



Office of Utilities Regulation
100 Waterfront Drive, Suite 100, Kingston, Jamaica
Tel: +1 876 733 3333 Fax: +1 876 733 3334
www.our.gov.jm

Office of Utilities Regulation

Service Level Agreement Between the Jamaica Public Service Company Ltd. (JPS) And The Office of Utilities Regulation

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DOCUMENT TITLE AND APPROVAL PAGE

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2. DOCUMENT TITLE: Service Level Agreement with JPS

3. PURPOSE OF DOCUMENT: This document outlines the agreement between the OUR and JPS regarding the Appeals process timelines and the requirements of both parties.

4. AUTHOR: Director, Consumer and Public Affairs

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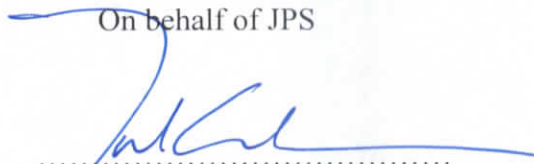
This document is approved by Office of Utilities Regulation and becomes effective on the date of approval.

On behalf of the OUR:



.....
Mrs. Yvonne Grinam-Nicholson
Director, Consumer and Public Affairs

On behalf of JPS



.....
Ms. Winsome Callum
Director, Corporate Communications &
Customer Experience

Nov. 07, 2019

Date

TABLE OF REVISIONS/CHANGES

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Introduction

Rationale for Service Level Agreement

- 1.0 The Office of Utilities Regulation (OUR) has established a process to investigate customers' appeals of utility service providers' decisions. Inherent in this process are activities with specific timelines to be carried out by either the OUR or the service provider. Additionally, the OUR continues to receive most of its appeals from customers of the Jamaica Public Service Company Ltd. (JPS) and the National Water Commission (NWC).
- 1.1 In 2014, Service Level Agreements (SLAs) were established between the OUR and JPS and the OUR and NWC as a result of concerns about the timeliness of the feedback requested by the OUR from them. The SLAs outline agreed upon responsibilities of the service providers and the OUR relating to the Appeals Process. Since then, while there has been some improvement in the delivery of responses there remains room for improvement because of the inconsistency in the level of compliance with the agreed timelines for acknowledgment of and responses to appeals. As such these SLAs are periodically reviewed and revised, if necessary.
- 1.2 This SLA is a revised version of the 2014 document established between the JPS and the OUR and becomes effective as at the agreed date

Role of the Consumer & Public Affairs Department

- 2.0 This Department incorporates consumer affairs through the Consumer Affairs Unit (CAU) and public affairs, through the Public Affairs Unit (PAU) and the Information Centre (OURIC). Additionally, it supports the work of the Consumer Advisory Committee on Utilities (CACU), which is an independent advocacy group whose operations are facilitated by the OUR.
- 2.1 The CAU is charged with resolving consumers' appeals through a thorough, objective and transparent process. The following are some of the responsibilities of the Consumer & Public Affairs (CPA) Department:
 - i. Administer the consumer affairs regulatory function of the Office of Utilities Regulation (OUR);
 - ii. Monitor and evaluate the customer service performance of all regulated utilities; and
 - iii. Ensure that customers of utility service providers are kept abreast of their rights and responsibilities in their dealings with the service providers.

Objectives

- 3.0 In carrying out its functions, the CPA Department:
- a. Ensures that customers of the utility providers enjoy an acceptable quality of service at an economic cost and are assured of secure supplies;
 - b. Provides an avenue of appeal for consumers in their relationship with the utility providers;
 - c. Informs and educate consumers and the general public; and
 - d. Works with related agencies to enhance OUR's effort in protecting consumers' interests.

Strategy

- 4.0 The CPA Department uses as a primary input to its policy development and advice to the Office, feedback received from consumers. The CAU analyses the complaints received from customers as well as feedback from consumers at town hall meetings, outreach activities, public fora and the media. The following are other strategies employed by the CPA:
- (i) A national consumer satisfaction survey seeking consumer feedback on a range of consumers' issues is conducted every 24 months. Additionally, an annual public education programme is pursued which includes the use of mass and social media, the organization of outreach events with stakeholders on pertinent regulatory matters.
 - (ii) A quarterly report is published on the performance of the various utility providers, outlining, inter alia, the number and nature of the contacts received.
 - (iii) Regular meetings with utility providers which offer a medium for the OUR to be updated about the treatment and progress of consumer matters, including case letters and appeals being handled by the CAU. The meetings also facilitate the discussion of any major and pertinent consumer issues.

Mystery Shopping

- 5.0 Mystery Shopping, is a tool used to measure quality of service, or compliance with regulation, or to gather specific information about products and services. Since 2017, the CPA Department has

implemented a Mystery Shopping programme, the purpose of which is to garner information on the quality of service being offered to customers by utility providers. Below are the objectives of the Mystery Shopping programme:

Overall Objectives

- 5.1 To allow the regulator to find out about the quality of services being offered by the providers; identify if the providers' employees are aware of the performance standards (Guaranteed Standards); evaluate providers' customer service interaction and review environment as well as to test their escalation process.
- 5.2 Specific Objectives:
 - (a) To ensure that the utility providers are adhering to the stipulations outlined in their tariff agreements, their Business Policy or the terms and conditions of their licences;
 - (b) To assess consumer experience and provide objective quantitative and qualitative feedback about their experience; and
 - (c) To improve consumer satisfaction and to provide feedback on customer services provided by service providers.

