civil service salary caps to enable them to attract and retain well-qualified staff; and
- Prohibiting the executive branch from overturning an agency's decisions except through new legislation or judicial appeals of existing laws.

While the above are clearly desirable attributes, they can be difficult to measure. Given that the effectiveness of the regulatory institution depends largely on its independence, Smith (1999) has defined regulatory independence to mean:

- An arm's length relationship with political authorities;
- Organizational autonomy with most of the above-mentioned attributes; and
- An arm's length relationship with regulated firm, consumers and other interests.

Independence, in the above context, means that the regulator should have all the above traits and the autonomy to effectively discharge its duties under the Act through which it was established. And it should be subject only to the laws of the land and the overall policy direction provided by the Government. The broad provisions in the RIC Act for independence are shown in **Appendix 1**.

LEVEL OF RIC'S INDEPENDENCE

ARMS LENGTH RELATIONSHIP WITH GOVERNMENT

Given that the effectiveness of the regulatory institution depends largely on its independence, an arms length relationship with the Government is critical. To ensure such a relationship, it is necessary that the regulatory authority be provided with a distinct legal mandate, free of ministerial control, especially where political commitment and the willingness to undertake reform are weak. The legislation can represent a strong commitment to independence. However, if the ruling political party has a strong majority, its views can be reflected via Parliament, and by extension through the laws of Trinidad and Tobago.

Although the RIC Act provides for a distinct legal mandate, it does not ensure that the RIC is free from Ministerial control. In fact, independence of the RIC is not formally stated in the Act. The perception or understanding that the Government has the ability to exert influence in the regulatory process can weaken the entire framework and be a disincentive to investment.

OVERLAPPING OF REGULATORY POWERS

Tariff Setting: While the RIC has the power to “establish the principles and methodologies by which service providers determine rates for services”, the Minister’s duty under his powers to grant licences and set licence conditions include setting “the procedures, principles and mechanisms relating to compensation of the service provider”. Beyond the issue of who is responsible for tariff setting, there is the issue of specifying a methodology for ratemaking and adjustments.

Service Standards: A similar overlap arises with regard to service standards, where Clause 6 of the RIC Act gives the RIC power to “prescribe and publish in the Gazette, standards for services” while Clause 40 (i) (b) (ii) empowers the Minister to include licence provisions setting “minimum quality and service applicable to the service”. In fact, having established the standards of service for the electricity sector through the consultative process, the RIC was unable to gazette the standards until the Minister sought Cabinet approval. Therefore, if it chose to do so, the Government could use its secondary legislation powers to limit the autonomy of the RIC.

Sharing of Duties: Another overlap of functions arises with respect to monitoring of water quality and effluent discharge, as the Ministry of Health is also responsible for these functions.

SCOPE OF AUTHORITY

One area where regulators typically have great influence is in issuing licences for market entry. Under the RIC Act, the Minister has exclusive control. Although the Act requires that the Minister shall seek the RIC’s advice before granting a licence, he is “not bound to accept the advice or any part thereof rendered by the RIC”.

Taking into account Smith’s criteria for regulatory independence, one can deduce that the RIC’s regulatory framework, as designed, does not totally meet the first criteria of an arms length relationship with political authorities.

ORGANIZATIONAL AUTONOMY

To assess the RIC’s regulatory framework for qualification under Smith’s second criteria (setting clear professional criteria for appointing regulators) one would need to assess a host of factors including financial autonomy, the Board of Commissioners’ selection process, tenure of the Commissioners and criteria for removal. Once more, the RIC Act appears to provide each of these typical guarantees. However, in practice the Minister continues to exert considerable influence in each of these areas.

