
Office of Utilities Regulation

Consumer & Public Affairs Department

Quarterly Performance Report

(Revised to Include Guaranteed Standards Reports*)

2015 October – December

Publication Date: March 14, 2016



OFFICE OF UTILITIES REGULATION

36 Trafalgar Road, Kingston 10

Consumer Affairs Unit Quarterly Performance Report (Revision)

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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 electricity, telecommunications and water and sewerage sectors. The objectives are to:

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

The Consumer and Public Affairs Department

Through the Consumer and Public Affairs Department (CPA), the OUR discharges its mandate to protect utility consumers. The Consumer Affairs Unit; the Public Affairs Unit (PAU) and the OUR Information Centre (OURIC) all comprise the CPA. This Department is the section of the OUR that directly interfaces with utility consumers and one of its main responsibilities is to investigate appeals of decisions made by utility service providers brought to it by aggrieved consumers.

The Consumer Affairs Unit (CAU)

Among other things, the CAU, receives, records and processes consumer complaints and appeals, monitors trends in consumer complaints and provides the Office with advice on measures to be taken to improve consumers' welfare.

The CAU uses as a primary input to its policy development and advice to the Office, the results of analyses of the complaints received from customers in regard to the services provided by the companies. Feedback from consumers garnered at town meetings, public fora and the media are also key sources for opinions and activities of utility services.

A consumer survey which seeks consumer feedback on a whole range of consumers' issues is conducted every 18 - 24 months. Additionally, a public education programme is pursued which includes organizing consultations with stakeholders on pertinent regulatory matters.

The PAU manages the public education programme, media relations and the website while the Information Centre (OURIC), inter alia, provides information in keeping with the requirements of the Access to Information Act. The OUR through CPA also funds the activities of the Consumer Advisory Committee on Utilities (CACU) which was established to operate as an independent advocacy group providing critical feedback and support for consumer issues.

The Intent and Purpose of the Quarterly Performance Report

The Quarterly Performance Report (QPR) is prepared by the Consumer Affairs Unit (CAU) and provides the public with information and analysis about the contacts received from utility providers. The information includes: The number of customer contacts received over the review period; JPS and NWC's performance against the guaranteed standards; utilities' responsiveness to our appeals process; and the performance of the Unit against the appeals process timelines.

The QPR is intended to be a fair, reasonable and transparent report of the above-mentioned activities. The statistics for each reporting period is gathered from our Customer Information Database and is reflective of the contacts received from utility consumers island-wide. These contacts are received via various channels, namely: letters, telephone, visits, e-mails, fax and social media.

Methods of Calculation

The methods of calculation used include: summation; quarterly and year-on-year comparisons. The resort latterly to normalize the numbers of contacts by expressing this as per the customer base reflects our allowance for fair comparisons. Consequently the report cites the number of contacts per 100,000 of the service provider's customer base. Even so, it is recognized that the telecommunications sector with its heterogenous customer bases presents a peculiarity for comparison with the water and electricity utilities that have more homogenous customer bases. The information should be interpreted as a sample, or statistical representation of the intake to the Unit.

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Executive Summary

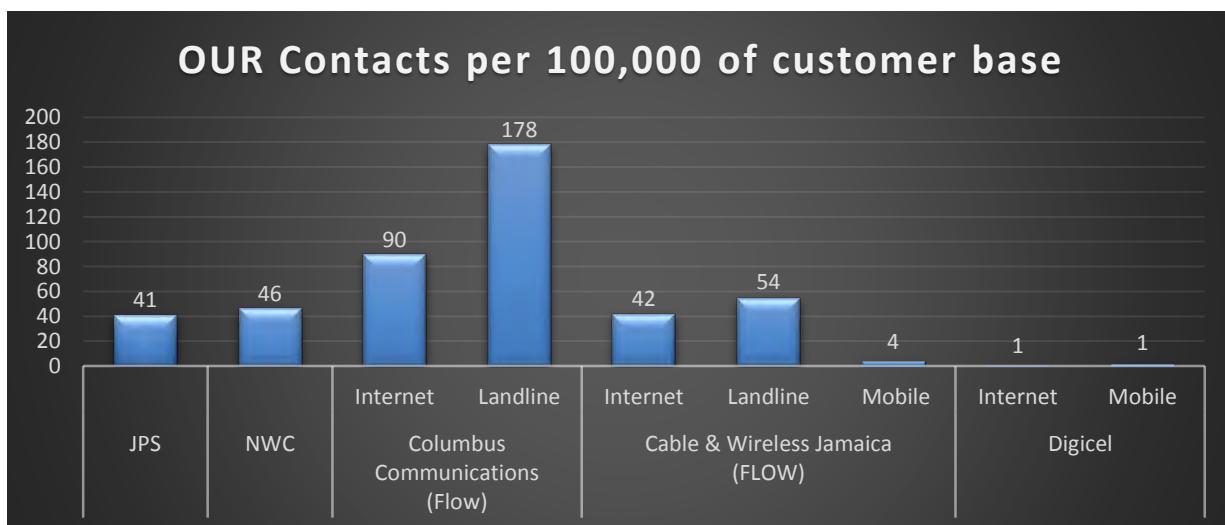
The October to December 2015 quarter saw the CAU receiving 843 new contacts which represents a 29% increase over the preceding quarter. It was also the highest number of contacts received for any quarter during 2015. The increase can be attributed to the continued uptick in service interruption contacts compared with previous reporting periods throughout the year.

The distribution of contacts per service providers were¹:

- Jamaica Public Service Company Ltd. (JPS) – 244 (29%)
- National Water Commission (NWC) – 219 (26%)
- Cable & Wireless Jamaica Ltd. (FLOW) – 189 (22%)
- Columbus Communications (FLOW) – 115 (14%)
- Digicel – 38 (4%)
- Small water providers CanCara Development Ltd., Dynamic Environmental Management Ltd. (DEML), Runaway Bay Water Company and the National Irrigation Commission; small telecommunications provider Dekal Wireless and OUR/Other (Not Utility Provider Related) – 38 (5%).

