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# Bryan Holds Meeting to Discuss Challenging Laws That Changed WAPA Board Composition and Call for Turnaround Company to Assess Authority

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**Governor Albert Bryan, Jr.**

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Governor Albert Bryan corralled his legal counsel, V.I. Dept. of Justice attorneys, the V.I. Water and Power Authority Interim CEO Noel Hodge and WAPA Board Chairman Kyle Fleming Tuesday morning to discuss challenging in court bills that became law through [veto override](#) that have changed the composition of the WAPA board and authorized a turnaround company to assess WAPA.

People with knowledge of the meeting told the Consortium it was set to take place roughly 8:30 a.m. Tuesday, and that the aim of the meeting was to determine how to get around the overrides that made two crucial pieces of legislation law. Currently, the board cannot meet the way it is composed because of the new law, according to the people.

Governor Bryan told the Consortium Tuesday evening that a decision had not been made as to whether to challenge the new laws. "No decision as yet," he said.

Prior to the new law on board structure, the WAPA board comprised of nine persons, six non-governmental employees and three appointed by the governor among his cabinet members.

The [new law](#) calls for the head of the V.I. Energy Office to be the only government representative on the board, in this case Mr. Fleming. The new law also calls for six non-governmental employees to be part of the board, of whom at least one must reside on St. John, and "no more than two of the non-governmental board members from each district may reside outside the territory."

The law has criteria for the non-governmental employee board members, including experience in at least one of the following disciplines:

- Engineering, power generation
- Energy, natural resources conservation, environmental science, planning
- Economics, accounting, finance
- Public affairs
- Law
- Computer Technology Information Systems

The law's chief sponsor, Senator Janelle Sarauw, said the measure was important to bring about real change at WAPA and to remove political influence at the territory's only power and water utility.

"When we looked at the board we realized it became too political," she told the Consortium Tuesday during an interview. "It's time that WAPA is run by technical powerhouses rather than political cronies. You look at the WAPA board, you had a lot of cabinet members that sat on the WAPA board therefore giving the current governor or any governor the authority to sway the board in his direction."

Ms. Sarauw added, "When it comes to public utilities, specifically our energy crisis, it should be void of politics. So the law requires expertise and years of experience in certain fields. The only person from the government that is allowed to be on the board because of their position is the director of the Energy Office."

The board, the Consortium learned, wanted to meet in its current form Thursday for committee meetings and next week Thursday for a board meeting. Such actions, however, would be illegal if the board does not act to reorganize itself to meet the standards and requirements set by the new law.

Mr. Bryan had vetoed the legislation calling for the changes at the board along with the measure to assess WAPA. In justifying his actions, the governor brought up the separation of powers doctrine which he said is incorporated in Section 11 of V.I. Code, part of which reads, "the

governor shall have general supervision and control of all departments, bureaus, agencies and other instrumentalities of the executive branch of the government of the Virgin Islands."

Ms. Sarauw was blunt with what she said was Mr. Bryan's "constant cuddling of a utility company that seems to have no remorse or no level of sympathy for their clients," adding that she was disgusted by the current reality of the authority.

For his part, Mr. Bryan has pointed to a number of changes at WAPA, including at the executive and board levels, and argued the authority should be given a chance to take action that would satisfy customer demands. And he has spoken constantly about the installation of new generation units at WAPA that is set to commence in the first quarter of 2022 in St. Thomas that should stabilize electricity in the district. WAPA customers have been suffering [daylong outages and rotating power schedules](#) because of generation failure.

Those units, however, are expected to take months to install, according to a person with knowledge of the plans, which means power generation issues could continue in St. Thomas through early 2023.