APPOINTMENT OF COMMISSIONERS

The RIC Act states that the President of Trinidad and Tobago shall appoint the Commissioners of the RIC, and these persons should be qualified by reason of training and extensive experience in economics, finance, engineering, law, business, human resource management or public administration. The RIC Act also includes provisions for the restriction of employment or entering into contract with a service provider for two years and the declaration of interest to ensure the independence of the RIC and to avoid any potential conflict of interest. In reality the candidates for commissioners are nominated by the Minister, approved by the Cabinet, and appointed by the President. A number of issues have arisen in the selection and appointment of the Commissioners. Some of the Commissioners chosen for appointment to the first Board were openly aligned with the ruling political party. Even in a less overt scenario, the perception or understanding that the Government has the ability to exert influence in the regulatory process can weaken the entire framework. In addition, historically, Board members of all Statutory Boards are expected to resign to make way for new appointees of the incoming Government.

With the change in Government in 2001, one Commissioner resigned and others were asked “to do the proper thing”. However, they refused and their terms were allowed to expire, though two Commissioners were reappointed by the new Government. Apart from the selection process, the issue of reappointment of retiring commissioners also remains ambiguous. To overcome some of these concerns, in some jurisdictions, an independent selection committee screens candidates that are presented for consideration by the Government.

PRESCRIBED TENURE

The members of a regulatory authority should be appointed for pre-determined, fixed terms of office, as this will insulate the regulatory body from pressure on day-to-day decisions. The tenure should also be staggered. The tenure of the Commissioners in the RIC is a maximum of five years (renewable). In practice, the Commissioners have been appointed for one, two or three years. If the tenure of a member were short, his or her contribution to the regulatory process would be minimal. Perhaps, a minimum tenure of three (3) years may be desirable.

SECURITY OF TENURE

Protection of Commissioners from arbitrary removal is essential for resistance to improper political pressures. The RIC Act has specified dismissal criteria and the Commissioners can be removed in restrictively defined cases. As indicated above, with the change in Government in 2001, the Commissioners refused to resign, when requested, and the new Government was forced to let their terms expire.

FINANCIAL AUTONOMY

Financial autonomy generally implies the funding of the regulatory body and the financial powers of the body. Greater independence is possible if the regulatory body has nearly complete control over how fees and funds are raised for its operations.

With respect to funding, the RIC's funding is based on the fees (Cess) levied on the service providers. However, this has not completely eliminated administrative delays since the Minister has to be satisfied that the budget is fair and reasonable and is empowered to approve the budget. As a result, approval for the RIC's budget has become quite a lengthy process in that the budget goes through the Permanent Secretary, the Minister and the final approval of the budget lies with the Cabinet.

Given the lengthy approval process, in 2003 Cabinet took a decision that the RIC would calculate its annual budget based on a fixed, pre-approved formula, which would vary in accordance with the annual inflation rate for Trinidad and Tobago. This formula was applied when the RIC's 2004 budget was submitted. And it was expected that approval of the Budget would be just a formality as the Cabinet had already approved the formula. However, this was not the case; the RIC still had to undergo the lengthy budget-approval process, and the Minister still sought Cabinet's approval for the budget that was completely consistent with Cabinet's approved formula.

Once the budget is approved, the RIC is not constrained and is free to determine the use of the approved budget.

APPOINTMENT OF STAFF AND TERMS AND CONDITIONS

The RIC has full flexibility in hiring staff as it deems fit but subject only to "such maximum limit of remuneration as the Minister may determine", and is not governed by civil service pay structure.

ARMS LENGTH RELATIONSHIP WITH CONSUMER/SERVICE PROVIDERS

The RIC is established through a statute as an independent regulator, with defined duties and powers. Its principle objective is to protect the interest of consumers and service providers. A key challenge is that the RIC should be seen as an impartial referee balancing the interest of consumers and service providers.

The Regulator is often accused of being captured by consumers when service providers are allowed below normal market returns. Similarly, because of information asymmetry, the regulator is often seen to be favouring the service providers. Since short-term interests of the consumers may not always coincide with the long-term interests of service providers, the regulator is generally accused of being captured by the service

providers, if such short-term interests are ignored. It should be noted, however, that testing for regulatory capture is always a difficult task.

