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# Office of Utilities Regulation

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Consumer Affairs Unit

## Quarterly Performance Report 2015 April - June

Publication Date: 2015 September 21



36 Trafalgar Road, Kingston 10

Consumer Affairs Unit Quarterly Performance Report

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## **The Role and Objectives of the OUR**

The Office of Utilities Regulation Act of 1995 established the Office of Utilities Regulation (**OUR**) as a body corporate. Under the Act, the OUR is charged with the responsibility of regulating the provision of utility services in the following sectors:

- Electricity
- Telecommunications
- Water & Sewerage

### **Objectives**

- To ensure that consumers of utility services enjoy an acceptable quality of service at reasonable cost;
- To establish and maintain transparent, consistent and objective rules for the regulation of utility service providers;
- To promote the long-term efficient provision of utility services for national development consistent with Government policy;
- To provide an avenue of appeal for consumers who have grievances with the utility service providers;
- To work with other related agencies in the promotion of a sustainable environment; and,
- To act independently and impartially.

## **The Consumer and Public Affairs Department (CPA)**

The CPA department is comprised of the Consumer Affairs Unit, the Public Affairs Unit and the OUR's Information Centre. This Department also supports the work of the Consumer Advisory Committee on Utilities (CACU) which is an independent advocacy group, the operations of which are facilitated by the OUR.

## **OURIC**

OURIC is the information hub of the OUR. It houses a host of information relating to the utility regulatory environment which includes OUR's publications such as Consultative Documents and Determination Notices. The OUR's obligations under the Access to Information Act are discharged through the Information Centre.

Requests for additional details or any comments regarding this document should be directed to:

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## List of Acronyms

CanCara	-	CanCara Development Limited (Water & Sewerage Provider)
CPA	-	Consumer and Public Affairs Department (OUR)
CAU	-	Consumer Affairs Unit (OUR)
DEML	-	Dynamic Environmental Management Limited (Water And Sewerage Provider)
Decal	-	Decal Wireless Ltd. (Telecommunications Provider)
Digi	-	Digicel
Flow	-	Columbus Communications Jamaica Ltd. (Telecommunication Service Provider)
JPS	-	Jamaica Public Service Company Ltd. (Electricity Provider)
KMR	-	Kingston Metropolitan Region (Kingston, St. Andrew & St. Catherine)
NWC	-	National Water Commission (Water & Sewerage Provider)
OUR	-	Office of Utilities Regulation
OURIC	-	Office of Utilities Regulation Information Centre
Office	-	The Director General and both Deputy Directors General

## Executive Summary

For the 2015 April – June quarter, the Consumer Affairs Unit (CAU) received 672 new contacts which represents a 64% increase over the previous reporting period. This marked increase can be attributed to the uptick in billing related and service interruption contacts, which saw an over 60% increase when compared to the first quarter.

The Jamaica Public Service Company Ltd. (JPS) accounted for the greatest increase in billing related issues with a 69% increase in the number of contacts, while LIME (now T/A FLOW) accounted for the highest movement in service interruption contacts with a 74% increase.

Also all other major areas of concern for customers, which includes disconnection, breaches of the Guaranteed Standards, equipment damage and poor service quality also saw increased contacts.

Approximately \$1.57 million was secured for utility customers and applied to the accounts of customers of the JPS, NWC and LIME in the form of credits or compensation. The issues for which these amounts were secured include billing, disconnection and equipment damage.

Notably, Number Portability, which allows telecommunications customers to switch from one mobile service provider to another and from landline or (fixed service) provider to another within Jamaica, without having to change their numbers became effective on 2015 June 22. The CAU has responsibility for fielding contacts relating to number portability issues.

## **Distribution of Contacts**

The distribution of contacts from service providers:

- Jamaica Public Service Company Ltd. (JPS) – thirty-nine percent (39%)
- National Water Commission (NWC) – thirty percent (30%)
- LIME – twenty-three percent (23%)
- Digicel – four percent (4%)
- FLOW, small water provider Dynamic Environmental Management Ltd. (DEML), CanCara, and the National Irrigation Commission (NIC); small telecommunications provider Decal Wireless and OUR/Other (Not Utility Provider Related – four percent (4%).