As is shown in Figure 1, Columbus Communications (FLOW) accounted for the highest number of contacts - at 178 and 90 per 100,000 - in proportion to its landline and internet services customer base respectively. This is despite the JPS having the highest number of actual contacts to the CAU as is indicated above.

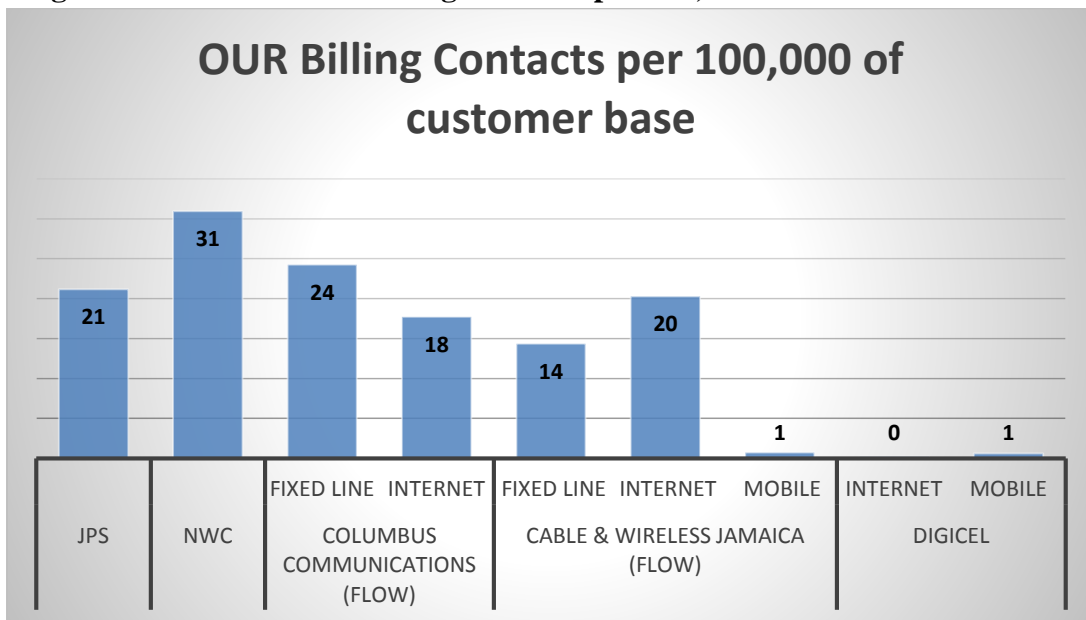
Figure 1: Distribution of Contacts per 100,000 of Customer Base



¹ Details on contact distribution per service provider can be seen in Table 3

Although service interruption contacts increased by 7 percentage points to 22% over the preceding period, it remained second in relation to billing matters which, at 44%, continued to be the main cause for contact with the CAU. However, this 44% represents a 7 percentage points decline in billing contacts when compared with the preceding period. As shown in Figure 2, the NWC, at 31, Columbus Communications (Flow) with 24 for its fixed line service and JPS with 21 were the top three service providers with the highest number of billing related contacts per 100,000 of their customer base.

Figure 2: Distribution of Billing Contacts per 100,000 of Customer Base



Chapter 1: Utilities' Responsiveness

(i) Acknowledgements

Ten (10) new appeals were accepted during the review period and for which requests for information (in the form of case letters), were sent to the respective service providers. Of the 10 case letters, six (6) were sent to JPS of which three (or 50%) acknowledgements were received. The three acknowledgements from JPS were within the established timeline. The remaining four (4) case letters were sent to the NWC of which 3 (or 75%) were acknowledged. However, only one of the NWC acknowledgements was received within the agreed timeline.

While the overall rate of acknowledgement for the JPS was relatively low, a steady increase in compliance was noted moving from 36% in the first quarter to 50% within the last quarter.

The NWC began the year with the highest acknowledgement rate of 77%. However, a notable decline was seen for the subsequent quarters with the Commission ending the year at a low of 25%, which was the lowest rate for both companies throughout the year.

Table 1: Acknowledgement within Standard (5 business days)

<i>Quarters (2015)</i>	JPS	NWC
<i>January - March</i>	36%	77%
<i>April - June</i>	37%	48%
<i>July - September</i>	43%	27%
<i>October - December</i>	50%	25%

(ii) Response to Case Letters

Of the six (6) case letters sent to JPS, responses were received from four (representing 67%). However, only three (50%) of the responses were received within the established timeline. Of the four case letters sent to the NWC, one response was received. This response was received within the established timeline.

Table 2: Responses within Standard (30 business days)

<i>Quarters</i>	JPS	NWC
<i>January – March</i>	71%	0%
<i>April – June</i>	93%	0%
<i>July – September</i>	86%	0%
<i>October - December</i>	50%	25%