Appeals Process

- 6.0 The activities of utility providers are guided by terms and conditions within their licence and/or Act or in the case of the National Water Commission (NWC), their Commercial Operations Policy. There are occasions, however, when consumers feel that the particular action(s) of a utility provider 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 these customers' concerns investigated and addressed through its Appeals Process.
- 6.1 Prior to submitting an appeal to the OUR, consumers must first take their complaint, or issues giving rise to the complaint, up to the level of a senior officer at the respective utility provider. The hearing of grievances is a consumer's right and utilities are obliged to review such matters with the aim of having issues addressed or clarified.

CAU Internal Performance Standards

7.0 The following timelines for the Appeals Process and the internal performance standards for the CAU, were considered in arriving at the recommended service levels:

Process Timelines for General JPS Appeals

<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	30 working days ¹
Review of Provider Response & prepare Follow-Up (F/U) Case letter (where necessary)	10 working days
Receive response to F/U Case Letter	5 (Five) working days
Review Response to F/U Case Letter	5 (Five) working days
Final Letter Preparation (Draft)	5 (Five) working days
Supervisor's Review of Final Letter	2 (Two) working days
Dispatch Final Letter	1 (One) working day
Total	65 working days (using maximum response time of 30 working days)

Special Appeals

8.0 There are appeals that, based on the nature of the issue, may require expertise and/or resources that do not reside in the designated units of the OUR and JPS to effectively resolve same. Accordingly, the classification of "Special Appeals" was revised to provide additional time to both parties to complete their investigation of these matters.

¹ Where, based on exceptional circumstances, JPS requires additional time to provide the response to a Case Letter, same is to be communicated to the OUR within five (5) working days of the Case Letter date. The rationale for the additional time must be outlined in the request. The OUR will provide a response to the request within two (2) working days.

9.0 Where necessary, an additional fifteen (15) working days is allotted to JPS to respond to Follow-up Case Letters sent by the OUR. These appeals will thereafter be reclassified as Special Appeals. The OUR has also reduced its consultation time to review Special Appeals from twenty (20) to fifteen (15) working days. Accordingly, the total time allotted to complete the review of a Special Appeal for JPS is at 95 working days.

Appeals to Director

10. In our final response to an appeal, the customer is advised that the decision of the CAU can be appealed to the Director – Consumer and Public Affairs. This provision is however contingent on the customer providing new/additional information that was not previously submitted in the initial appeal. Additionally, the customer is required to submit an Appeal to the Director within fifteen (15) working days as at the date of the final letter.

Other Appeals Activities

11. Monthly reports or an e-mail correspondence detailing the appeals for which the responses are outstanding will be generated and sent to JPS. Where the responses/updates are not received within ten (10) working days of submission of the report, the matter will be escalated to the Director – Government Relations, JPS for action. Similarly, the CAU will provide JPS with a monthly update on appeals for which our responses are outstanding.

11.1 As a consequence, the following are the proposed Service Level Agreements (SLAs). The utility company will use commercially reasonable efforts to achieve the SLAs. It is being recommended that the following be agreed upon by all parties and published:

Recommended Service Levels

- 12.0 JPS is expected to respond to **OUR's Case Letters** regarding customer's appeals within **thirty (30) working days** of receipt. The company is also expected to acknowledge receipt of our Case Letters within five (5) working days of receipt.
- 12.1 JPS is expected to respond to the **OUR's follow-up case letter** within **FIVE (5) working days** of receipt for General appeals. However, where necessary, JPS shall notify the OUR within FIVE (5) working days of receipt of the Follow-up Case letter that additional time is required to provide the response. Such Appeals shall then be reclassified as a Special Appeal with the JPS being allotted a total of twenty (20) working days to provide the response, from the date of the Follow-up Case Letter.
- 12.2 The OUR's Final Letter to the customer is to be dispatched within **EIGHTEEN (18) 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.
- 12.3 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)
 - **Nighty-five (95) working days** for SPECIAL APPEALS (Appeals which require external consultation)
 - **Forty (40) working days for an Appeal to Director**
- 12.4 The Utility company is to extend the hold on the customer's account for **THIRTY (30) days** subsequent to receiving the 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 and Public Affairs.

Appendix 1

Definitions

- Appeal:** Any contact in which the utility provider 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.
- Appeal to Director:** Escalation to the Director of the Department, contingent on the customer providing new/additional information that was not previously submitted.
- Complaint:** Any contact expressing dissatisfaction with the handling of a complaint by the utility provider 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 and social media 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 provider or the OUR.
- Referral:** Any contact advised by the OUR to consult the relevant utility provider because the complainant had not initially utilized and/or exhausted the complaint procedure within the relevant utility provider.
- Special Appeal:** Any Appeal which requires consultation outside of the Consumer Affairs Unit.

Record of Adjustments

The information below represents a record of major additions or omissions that are reflected in this version of the document.

<u>Seq. No.</u>	<u>Page(s) No.</u>	<u>Where Change Made</u>	<u>Reason for Changes</u>
1	6	5.0	Document revised to include Mystery Shopping
2	8,11	8.0. Definitions	Document revised to include Special Appeals
3	8,11	9.0, Definitions	Document revised to include Appeal to Director