



Silveria E. Jacobs

Member of Parliament

St. Maarten

Government of Sint Maarten
Attn: Prime Minister Luc Mercelina

August 12, 2024

Dear Honorable Prime Minister Mercelina,

I trust this letter finds you well. It is imperative that proper communication takes place on matters of concern to the country, and this energy crisis is one such concern. I am writing to formally request your attention and necessary response to my concerns. The circumstances surrounding GEBE's operations, the delay in execution of decisions made by various governments over the past years and the subsequent increase in loadshedding across the island have raised serious concerns within the community. It is imperative that these matters are addressed urgently.

Of particular concern are statements made by you, Prime Minister, in your Energy Crisis Address over the weekend. The recruitment process by the SBoD for the new permanent management of N.V. GEBE was in its final stages in May/June 2024. Has this been completed? Your statements regarding interim appointments have led to speculation about whether the newly recruited managers will be appointed on an interim basis or whether the CoM intends to install its own candidates, potentially constituting political interference. This apparent stalling by the 4x2 coalition of this crucial process raises serious questions about the application of proper corporate governance.

Furthermore, the recent Integrity Chamber report highlights the detrimental impact that frequent changes in government and boards over the years have had on decision-making within N.V. GEBE. It is concerning that the current government appears to either misunderstand or choose to disregard corporate governance regulations, potentially continuing the cycle of a chaotic and unstable environment.

Given these significant issues, I must also raise the question of why the current government, supported by the 4x2 coalition, allowed delays in resolving generator-related problems to introduce a new company that clearly did not meet the required standards, upon request of a supporting Member of Parliament. Such actions suggest a troubling level of political interference and a disregard for corporate governance principles.

In light of these concerns, I hereby have the following urgent questions that require immediate answers:

1. What is the status of the appointment of the new permanent management which was in its final stages in May 2024?
2. Did CGC give its advice on the SBOD proposed management candidates? If so, was it a positive one? Can this advice be provided to Parliament?

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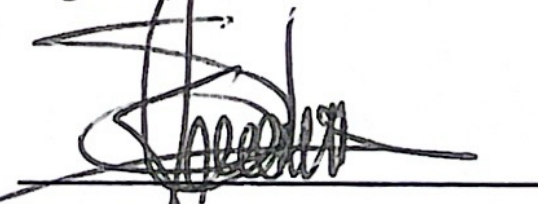
3. The Prime Minister in his address on Saturday August 10th referred to the CoM's intention to appoint interim management at NV GEBE. Does this include the proposed candidates from the SBoD who went through a transparent recruitment process? Is the appointment of interim management the authority/responsibility of the shareholder or of the SBOD? Has the CGC/corporate governance professionals given advice on the shareholders' proposal for interim management? If new candidates are being proposed, will this not perpetuate the same challenges of constant change in management that has plagued GEBE for years?
4. PM Marcelina disclosed that 4 of 10 engines are currently down, constituting 60% capacity, but does not clarify whether the residents can expect any relief within the coming period. How will the expected power generated by the container generators impact loadshedding challenges the entire community is now facing? What is the impact of the recent loss of engine 16 on said loadshedding schedule? What is the status for the coming 2 weeks, month, 3 months for the residents of St. Maarten's?
5. What is the status of the strategic business plan for NV GEBE funded by the trust fund which was also in the final stages at the end of the second quarter?

I respectfully request that responses be provided to the above questions as a matter of urgency and that timely, regular and accurate updates be provided to the population of St. Maarten who are daily experiencing the continued challenges with inconsistent energy supply.

Your prompt attention to the way the CoM is handling is crucial for ensuring that a pattern of mismanagement that threatens the stability and effectiveness of N.V. GEBE is not continued.

Thank you for your cooperation and I look forward to your timely response.

Regards,



Silveria Jacobs
Member of Parliament