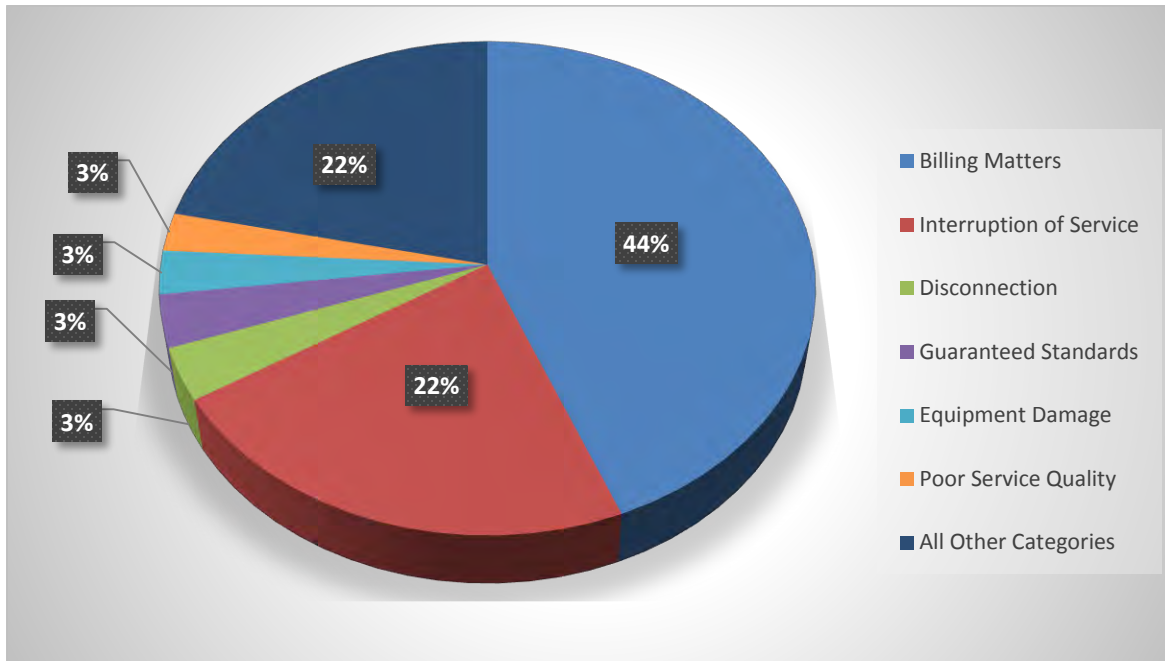
As is seen in Table 2, throughout 2015, JPS continued to be the more responsive utility provider in submitting requested information relating to customers' appeals within the established timeline, in spite of the noticeable fluctuations in the response rate from one period to the next.

The NWC's delinquency in submitting information relating to customers' appeal continued throughout 2015. Accordingly, the issue was escalated to the Office who commenced discussions with the Commission on the issue and is also pursuing its legal and regulatory options to encourage compliance.

Chapter 2: Main Customer Concerns

Figure 3 shows that the main reasons for utility customers contacting the CAU related to matters of: billing, service interruption, disconnection, Guaranteed Standards, poor service quality and equipment damage.

Figure 3: Main Concerns



(i) Billing

As like the previous three quarters of 2015, billing related matters continued to be the main reason for customer contact during the October – December period. The billing issues complained about included adjustments that were applied to customers’ accounts, high consumption, disputed charges and estimated billing. These matters represented forty-four percent (44%) of total contacts for the quarter, which is a seven (7) percentage point reduction in similar contacts made over the preceding quarter.

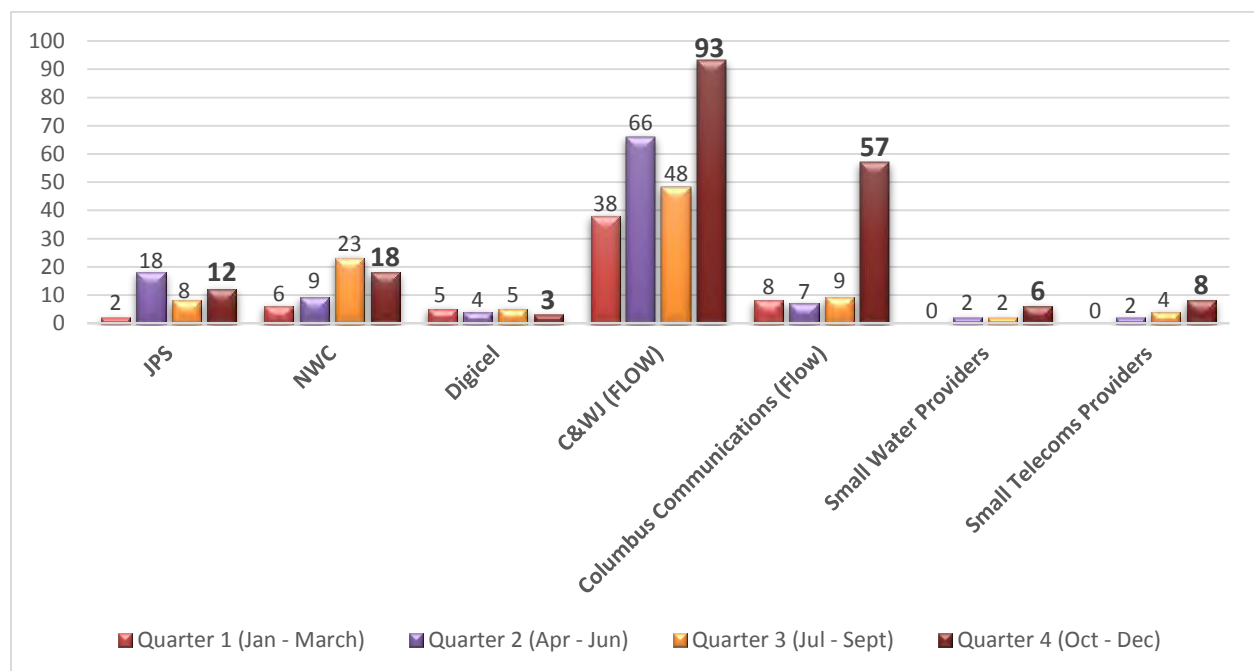
There were 370 (44%) billing contacts of which JPS and NWC accounted for 126 (or 34%) and 146 (39%) respectively. Digicel accounted for 17 (or 5%) while C&WJ (FLOW) and Columbus Communications (Flow) accounted for 55 (or 15%) and 20 (or 5%) respectively. Dekal Wireless and Small Water Providers accounted for the remaining 6 (or 2%).