## **Utilities Responsiveness**

### **Acknowledgements**

Case letters requesting information for the 40 new appeals received during the reporting period were sent to the respective service providers. Nineteen (19) case letters were sent to JPS of which ten (or 53%) acknowledgments were received with seven (7) being within the established timeline. Twenty-one (21) case letters were sent to the NWC of which 20 (or 95%) were acknowledged, 10 of which were within the agreed timeline.

### **Response to Case Letters**

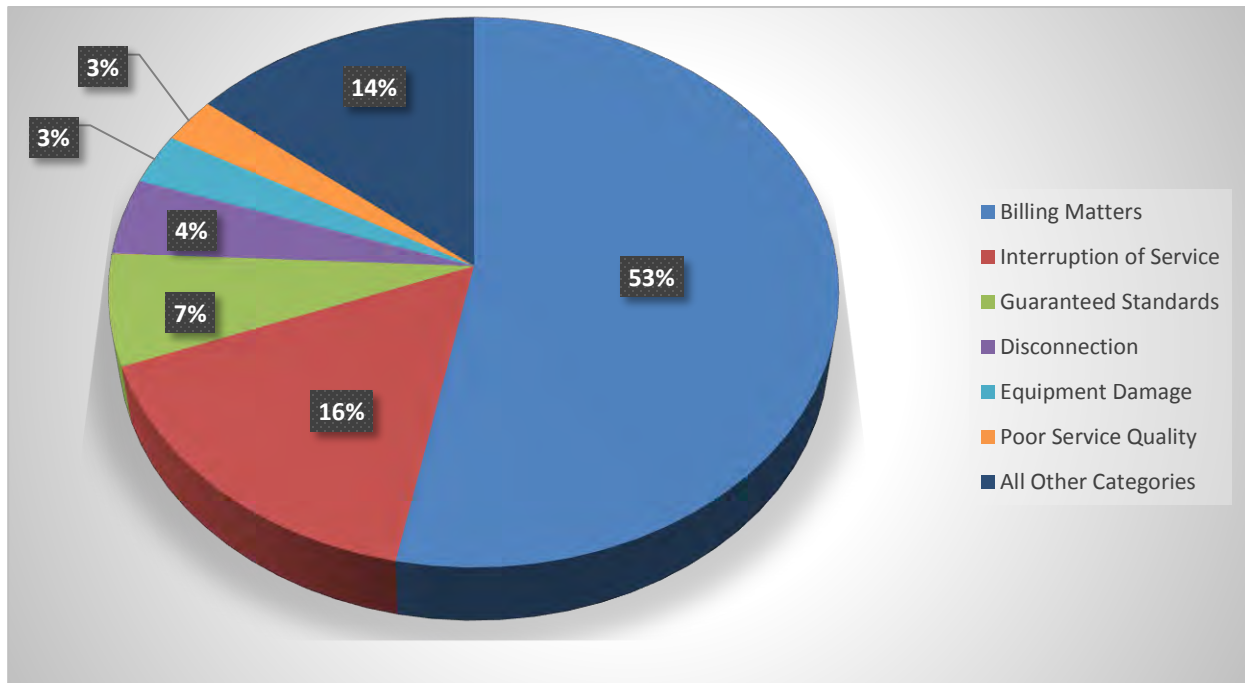
JPS provided responses to fifteen (15) of the nineteen case letters that were sent, with 93% being within the agreed timeline of 30 business days. Additional information/clarification was required for 27% of the responses received.

The NWC continues to be delinquent in providing responses to our case letters within the agreed timeline. This issue was again raised at the quarterly meeting with the Commission's senior managers in April and a commitment given that all outstanding responses would have been received by the end of May. However, this deadline was not met. As such, the decision was taken to escalate this issue to the *Members Of The Office* for action.