Two indicators of independence from service providers are whether the staff of the regulator and regulated firms frequently move between the regulator and the regulated, and whether the impact of regulatory decisions were in favour of the regulated entity, in particular, whether returns allowed were above normal market rate of returns.

The RIC has no revolving door policy for staff to move between the regulator and the regulated entities. Thus far, the RIC has only reviewed the financial performance of one regulated firm. In this case, the RIC's review showed that the regulated firm was, earning a relatively high rate of return on capital and, as such, was required to review its rates and charges with a view to offering lower rates to consumers. As indicated above, the service providers' information asymmetry increases the risk of regulatory capture. Aware of this risk, the RIC is stepping up its efforts by expanding and applying more elaborate tools for monitoring and collecting information. In fact, the RIC has strong statutory powers to demand information from, and fine service providers that do not comply. On an annual basis, the RIC monitors and reports on the performance of service providers, as well as sets and monitors Quality of Service Standards for the utilities. Therefore, it can be said that the RIC has avoided capture and has functioned effectively in accordance with its mandate.

Similarly there are at least two indicators of independence from customers and other interests and these are; whether there is a dedicated unit for consumer complaints and a dedicated unit for quality of service/universal access to service. With respect to both indicators, the RIC has established a dedicated unit and/or concentration in these areas and has implemented proper and effective procedures in these areas. Furthermore, the RIC is in the process of acquiring ISO 9001: 2000 certification, an international standard for meeting customers' technical needs. The ISO 9001: 2000 – Quality Management System standard, encourages the analysis of customer requirements, defines the processes that contribute to the achievement of a service which is acceptable to the customer and keeps those processes under control. When implemented, the ISO Quality Management System will increase confidence in the capability of the RIC as a systematic and transparent regulator.

In addition to the above indicators, there are **system processes** that regulators can employ to mediate its relationship with service providers and consumers. Two important areas are: decision-making processes and ethics rules.

Decision-making procedures

Two kinds of opportunities for interaction exist for the RIC's three main interest groups – government, service providers and consumers: first, at the institutional level (or formal decision-making process), and at the informal level (i.e. personal interaction). The RIC has adopted a participation model for its decision-making, whereby individuals or groups with an interest in a regulatory decision are permitted to present views to the RIC before

a decision is made. In fact, the RIC Act stipulates that “in performance of its functions the RIC must consult with service providers, consumers, representatives of consumer interest groups and any other parties it considers as having an interest in the activities of the RIC”.

Currently, the RIC uses the consultation process to ensure that all decisions are made in a fair and transparent manner. The RIC’s decision-making process is based on a four-stage consultation framework – (i) pre-consultation stage during which the RIC may discuss policy options with key audiences, (ii) releasing a formal consultation document soliciting comments from the public, (iii) followed by a comment and reply period when public at large submits views on the issue, (iv) finally, a decision is reached based on comments. This four-stage consultation process serves as the minimum procedural safeguard to ensure that the public is notified of a pending decision, allowed to participate in the process, and informed of the final decision and its reasoning. The final element of any decision-making process is where it is possible for one to appeal against the regulator’s decisions. The RIC Act refers to an appeals process in which the Fair Trading Commission plays an integral role. The Fair Trading Bill is currently being prepared for presentation to Parliament.

Ethics Rules

The RIC’s transparency and impartiality in decision-making can be jeopardized if its employees and commissioners are influenced by gifts, financial and personal conflict of interest and post employment prospects. The RIC has recently instituted guidelines concerning these occurrences in four main areas: (i) disclosure of activities, (ii) avoidance of activities, (iii) divestment or resignation from positions that pose conflicts, and (iv) recusal from an area of the regulator’s work.