Additionally, billing related matters accounted for 49% of total contacts throughout 2015, which is a one percentage point increase over 2014. Details on the nature of the total contacts received throughout the year is shown in Table 5.

(ii) Interruption of Service

Service interruption issues represented 22% of total contacts for the review period, which was a seven percentage point increase when compared with the July – September quarter. Additionally, as seen in Figure 4, C&WJ (FLOW) and Columbus Communications (Flow) accounted for the largest number of these contacts at 93 (49%) and 57 (30%) respectively. JPS and NWC accounted for 6% and 10% of related contacts while Digicel and Dekal Wireless shared the remaining 4% of service interruption contacts.

Figure 4: Quarterly Service Interruption Contacts



(iii) Poor Service Quality

Similar to the previous reporting period, poor service quality accounted for 3% of total contacts received. C&WJ (FLOW) and Columbus Communications (Flow) each accounted for 1% of contacts while the 1% was shared among JPS, NWC and Digicel.

(iv) Disconnection

Disconnections also accounted for three percent (3%) of total contacts received. JPS and C&WJ (FLOW) each accounted for 1% of disconnection related issues while the remaining 1% was shared between Columbus Communications (Flow) and the NWC.

(v) Equipment Damage

Issues relating to equipment damage accounted for three percent (3%) of total contacts received. These contacts also represented ten percent (10%) of contacts specific to the services provided by JPS.

Chapter 3: Guaranteed Standards Performance

(i) What are the Guaranteed Standards?

The Guaranteed Standards are performance measures that guide the provision of utility services delivered by the National Water Commission (NWC), small water providers and the Jamaica Public Service Company Ltd. If the companies fail to honour the agreement, the customer is entitled to compensation which is applied as a credit to the account.

(ii) How are customers compensated?

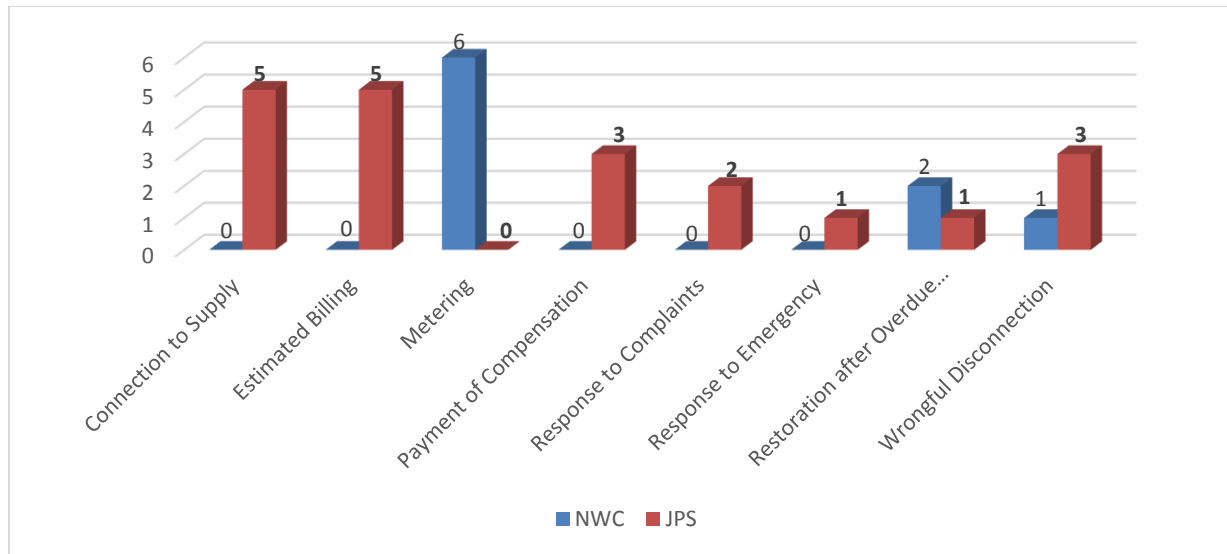
NWC: Compensation for breach of a standard is four (4) times the applicable service charge OR six (6) times the service charge for those in the special compensation category. Where applicable, customers must submit their claims within 120 days of the breach. Breaches of individual standards will attract compensation of up to six (6) periods of non-compliance.

JPS: Residential Customers: equivalent to the reconnection fee; Commercial Customers: four (4) times the customer charge.

(iii) Quarterly Report of Breaches

The CAU fielded twenty-nine (29) contacts in relation to alleged breaches of the Guaranteed Standards by the JPS and the NWC. This represented three percent (3%) of total contacts received during the review period and a two percentage point drop over the preceding quarter. JPS accounted for 20 (or 2%) while the NWC accounted for the remaining 9 (or 1%) of related contacts.

Figure 5 indicates that the highest number of contacts in relation to alleged Guaranteed Standards breaches for JPS related to *Connection to Supply* and *Estimated Billing*. In the case of the NWC, the highest number of contacts in relation to alleged breaches related to *Metering*.

Figure 5: Guaranteed Standards Contacts**(i) Utilities' Performance on Guaranteed Standards**

The NWC's Guaranteed Standards compliance report showed that 707 breaches were committed during the reporting period. These breaches had a potential payout of approximately \$2.18 million; however, only \$559,641.84 (representing 26%) was actually credited to affected customers' accounts.

For the year 2015, the NWC committed a total of 2,827 breaches of the Guaranteed Standards which attracted a potential payout of approximately \$8.76 million. Actual payments amounted to approximately \$2.6 million, which represents 30% of total potential payments made for the year.