## Main Customer Concerns

Figure 1 shows that the main reasons for utility customers contacting the CAU related to matters of: Billing, Service Interruption, Guaranteed Standards, Disconnection and Equipment Damage and Poor Service Quality.

**Figure 1: Main Customer Concerns**



## Billing

Billing related matters including adjustments that were applied to customers' accounts, high consumption, disputed charges and estimated billing were the main reasons for consumer contact. These matters represented fifty-three percent (53%) of total contacts, which is a two (2) percentage point increase in similar contacts over the last period.

Billing matters represented 42% and 39% of contacts relating to JPS and NWC services respectively.

For customers of Digicel and LIME, billing related matters represented four percent (4%) and twelve percent (12%) respectively. The remaining three (3%) of billing contacts was shared among FLOW, CanCara, Decal Wireless, DEML and NIC.



## Service Interruption

Contacts relating to interruption of service again saw a two percentage point increase to 16% from the 14% received in the preceding quarter. LIME continued to account for the greatest share of contacts at 10%. JPS accounted for 3% of service interruption contacts while the NWC, Flow, other small water and telecommunications providers each had a share of 1% or less.

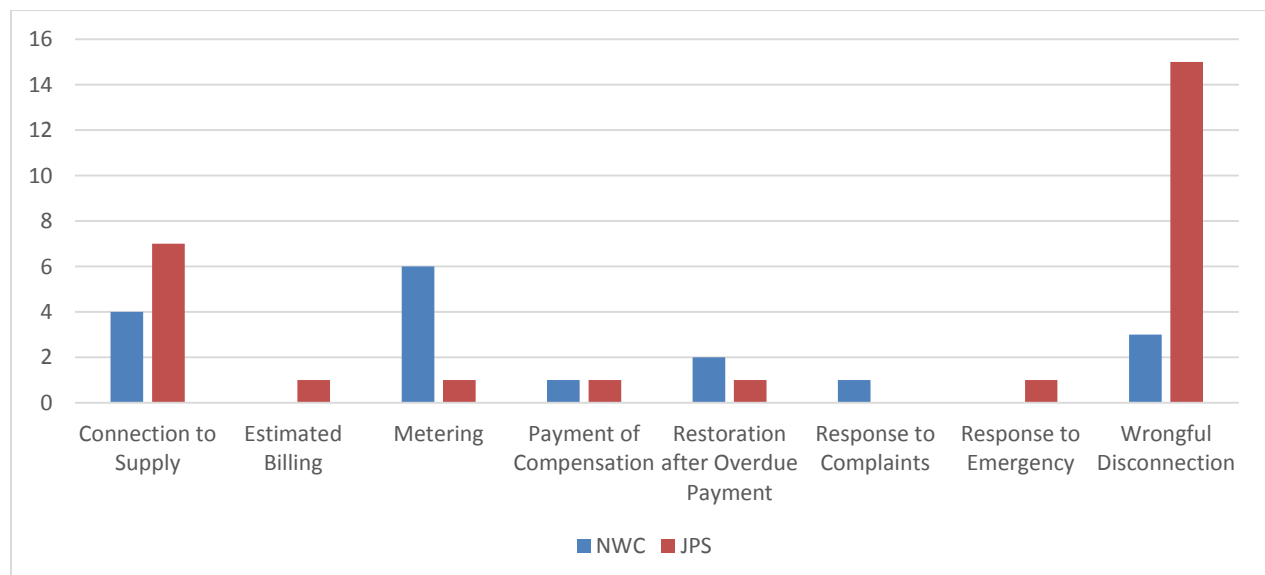
## Guaranteed Standards

Forty-four (44) contacts were received by the CAU in relation to alleged breaches of the Guaranteed Standards by the JPS and the NWC. This represents seven percent (7%) of total contacts received during the review period, which is a one percentage point increase over the preceding quarter. JPS and the NWC accounted for 4% and 3% of related contacts respectively.

As shown on Figure 2, the highest number of contacts in relation to alleged Guaranteed Standards breaches for JPS related to *Wrongful Disconnection*. The other alleged breach most complained about related to *Connection to Supply*.