OTHER MEANS OF ACHIEVING REGULATORY INDEPENDENCE

In addition to the various indicators discussed above, there are a number of other ways that the regulator can achieve its independence and effectiveness. Effective regulation requires more than just building institutions and ensuring regulatory independence. To create an attractive investment environment, regulators must also focus on regulation’s substantive content. That includes sector economics and pricing reform.

Tariff Setting / Incentive Regulation

Non-cost reflective tariffs involving large subsidies lead to Government’s continuing control of utilities and interference with regulator’s independence to set tariffs. Additionally, where these utilities are State-owned, this generally leads to utilities lobbying ministers. In fact, the Government’s attitude towards price adjustments (especially for residential customers) seems to be an important explanatory factor as to whether or not it is prepared to accept an independent regulator.

The implementation of an independent tariff policy is one of the most important attributes of regulatory independence. The RIC believes that the introduction of incentive regulation (price caps) will help enhance the effectiveness and independence of the regulator as the financial viability and sustainability achieved under the incentive regulation may eventually lead to reduction/elimination of the type and level of control currently being exerted by the Government.

Regional Regulatory Cooperation

Regional regulatory cooperation might be another mechanism to counteract pressures (political and otherwise) that threaten the independence and stability of the regulatory systems in the region. Regulatory credibility is often undermined by political interference and opportunistic behaviour. However, it will be much more difficult for governments to behave opportunistically when regulatory policy is part of a regional agreement. In addition, regional cooperation is likely to discourage deviations from negotiated agreements. Consequently, a regional approach/regulatory policy might be a logical move in the Caribbean, building on the framework of the Caribbean Community.

Actions to Improve Regulatory Effectiveness

While any number of mechanisms can be constructed to aid in establishing a regulator's independence, in the final analysis, it is the perception of the public that matters the most. The regulators can use other means to endure the political and other pressures, such as:

- Monitoring and disclosure of data, performance indicators etc.;
- Monitoring and enforcing quality of service standards;
- Handling complaints fairly and effectively;
- Auditing and applying more elaborate tools for monitoring (area-specific and comprehensive audits);
- Adopting and following codes of conduct and ethical practices; and
- Adopting and maintaining open and transparent decision-making process and maintaining publicly available records of information used to make decisions.

MEASURE OF RIC'S INDEPENDENCE

Evidence suggests that no single regulator has adopted all the independence attributes examined in this paper. Traits of independence that are suitable for any one regulator to adopt will vary depending on the State's institutional endowments and more importantly

political culture. This paper has highlighted that even though the RIC has some of the attributes of a formally independent regulator, the existing legislation does not adequately provide the RIC with powers to regulate and supervise the sectors under its purview. Some areas of concern are:

- Overlapping and sharing of responsibilities;
- Lack of total tariff setting independence;
- Potential for Government interference in Board appointments; and
- Limits on its discretion in relation to its functions and objectives.

However, there are some positive attributes, which contribute toward greater independence, accountability and transparency:

- Fair amount of financial autonomy;
- Autonomy in staff appointments;
- No civil service salary caps; and
- Security of tenure for the Commission

Table 1 below ranks the level of regulatory independence of the RIC, by examining eight attributes using a scale from A (best practice) to E (highly unfavourable). **Table 2** compares the regulatory index for the RIC with regulatory indexes for Telecommunications regulators in Latin America and the Caribbean.

Table 1

Measure of the RIC's Independence

Institutional Criteria	Ranking
Independence	C
Transparency	B ⁺
Accountability	B
Selection Process for the Board	C
Tenure	B ⁻
Financial Autonomy	B ⁻
Decision-making process	B
Staff Salary	B ⁺