The standards with the highest incidents of breaches during the reporting period and throughout 2015 related to the NWC's investigation into customers' complaints. This represented 61% of total breaches during the reporting period and 56% for the year.

For the June to December period, the JPS committed a total of 68,838 breaches which had a potential pay-out of approximately \$132.6 million. Actual payments amounted to approximately \$36 million which represented 27% of total potential payments.

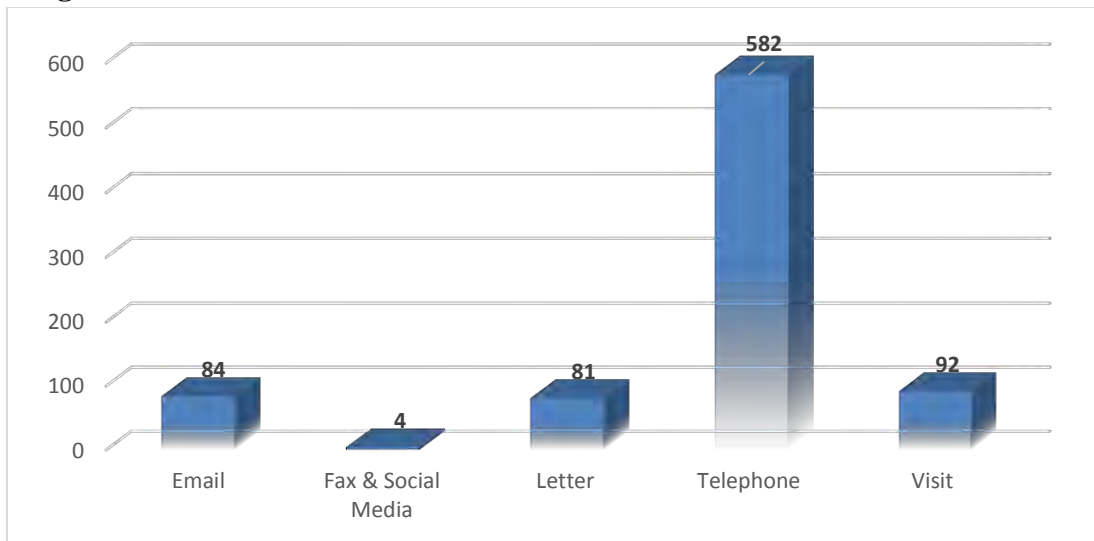
Specific to the reporting period October-December there were 28,255 breaches with a potential pay-out of approximately \$53.3 million. Actual pay-outs amounted to approximately \$15.7 million, representing 29% of total payments with 98% of these payments being by way of automatic compensation.

Additionally, sending its customers more than two consecutive estimated bills, at 73% during the reporting period and 67% during the June to December period, accounted for the highest incidents of breaches for the JPS.

Chapter 4: Customer Contact Distribution

Figure 6 indicates that the telephone is the method most frequently used by utility consumers to make contact with the CAU, representing sixty-nine percent (69%) of the total contacts received. Visits represented eleven percent (11%) while contacts made via email and letter each had a share of 10%. The contacts received via fax and social media were less than one percent.

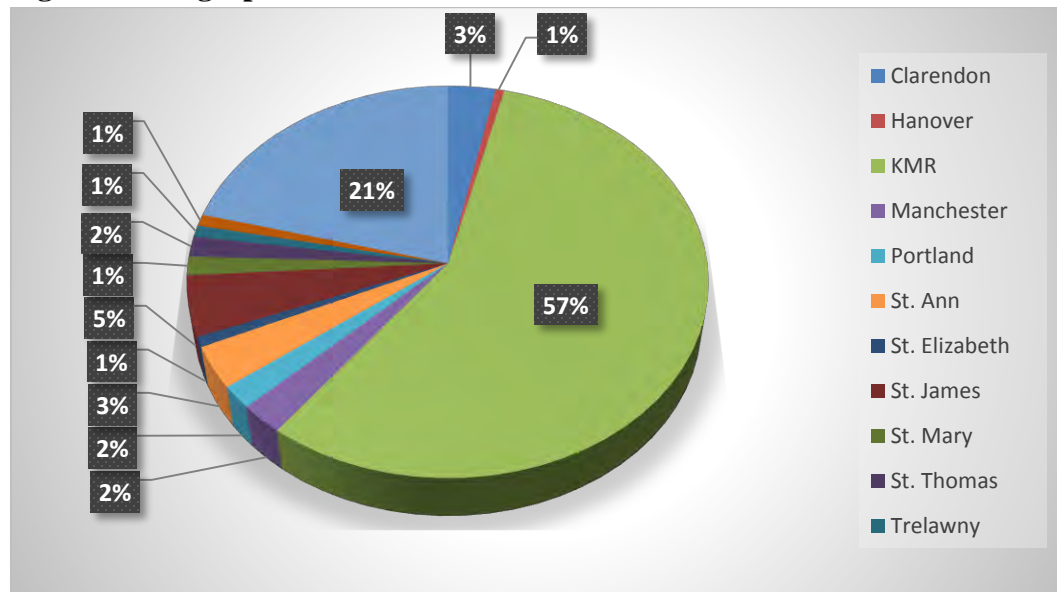
Figure 6: Methods of Contact



The telephone, at 59%, continued to be the preferred method of contact to the CAU by utility consumers throughout 2015. Emails, letters and visits followed at 11%, 13% and 16% respectively. The remaining 2% of contacts were received through fax and social media.

Geographical Distribution of Contacts

As is seen in Figure 7, the Kingston Metropolitan Region continued to account for the highest number of total contacts at fifty-seven percent (57%). The second highest number of contacts was received from St. James at 5%. Clarendon and St. Ann both had a share of 3% each, while the remaining parishes each had a share of two percent (2%) or less. Twenty-one (21%) of the contacts received provided no information on their location/parish or the information was not recorded.