In the case of the NWC, the highest number of contacts in relation to alleged breaches related to *Meter Change* and *Connection to Supply*.

**Figure 2: Guaranteed Standards Contact**



## Utilities' Performance on Guaranteed Standards

The NWC's report regarding its performance under the Guaranteed Standards scheme during the review period indicated that a total of 518 breaches were committed, representing a 39% decline, when compared with the previous period. These 518 breaches had a potential pay-out of approximately \$1.6 million while actual payments amounted to \$641,420.28, which represents 40% of total potential payments. These payments were by way of automatic credits to the affected accounts.

Similar to the previous reporting period, the standard recording the highest number of breaches was WGS 4(b) which relates to the NWC's delay in completing investigation or updating customers within 30 working days after receipt of their complaints. This standard accounted for 38% of total breaches.

JPS has advised that its ability to collect data and report on its compliance on the Guaranteed Standards continues to be hampered by the upgrading of its Customer Information System. JPS informed the OUR that despite efforts to resume reporting on its performance on the Guaranteed Standards for the 2015 January – June period, the company has concerns regarding the reliability of the data extracted for the period. This they said, led to their lack of confidence in being able to generate a credible report. The company however took the decision to resume reporting on the single month of June and has indicated that efforts are continuing towards resolving the matter.

The JPS report on the Guaranteed Standards for the month of June indicate that a total of 9,989 breaches were committed which had a potential pay-out of approximately \$20 million. Actual payments amounted to \$6,233,330 which represents 31% of total potential payments. Ninety-nine percent (99%) of total payments was by way of automatic compensation.

For the JPS, the standard recording the highest number of breaches was EGS 7 which relates to the company sending more than two consecutive estimated bills. This standard accounted for 59% of total breaches.

### Disconnection

Disconnections accounted for four percent (4%) of total contacts received. Contacts from JPS accounted for 2% of disconnection related issues while the NWC and LIME each had a share of 1%.

### Equipment Damage

Equipment damage account for three percent (3%) of total contacts received. These contacts also represented eight percent (8%) of contacts specific to the services provided by JPS.

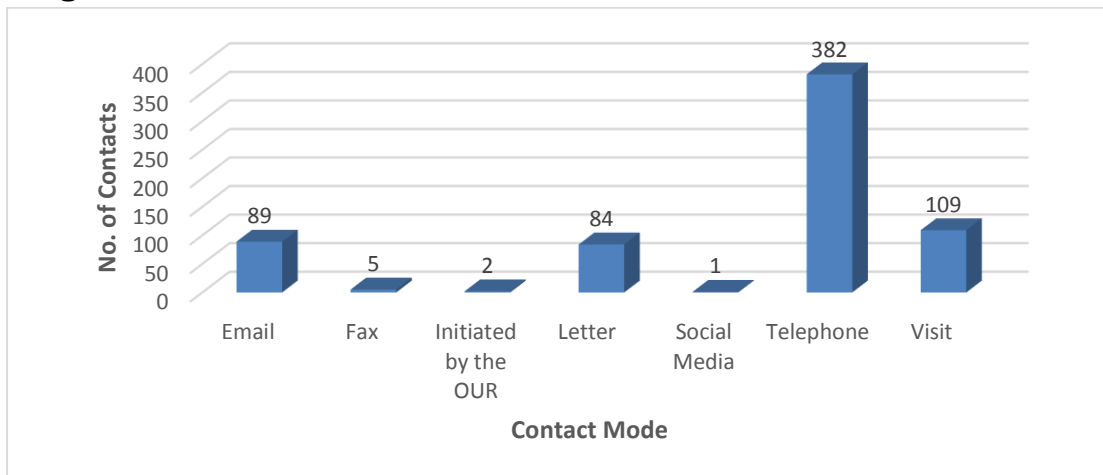
### Poor Service Quality

Three percent (3%) of contacts received related to poor service quality. LIME accounted for 1% of contacts received while the remaining 2% of contacts was shared among JPS, NWC and Decal Wireless.

