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**FOR IMMEDIATE RELEASE**

**Flow and Digicel to Implement First Phase of Information Transparency Decisions**

**(KINGSTON, Jamaica; 2020 October 16):** Come 2020 October 18, mobile phone users are to start receiving automated alerts on their usage levels from telecoms providers Digicel and FLOW. Additionally, all customers wishing to enter into new contracts with telecoms operators will be offered the option of setting financial caps (spending limits).

These changes are among the decisions made by the Office of Utilities Regulation (OUR) in its Determination Notice titled: **Improving Information Transparency in Telecommunication Markets.** This, following complaints from mobile telecommunications customers about issues such as:

* Unexpectedly high call charges for post-paid subscribers;
* Non-receipt of notification when data credit is nearly exhausted, or has been exhausted;
* Incidents of rapid credit depletion when credit is applied for data use, in the case of prepaid customers; and,
* Exhaustion of data plan credit when ‘mobile data’ is disabled on their devices.

As of 2020 October 18, telecoms customers should see automatic notification alerts – free of charge – in an electronic format such as a SMS, or other form of communication when their bills approach a usage level of 60%, then again at 80% and at 100%. At the 100% limit, this alert should also provide information on how the customer can renew the plan, or add a new plan. The 100% alert must also give the customer a website link to details on how to go about adding or renewing service at standard rates. Using this link to access additional information on the service should not result in any internet charges to the customer. However, if the mobile service is purchased as a stand-alone product, that is, not as a bundled plan, then alerts are to be based on the financial cap established by the customer.

For pre-paid mobile customers, the usage notification alerts may be sent in the format preferred by the telecoms utility provider. Such format may include ‘remaining minutes’, data or SMS.

The “Establishment of Financial Caps” which also becomes effective as of October 18, will make it automatic for service providers to offer financial caps for all new post-paid contracts. Under this directive, telecoms providers will need to have new customers decide if they want to set a spending limit. Note however, that customers will be unable to set financial caps for roaming services, as the implementation of caps on these services has been delayed.

Telecoms providers must also permit existing post-paid customers to ’opt in’ to a financial cap. Post-paid customers have the option to choose not to set a spending limit.

OUR’s other decisions on information transparency for telecommunications customers will take effect 2020 December and 2021 December.

OUR’s Determination Notice titled: **Improving Information Transparency in Telecommunication Markets** can be accessed on its website: [www.our.org.jm](http://www.our.org.jm)**.**

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**BACKGROUND**

On 2020 July 18, the OUR issued a Determination Notice titled: **Improving Information Transparency in Telecommunication Markets.** This Determination Notice specifies six (6) directives to be implemented by telecommunications providers Digicel and FLOW in three (3) phases. Two (2) of the three (3) phases are to be executed in the current calendar year (2020 October 18 and 2020 December 18). The final phase takes effect on 2021 December 18 as indicated in the table below.

| **Determination Number** | **OUR Directive** | **Start Date** | **Customer Benefits** |
| --- | --- | --- | --- |
| # 6 | Automatic Usage Notification Alerts | **2020****October 18** | Mobile phone customers receive alerts to make them aware of usage levels prior to reaching maximum limits. |
| # 5 | Establishment of Financial Caps. (roaming services excluded)  | **2020** **October 18** | Post-paid, customers will be able to set financial caps (spending limits) that will enable them to better manage the expenses associated with the use of the service. |
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| # 1 | General Provision of Information on a Service: Bundled/Unbundled | **2020** **December 18** | Clearly stated current prices and all applicable charges, as well as full contract details that must include all pertinent information such as caps, exclusions, limitations and the duration of any fixed commitment period. |
| # 2 | Provision of Information Pertaining to Roaming | **2020** **December 18** | Detailed pricing, inclusions, exclusions and restrictions on the available roaming service(s). Telecoms providers must indicate the risks of roaming. This must include how to turn off data and voice roaming on devices sold (or previously sold) by the utility, as well as how to deactivate voicemail. Telecoms providers must also provide a free-to-access contact number to allow customers to check their usage level status while roaming. |
| # 3#3Cont’d | Method of Publication of Information on Services | **2020** **December 18** | This relates to Determination Notices #1 & #2: Where a service may be purchased through electronic means (e.g.: an App), then information – in plain English – must be provided on that electronic platform prior to a customer’s purchase. Information must clearly indicate all service/plan options, included benefits, product limitations and exclusions. Persons who choose not to use the electronic platform must be provided with all such information in a manner agreed to by the potential customer.Telecoms providers must promote services specifically available for persons with disabilities, and how they can access such services. |
| # 4 | Clearer Pricing and Framing Information in Advertisements | **2020** **December 18** | Full disclosure is required. Less likelihood of ‘hidden’ plan considerations or potentially misleading information in advertisements from telecoms providers. All marketing promotions’ terms and conditions must be provided. The telecoms providers must indicate where to get free access to same. |
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| #5 | Establishment of Financial Caps (roaming services) | **2021** **December 18** | Post-paid customers will be able to set financial caps (spending limits) on roaming services that will enable them to better manage the expenses associated with the use of the service.  |

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