Figure 7: Geographic Distribution of Contacts

In keeping with the usual trend, the Kingston Metropolitan Region (which incorporates Kingston, St. Andrew and St. Catherine) accounted for the highest number of contacts received by the CAU, at 57%, throughout 2015. St. James, at 5%, was the parish from which the second highest number of contacts was received. Clarendon and St. Ann followed at 3% while all other parishes had a share of 2% or less.

Chapter 5: Appeals Performance

(i) Closure of Appeals²

The CAU closed thirty-four (34) appeals during the review period. Of those closed, sixty-five percent (65%) were in favour of the service providers while twenty-six percent (26%) were in favour of the customer. The remaining 9% represents those appeals that were either withdrawn by the customer or for which a compromise was arrived.

Thirty-two (32) of the closed appeals were carried forward from previous periods while the remaining two closed appeals were received and resolved within the OUR-established standard of sixty (65) working days.

(ii) Outstanding Appeals³

At the end of the reporting period, eighty-three (83) appeals remained outstanding, in that they exceeded the established 65 business days for resolution. Of these appeals, 55 (or 66%) are awaiting responses from the service providers. The remaining 28 (or 44%) are for OUR-action and are either undergoing analysis, awaiting approval of final letters or are awaiting additional information from the customer.

Of the 55 appeals for which the OUR is awaiting responses from the service provider, the NWC accounts for 50 (or 91%) while the JPS accounts for 4 (or 7%). Columbus Communications (Flow) accounts for the remaining 2% of outstanding responses.

Six percent (6%) and seventy-five percent (75%) of the outstanding appeals represent billing complaints from JPS' and NWC's customers, respectively. Equipment damage appeals, which relates specifically to JPS, account for 6% of outstanding matters. All other categories for which the appeals are outstanding have a share of 2% or less.

² Breakdown of Appeals Closures can be seen in Table 6

³ Breakdown of Outstanding Appeals can be seen in Table 7

Appeals Process Resolution Rate

Of the 10 new appeals received during the review period, four provider responses were received within the established timeline. Two of the four appeals for which all relevant information was received were closed within the 65 business day timeline for the appeals process. This results in a 20% resolution rate for all 10 appeals received and a 50% resolution rate for appeals for which all relevant information was received.

Further information on the CAU's performance on some key appeals process activity is provided in Table 8.

Chapter 5: Consumer Affairs Highlights

(i) Credits/Compensation

For the review period, \$1,834,460.21 was secured for utility customers as a result of our investigation into their appeals. JPS and NWC accounted for 38% and 62% of total credits respectively.

For 2015, the total amount secured for utility consumers was \$10,835,656.04. Of this total, JPS accounted for 82% while the NWC accounted for the remaining 18%.

(ii) Increase in Service Interruption Contacts

In light of the noted increase in contacts to the CAU relating to service interruption issues, particularly with C&WJ (FLOW) and Columbus Communications (Flow), the OUR met with the senior representatives of the company. The discussions centred around the possible cause/s for the frequent and prolonged interruption in service as well as the measures being taken to have the issues addressed within the shortest possible time.

The discussions are ongoing and the OUR, through the CAU, has made recommendations to the Company regarding efforts that can be made to improve on its management of the challenges being faced with the service interruption and other related issues.

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Table 3: Contact Activity Summary (All Utilities) 2015 October – December

	Description	JPS	NWC	C&WJ (FLOW)			Columbus Communications (Flow)		Digicel		Small Telecoms Provider	Small Water Providers	OUR/Other (Not Utility Provider Related)	Total
				Internet	Landline	Mobile	Internet	Landline	Internet	Mobile				
A	Contacts for the Quarter													
(i)	New Appeals	7	8	0	0	0	0	0	0	0	0	0	0	15
(ii)	New Complaints	16	20	11	18	4	7	4	0	7	0	2		89
(iii)	New Enquires	4	10	0	1	0	0	0	1	2	0	2	3	23
(iv)	New Opinions	3	1	0	0	1	2	1	0	1	0	0	0	9
(vi)	New Referrals	214	180	22	106	26	62	39	5	22	8	2	21	707
	Total Contacts	244	219	33	125	31	71	44	6	32	8	6	24	843
B	Closure/Resolution of Appeals:													
(i)	Mutually Resolved/Compromise	0	2	0	0	0	0	0	0	0	0	0	0	2
(ii)	Resolved in Favour of Customer	4	5	0	0	0	0	0	0	0	0	0	0	9
(iii)	Resolved in Favour of Utility	6	16	0	0	0	0	0	0	0	0	0	0	22
(iv)	Withdrawn by customer	0	1	0	0	0	0	0	0	0	0	0	0	1
	Total Closures	10	24	0	0	0	0	0	0	0	0	0	0	34
C	Total Appeals from Previous Periods:													
	Outstanding Appeals with OUR													
(i)	Undergoing Analysis/Determination	8	13	0	0	0	0	0	0	0	0	2	0	23
(ii)	Awaiting Final Letter to Customers	1	3	0	0	0	0	0	0	0	0	0	0	4
(iii)	Awaiting Additional Information from Customer	1	0	0	0	0	0	0	0	0	0	0	0	1
(iv)	Outstanding Appeals with Utility (Awaiting Responses)	4	50	0	0	0	1	0	0	0	0	0	0	55
	Total Outstanding Appeals	14	66	0	0	0	1	0	0	0	0	2	0	83