### Mode of Contact

The telephone continues to be the method most frequently used by utility consumers to make contact with the CAU and represented fifty-seven (57%) of the total contacts received. Visits accounted for sixteen percent (16%) while contacts made via letter and email each had a share of thirteen percent (13%). The remaining 1% of contacts was received via fax, OUR initiated or social media. Details are shown in **Figure 3**.

**Figure 3: Method of Contact**





Of the 43 closed appeals, sixty percent (60%) were carried forward from previous periods while the remaining forty percent (40%) represent appeals that were received and resolved within the established 65 working day period.

### **Outstanding Appeals<sup>2</sup>**

At the end of the reporting period, seventy-six (76) appeals remain outstanding, meaning they had exceeded the established 65 working days for resolution. Of these outstanding appeals, eight percent (8%) and sixty-eight percent (68%) represent billing complaints from JPS and NWC customers, respectively. One billing related matter remains outstanding for LIME and small water provider St. Jago Developers Ltd. JPS also accounts for 11% of the equipment and property damage matters while the remaining categories has a share of 3% or less.

### **Credits/Compensation**

\$1,571,889.15 was secured for utility customers as a result of our investigation into their appeals. Compensation to accounts of JPS customers accounted for fifty-one (51%) with the NWC accounting for the remaining 49%.

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<sup>2</sup> Breakdown of Outstanding Appeals can be seen in Table 4

## Tables

### Table 1: Contact Activity Summary (All Utilities) 2015 April - June

	Description	JPS	NWC	LIME Landline	LIME Mobile	LIME Internet	Digicel	FLOW	Small Telecoms Provider	Small Water Providers	OUR/Other (Not Utility Provider Related)	Total
<b>A</b>	<b>Contacts for the Quarter</b>											
(i)	New Appeals	19	21	0	0	0	0	0	0	0	0	40
(ii)	New Complaints	8	7	0	0	11	2	0	0	1	1	30
(iii)	New Enquires	10	3	0	0	0	0	0	0	1	3	17
(iv)	New Opinions	3	1	0	0	1	0	0	0	0	0	5
(vi)	New Referrals	<u>220</u>	<u>172</u>	<u>109</u>	<u>23</u>	<u>8</u>	<u>23</u>	<u>11</u>	<u>4</u>	<u>7</u>	<u>3</u>	580
	<b>Total Contacts</b>	<b>260</b>	<b>204</b>	<b>109</b>	<b>23</b>	<b>20</b>	<b>25</b>	<b>11</b>	<b>4</b>	<b>9</b>	<b>7</b>	<b>672</b>
<b>B</b>	<b>Closure/Resolution of Appeals:</b>											
(i)	Addressed	1	0	0	0	0	0	0	0	0	0	1
(ii)	Mutually Resolved/Compromise	4	0	0	0	0	0	0	0	0	0	4
(iii)	Resolved in Favour of Customer	4	3	0	0	0	0	0	0	0	0	7
(iv)	Resolved in Favour of Utility	<u>22</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	31
	<b>Total Closures</b>	<b>31</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>43</b>
<b>C</b>	<b>Total Appeals from Previous Periods:</b>											
	<b>Outstanding Appeals with OUR</b>											
(i)	Undergoing Analysis/Determination	8	5	0	0	0	0	0	0	0	0	13
	<b>Total Outstanding Appeals with the OUR</b>	<b>8</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>
	<b>Outstanding Appeals with Utility (Awaiting Responses)</b>											
(ii)	Awaiting Responses	7	53	1	0	0	0	1	1	0	0	63
	<b>Total Outstanding Appeals</b>	<b>15</b>	<b>58</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>76</b>