CONCLUDING REMARKS

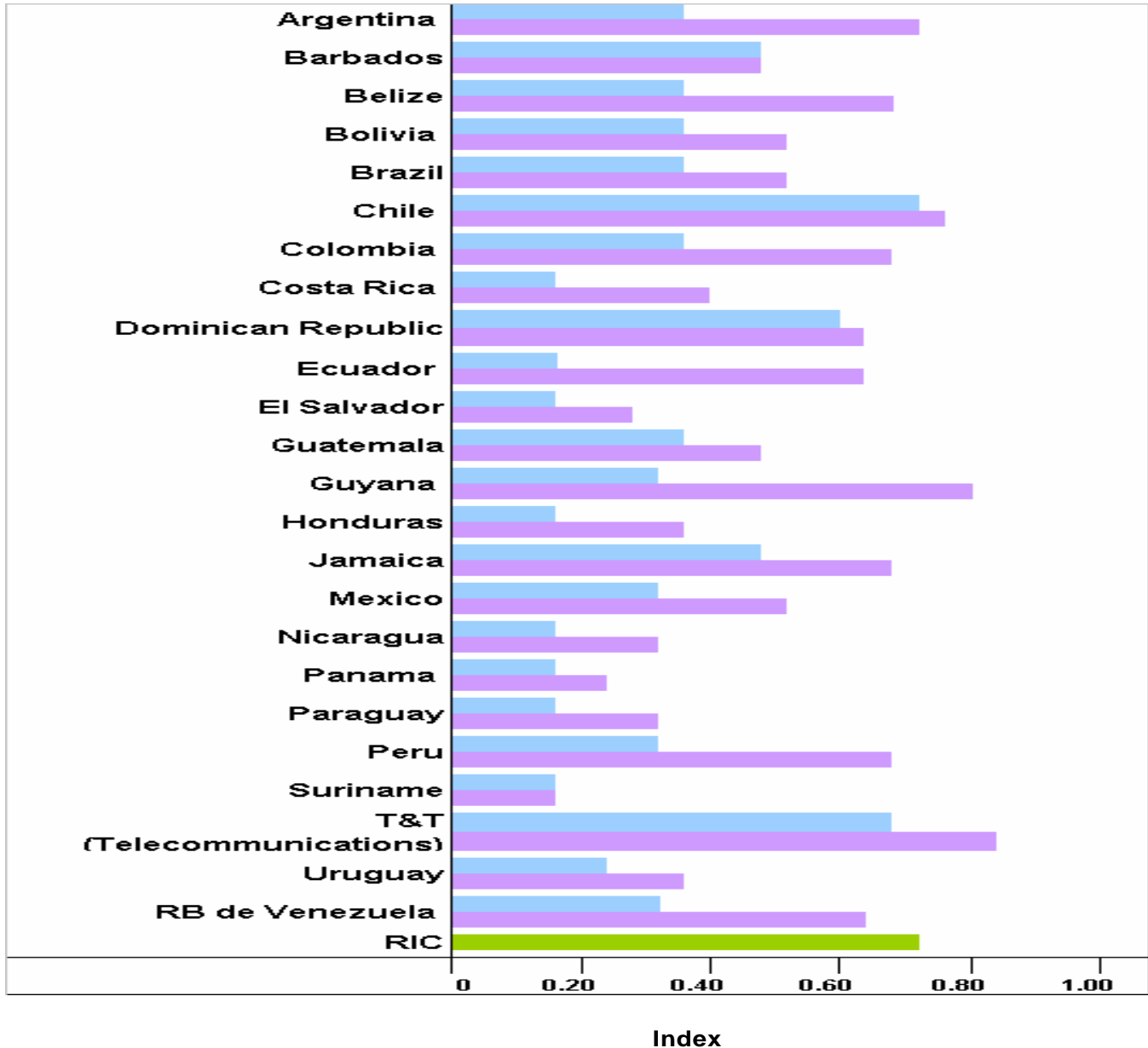
Regulation is a dynamic process that takes time. Regulation must be based on transparent Government policy. The objective of the regulation should be autonomy and good governance through accountability, transparency, equitability and efficiency. The creation of delegated powers for the RIC guarantees the potential for friction between political priorities and statutory duties. As a result there will be differences between political priorities and regulatory duties, and they need to be accepted and managed and not avoided.