Table 4: Distribution of Contacts by Utilities

Complaint Category	Service Providers								Total
	JPS	NWC	Digicel	Columbus Communications (Flow)	C&WJ (FLOW)	Dekal Wireless	Small Water Providers (CanCara, DEML, NIC & RBWC)	OUR/Other (not utility related)	
Billing Matters	126	146	17	20	55	2	4	0	370
Broken Main	0	4	0	0	0	0	0	0	4
Customer Service	0	1	0	3	4	0	0	0	8
Defective Street Lights	3	0	0	0	0	0	0	0	3
Disconnection	10	3	0	4	12	0	0	0	29
Equipment Damage	24	0	0	0	0	0	0	0	24
Guaranteed Standards	20	9	0	0	0	0	0	0	29
Health & Safety	3	2	0	0	0	0	0	0	5
Illegal Connections	4	0	0	0	0	0	0	0	4
Interruption of Service	12	18	3	57	93	5	0	0	188
Irregular Supply	1	9	0	0	0	0	0	0	10
Metering	2	6	0	0	0	0	0	0	8
Number Portability	0	0	3	1	2	0	0	0	6
Other	14	14	8	14	9	1	2	24	86
Payment Arrangement	2	2	0	0	0	0	0	0	4
Phone Cards	0	0	3	2	1	0	0	0	6
Poor Service Quality	2	1	3	8	7	0	0	0	21
Property Damage	1	1	0	0	0	0	0	0	2
RAMI Service Connection & CDU	12	0	0	0	0	0	0	0	12
Reconnection	2	0	0	0	1	0	0	0	3
Redress not Received	0	2	1	0	2	0	0	0	5
Removal of Pole	1	0	0	0	0	0	0	0	1
Service Connection	5	1	0	1	2	0	0	0	9
Unable to get through to Service Provider	0	0	0	5	1	0	0	0	6
Total	244	219	38	115	189	8	6	24	843

Table 5: Distribution of Contacts Jan – Dec 2015

Complaint Category	Review Periods (2015)				
	Jan - Mar	Apr - Jun	Jul - Sept	Current Quarter (Oct. - Dec.)	Total (Jan - Dec 2015)
Billing Matters	211	357	335	370	1273
Broken Main	0	7	0	4	11
Customer Service	12	11	15	8	46
Defective Street Lights	0	0	0	3	3
Disconnection	17	30	18	29	94
Equipment Damage	14	20	18	24	76
Guaranteed Standards	24	44	30	29	127
Health & Safety	3	0	2	5	10
Illegal Connections	2	7	4	4	17
Interruption of Service	59	108	99	188	454
Irregular Supply	3	8	6	10	27
Metering	6	4	3	8	21
Number Portability	0	0	11	6	17
Other	33	45	53	86	217
Payment Arrangement	0	0	6	4	10
Phone Cards	0	0	0	6	6
Poor Service Quality	10	18	19	21	68
Property Damage	5	3	5	2	15
RAMI Service Connection & CDU	3	0	12	12	27
Reconnection	4	3	6	3	16
Redress not Received	0	0	3	5	8
Removal of Pole	0	0	2	1	3
Service Connection	4	7	4	9	24
Unable to get through to Service Provider	0	0	0	6	6
Total	410	672	651	843	2576

Table 6: Distribution of Closed Appeals by Utilities

Complaint Category	Service Providers		Total
	JPS	NWC	
Billing Matters	10	21	31
Metering	0	1	1
Other	0	1	1
Leak at Meter	0	1	1
Total	10	24	34

Table 7: Distribution of Appeals (Outstanding)

Complaint Category	Service Providers					Total
	JPS	NWC	Columbus Communications (Flow)	DEML	St. Jago Developers	
Billing Matters	5	62	0	1	1	69
Disconnection	0	1	1	0	0	2
Equipment Damage	6	0	0	0	0	6
Leak at Meter	0	2	0	0	0	2
Metering	0	1	0	0	0	1
Illegal Connection	1	0	0	0	0	1
Property Damage	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2</u>
Total	14	66	1	1	1	83

Table 8: CAU's Performance on Service Standards (Appeals)

Activity	Service Standards	% Compliance	Comment
Acknowledgement of Appeals	Within 2 business days of receipt of customer's correspondence	50%	
Case Letters/ Other Utility Contact	Within 5 business days of acknowledging customer's correspondence	70%	Of the 10 Case Letters sent, 7 were dispatched within the stipulated 5 business days
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	50%	Four provider responses were received for which two (2) final responses were dispatched within the established timeline.

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Appendices

Appendix I : 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.

Appendix 2: Statement on Confidentiality of Telecommunications Service Provider Information

Information on the customer base of the telecommunication companies was used in some of the calculations contained in the QPR, pursuant to Section 7A of the Telecommunication Act – Amended. The referenced section states, in part:

“...the following information is not required to be regarded and dealt with as secret and confidential namely -

- (a) information that will facilitate customers in their choice of facilities or specified services and the development of the telecommunications industry; and
- (b) information relating to the –
 - (i) quality of service measurements;
 - (ii) prices charged to customers or to other licensees;
 - (iii) network coverage of licensees;
 - (iv) market share of licensees;
 - (v) volume of services of licensees however measured
 - (vi) subscriber base of licensees; and
 - (vii) capacity and usage of international submarine cables

Appendix 3: Appeals Process

The activities of utility companies are guided by “terms and conditions” within their license and/or Act. There are occasions, however, when consumers feel that particular action(s) of a utility company might have been in breach of the utility’s “terms and conditions” or might have been unfair to them. In such circumstances, the OUR is an avenue for recourse in having any such wrong investigated and addressed through our appeals process.

Prior to submitting an appeal to the OUR, consumers are expected and encouraged to first take the complaint, or issues giving rise to the complaint, up to the level of a senior officer at the respective utility company. The hearing of grievances is a consumer’s right and utilities are obliged to review such matters with the aim of having the issue addressed or clarified.