### Table 2: Distribution of Contacts by Utilities

Complaint Category	Service Providers									Total
	JPS	NWC	Digicel	Flow	LIME	CanCara	Decal Wireless	Water Providers (DEML & NIC)	OUR/Other (not utility related)	
Billing Matters	149	140	15	3	43	3	1	3	0	357
Broken Main	0	7	0	0	0	0	0	0	0	7
Customer Service	0	3	2	0	6	0	0	0	0	11
Disconnection	13	7	1	0	9	0	0	0	0	30
Equipment Damage	20	0	0	0	0	0	0	0	0	20
Guaranteed Standards	27	17	0	0	0	0	0	0	0	44
Health & Safety	0	0	0	0	0	0	0	0	0	0
Illegal Connections	6	1	0	0	0	0	0	0	0	7
Interruption of Service	18	9	4	7	66	0	2	2	0	108
Irregular Supply	1	7	0	0	0	0	0	0	0	8
Metering	1	3	0	0	0	0	0	0	0	4
Other	15	6	3	1	12	0	0	1	7	45
Poor Service Quality	3	4	0	0	10	0	1	0	0	18
Property Damage	3	0	0	0	0	0	0	0	0	3
Reconnection	3	0	0	0	0	0	0	0	0	3
Service Connection	1	0	0	0	6	0	0	0	0	7
<b>Total</b>	<b>260</b>	<b>204</b>	<b>25</b>	<b>11</b>	<b>152</b>	<b>3</b>	<b>4</b>	<b>6</b>	<b>7</b>	<b>672</b>

**Table 3: Distribution of Closed Appeals by Utilities**

Complaint Category	Service Provider		Totals
	JPS	NWC	
Billing Matters	21	10	31
Equipment Damage	7	0	7
Illegal Connection	1	0	1
Meter Installation	0	1	1
Other	0	1	1
Property Damage	1	0	1
Redress not Received	<u>1</u>	<u>0</u>	1
<b>Total</b>	<b>31</b>	<b>12</b>	<b>43</b>

**Table 4: Distribution of Appeals (Outstanding)**

Distribution of Appeals Outstanding					
Complaint Category	Service Providers				Total
	JPS	NWC	Flow	St. Jago Developers	
Billing Matters	6	52	1	1	60
Disconnection	0	1	1	0	2
Equipment Damage	6	0	0	0	6
Illegal Connection	1	0	0	0	1
Leak at Meter	0	2	0	0	2
Metering	0	2	0	0	2
Other	0	1	0	0	1
Property Damage	2	0	0	0	2
<b>Total</b>	<b>15</b>	<b>58</b>	<b>2</b>	<b>1</b>	<b>76</b>

### CAU's Performance on Service Standards (Appeals)

<b>Activity</b>	<b>Service Standards</b>	<b>% Compliance</b>	<b>Comment</b>
Acknowledgement of Appeals	Within 2 business days of receipt of customer's correspondence	100%	Total New Appeals - 40
Case Letters/ Other Utility Contact	Within 5 business days of acknowledging customer's correspondence	93%	Total Case Letters sent to utility - 40
Correspondence Copied to Customer	Customer is to be copied on all correspondence submitted to the utilities pertaining to their complaint	100%	
Final Response	Within the established timeline of receipt of all necessary information from relevant parties;	53%	Fifteen (15) Provider Responses were received, which includes responses to Follow-up Case Letters.



## Appendix

### **DEFINITION OF TERMS USED IN DOCUMENTING CUSTOMER CONTACTS**

- Appeal:** Any contact in which the utility company has completed an investigation into a customer's complaint, the customer remains dissatisfied with the outcome and writes to the OUR asking for an independent investigation of the matter.
- Complaint:** Any contact expressing dissatisfaction with the handling of a complaint by the utility company and to which the OUR takes steps to resolve without conducting a formal investigation.
- Customer Contact:** Any contact made to the OUR to register an appeal, inquiry, opinion, etc. Contact can be made through the telephone, post, electronic channels (emails, website, and Facebook page) and visits.
- Enquiry:** Any contact requiring verification/confirmation of information relating to the OUR, a utility service, policy and/or practice, etc.
- Opinion:** Any contact expressing a view about the actions, practice or terms of service, etc. of a utility company or the OUR.
- Referral:** Any contact advised by the OUR to consult the relevant utility company because the complainant had not initially utilized or exhausted the complaint procedure within the relevant utility company.