While the RIC places considerable importance on its independence, it recognizes the need to establish and maintain effective working relationships with all stakeholders – government, service providers and consumers. Both Government and regulators can contribute to managing tension by avoiding any personalization of the tensions. The RIC can help to improve the process by attempting to avoid surprises so that the Minister is aware, in advance, of any significant regulatory decisions, perhaps, through regular meetings.

It should be noted that not only does the regulator have an interest in its own independence, but each of the three interest groups (government, consumers, service providers) also have long-term interest in the regulator's independence. There is therefore an urgent need to upgrade the regulatory framework to provide for an effective and independent regulator.

TABLE 2

Regulatory Indexes for Telecommunications in Latin America and the Caribbean 1980 – 1997



Note: Each index is the average of seven scores. Six scores for the country's regulatory agency each with a value of 1 or 0, measure autonomy in funding and in potential for being removed from office, authority for regulating prices and assessing fines, accountability for decisions, and separation from the operator. In addition, the country's legal framework is given a score of 1 for a law, 0.5 for any other legislation, and 0 otherwise.

Source: Gutierrez (2002)

ISSUES FOR CONSIDERATION

Given the purpose of this conference, which is to initiate informed discussion & debate on the issue of regulatory independence, a set of indicative issues are proposed for consideration:

- 1) Should there be a single / panel decision-making regulator or a Board of Commissioners?
- 2) Should there be an independent broad-based selection committee short-listing and proposing the names of Commissioners for appointment by Government?
- 3) Should there be a fixed / minimum (say three years) service stipulation for the Commissioners?
- 4) Should Commissioners be removed only in restrictively defined Cases?
- 5) Should the Chairman of the Regulatory Body have regular meetings with the Minister?
- 6) Should there be informal meetings between the Commissioners and the Government?
- 7) Should the policy direction of the Government be consultative?
- 8) What should be the suitable procedure for testing regulatory capture?

REFERENCES

Green, R. 1999. Checks and balances in utility regulation: the UK experience Note 185. World Bank.

Guarch, J. Luis and Spiller, Pablo (1999) – Managing the Regulatory Process: Design, Concepts, Issues and the Latin America and Caribbean Story. IBRD/World Bank.

Kahn, A. 1996. Argentina – The Reform of Regulation: An Overview. World Bank.

Smith Peter L., and Wellenius B. 1999. Mitigating Regulatory risks in Telecommunications. Note 189. World Bank.

Smith Warrick. 1997. Utility Regulators – The Independence Debate. Note 127. World Bank.

Stern Jon, and Holder S. – “Regulatory governance: criteria for assessing the performance of regulatory systems: an application to infrastructure industries in the developing countries of Asia”, Utilities Policy, 8 (1999).

Wellenius, B. 1997 “Telecommunications Reform – How to succeed”. Note 130. World Bank.

World Bank 1993 Utility Regulation – Getting the fit right.

**REGULATORY PROVISIONS IN THE RIC ACT
FOR REGULATORY INDEPENDENCE**

Relationship with Government	Statutory body, but subject to policy direction from Government.
Decision-making process	Consultative. Process to give opportunity for stakeholders to participate meaningfully.
Appellate Bodies	Fair Trading Commission and High Court.
Dispute Settlement Powers	Can facilitate and mediate complaints against the service providers.
Selection Process for the Board	Appointed by the President on the advise of the Cabinet.
Qualifying Criteria	Experience and training in economics, finance, engineering, law, business, human resource management or public administration.
Disqualifying Criteria/Termination	Unsound mind or incapable of functioning, bankrupt, conviction, guilty of misconduct, absent from meeting without notice or fails to carry out functions.
Tenure	Maximum of five (5) years but staggered.
Staff Appointment	Can hire and dismiss staff.
Finances	Cess imposed on annual turnover of service providers.
Staff Salary	Maximum salary with the approval of the Minister but not linked to civil service caps.



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