Appendix 4: CAU Internal Performance Standards

<u>Description</u>	<u>Timelines</u>
Acknowledging correspondence & Assigning Appeal	2 (Two) working days
Case Letter Preparation	5 (Five) working days
Receive JPS' Response/Update	15 - 25 working days
Review of Provider Response & prepare Follow-Up (F/U) Case letter or issue Directive (where necessary)	15 working days
Receive response to F/U Case Letter	5 (Five) working days
Review Response to F/U Case Letter	5 (Five) working days ⁴
Final Letter Preparation (Draft)	5 (Five) working days
Supervisor's Review of Final Letter	2 (Two) working days
Dispatch Final Letter	1 working day
Total	65 working days (using maximum response time of 25 working days)

Process Timeline for Equipment Damage Appeals

Except for the thirty (30) working day response timeline for equipment damage appeals, all other timelines remain the same. As such, the complete process timeline for equipment damage appeals is sixty-five (65) working days.

Recommended Service Levels

1. JPS is expected to respond or provide an update to **OUR's Case Letters** regarding customer's appeals (not related to equipment damage) within **FIFTEEN (15) working days** of receipt. The company is also expected to acknowledge receipt of our Case Letters within five (5) working days of receipt.
2. Where only an update is provided within fifteen (15) working days, the complete response is expected to be submitted to the OUR within ten (10) working days of receipt of the update.
3. JPS is expected to provide all information requested regarding equipment damage appeals within thirty (30) working days of receipt of our Case Letter.
4. JPS is expected to respond to the **OUR's follow-up case letter** within **FIVE (5) working days of receipt**.

⁴ Subsequent to the review of the providers response to OUR's Case Letter, Follow-up Case Letter or Directive issued, the appeal may be escalated to the Supervisor, Manager or Director and would then be treated as a Special Appeal.

5. The OUR's Final Letter to the customer is to be dispatched within **TWENTY-THREE (23) working days** of receipt of utilities' response (where no Follow-up Case Letter was sent). JPS will be provided with a copy of the Final Letter.
6. The OUR is expected to complete investigations of JPS appeals within the following timelines:
 - **Sixty-five (65) working days** for GENERAL APPEALS (which do not require external consultation)
 - **Seventy-Five (70) working days** for Equipment Damage Appeals (which do not require external consultation)
 - **Eighty-five (85) working days** for SPECIAL APPEALS (Appeals which require external consultation)
7. The Utility company is to extend the hold on the customer's account for **THIRTY (30) days** subsequent to receiving OUR's final response to allow the customer to make arrangements for the balances that are outstanding and/or give the customer time to appeal to the Director – Consumer & Public Affairs.

Appendix 5: Process Timelines for NWC Appeals

<u>Description</u>	<u>Timelines</u>
Acknowledging correspondence & Assigning Appeal	2 working days
Case Letter Preparation	5 working days
Receive NWC's Response/Update	30 working days
Review of Provider Response & prepare Follow-Up (F/U) Case letter or issue Directive (where necessary)	10 working days
Receive response to F/U Case Letter	5 working days
Review Response to F/U Case Letter	5 working days ⁵
Final Letter Preparation (Draft)	5 working days
Supervisor's Review of Final Letter	2 working days
Dispatch Final Letter	1 working day
Total	65 working days

⁵ Subsequent to the review of the providers response to OUR's Case Letter, Follow-up Case Letter or Directive issued, the appeal may be escalated to the Supervisor, Manager or Director and would then be treated as a Special Appeal.

Other Appeals Activities

- On **day ten (10)** after dispatch of the case letter, the Consumer Affairs Officer (CAO) will remind the service provider of its obligation to send a response within 20 days of receipt of the case letter.
- If the utilities' responses raise further questions or do not adequately address the queries posed by OUR, a ***follow-up case letter*** is sent to the utilities by OUR within **TEN (10) working days** of receipt of the utility's response.
- Beginning January 2014, monthly reports detailing the appeals for which the responses are outstanding will be generated and sent the NWC. Where the responses/updates are not received within fifteen working days (15) of submission of the report, the matter will be escalated to the Vice-President for Customer Services, NWC, for action.

Similarly, the CAU will provide NWC with a monthly update on appeals for which our responses are outstanding.

As a consequence, the following are the proposed Service Level Agreements (SLAs) to which the utility companies will be accountable. It is being recommended that the following be agreed upon by all parties and published:

Recommended Service Levels

NWC is expected to respond to **OUR's Case Letters** regarding customer's appeals within **thirty (30) working days** of receipt. The Commission is also expected to acknowledge receipt of our Case Letters within five (5) working days.

NWC is expected to respond to the **OUR's follow-up case letter** within **FIVE (5) working days of receipt**.

The OUR's Final Letter to the customer is to be dispatched within **EIGHTEEN (18) working days** of receipt of the NWC's response (where no Follow-up Case Letter was sent). The NWC will be provided with a copy of the Final Letter.

The OUR is expected to complete investigations of NWC appeals within the following timelines:

- **SIXTY-FIVE (65) working days** for GENERAL APPEALS (which do not require external consultation)

- **EIGHTY-FIVE (85) working days** for SPECIAL APPEALS (Appeals which require external consultation)

The Utility company is to extend the hold on the customer's account for **FIFTEEN (15) working days** subsequent to receiving OUR's final response to allow the customer to make arrangements for the balances that are outstanding and/or give the customer time to appeal to the Director – Consumer & Public Affairs.

Appendix 6: 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)
Dekal	-	Dekal Wireless Ltd. (Telecommunications Provider)
Flow Service	-	Columbus Communications Jamaica Ltd. (Flow) - Telecommunication Provider
FLOW	-	Cable & Wireless Jamaica Ltd. (C&WJ) FLOW
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
The Office	-	The Director General and both Deputy Directors General