

---

# Office of Utilities Regulation

---

Consumer Affairs Unit

## Quarterly Performance Report

2016 January – March

Publication Date: June 15, 2016



36 Trafalgar Road, Kingston 10

Consumer Affairs Unit Quarterly Performance Report

Document Number: 2016/GEN/001/QPR.001

Publication Date: Publication Date: June 15, 2016

## Table of Contents

The Role and Objectives of the OUR.....	4
The Consumer and Public Affairs Department .....	4
The Consumer Affairs Unit (CAU) .....	4
The Intent and Purpose of the Quarterly Performance Report.....	5
Methods of Calculation.....	5
Executive Summary.....	7
Chapter 1: Utilities’ Responsiveness.....	9
(i) Acknowledgements.....	9
(ii) Response to Case Letters.....	9
Chapter 2: Main Customer Concerns.....	10
(i) Billing.....	10
(ii) Interruption of Service .....	11
(iii) Disconnection.....	11
(v) Equipment Damage.....	11
Chapter 3: Guaranteed Standards Performance .....	12
(i) What are the Guaranteed Standards? .....	12
(ii) How are customers compensated? .....	12
(iii) Quarterly Report of Breaches .....	12
(i) Utilities’ Performance on Guaranteed Standards.....	13
Chapter 4: Customer Contact Distribution .....	14
Chapter 5: Appeals Performance .....	16
(i) Closure of Appeals .....	16
(ii) Outstanding Appeals.....	16
<b>Appeals Process Resolution Rate .....</b>	<b>16</b>
Chapter 5: Consumer Affairs Highlights .....	18
(i) Credits/Compensation .....	18
(ii) Increase in Service Interruption Contacts.....	18
List of Tables .....	19
Table 3: Contact Activity Summary (All Utilities) 2015 October – December .....	19
Table 4: Distribution of Contacts by Utilities .....	19
Table 5: Distribution of Contacts Jan – Dec 2015 .....	<b>Error! Bookmark not defined.</b>

<b>Table 6: Distribution of Closed Appeals by Utilities</b> .....	20
<b>Table 7: Distribution of Appeals (Outstanding)</b> .....	20
Table 8: CAU’s Performance on Service Standards (Appeals) .....	21
List of Figures .....	21
Appendices.....	22
Appendix I : Definition Of Terms Used In Documenting Customer Contacts .....	22
Appendix 2: Statement on Confidentiality of Telecommunications Service Provider Information ...	23
Appendix 3: Appeals Process .....	23
Appendix 4: CAU Internal Performance Standards.....	24
Appendix 5: Process Timelines for NWC Appeals .....	25
Appendix 6: List of Acronyms.....	27

## **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 a 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 about the services provided by the companies. Feedback from consumers at town hall 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, an aggressive 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 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, walk-in, 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. Requests for additional details or any comments regarding this document should be directed to:

Collette Goode, Consumer Affairs Specialist – Policy

Email: [collette.goode@our.org.jm](mailto:collette.goode@our.org.jm)

OR

Yvonne Nicholson – Director, Consumer & Public Affairs

Email: [yvonne.nicholson@our.org.jm](mailto:yvonne.nicholson@our.org.jm)

## Executive Summary

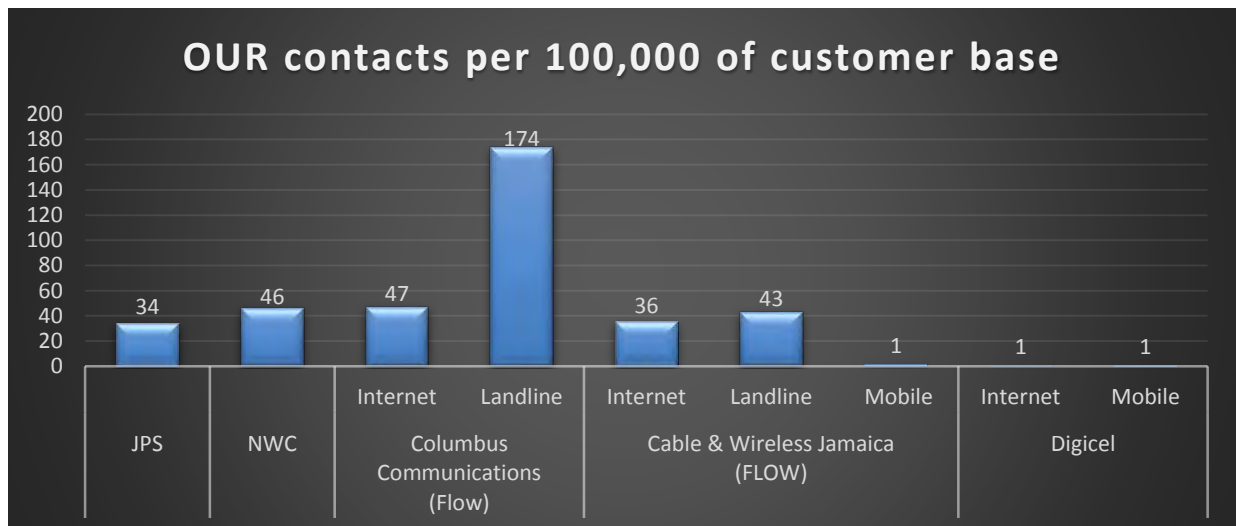
The CAU received 699 new contacts during the 2016 January to March quarter, representing a 17% decline in the number of contacts received when compared with the preceding quarter. The data indicate a general decline in contacts for all major areas of concern with the largest decline (of 27%) being for the issue of interruption of service.

The distribution of contacts per service providers were<sup>1</sup>:

- National Water Commission (NWC) – 218 (31%)
- Jamaica Public Service Company Ltd. (JPS) – 205 (29%)
- Cable & Wireless Jamaica Ltd. (FLOW) – 142 (20%)
- Columbus Communications (FLOW) – 80 (11%)
- Digicel – 25 (4%)
- Small water providers CanCara Development Ltd., Dynamic Environmental Management Ltd. (DEML) and the National Irrigation Commission; small telecommunications provider Dekal Wireless and OUR/Other (Not Utility Provider Related) – 29 (5%).

Similar to the preceding quarter, Figure 1 shows that Columbus Communications (FLOW) accounted for the highest number of contacts - at 174 and 47 per 100,000 - in proportion to its landline and internet services customer base respectively. This is despite the NWC 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**

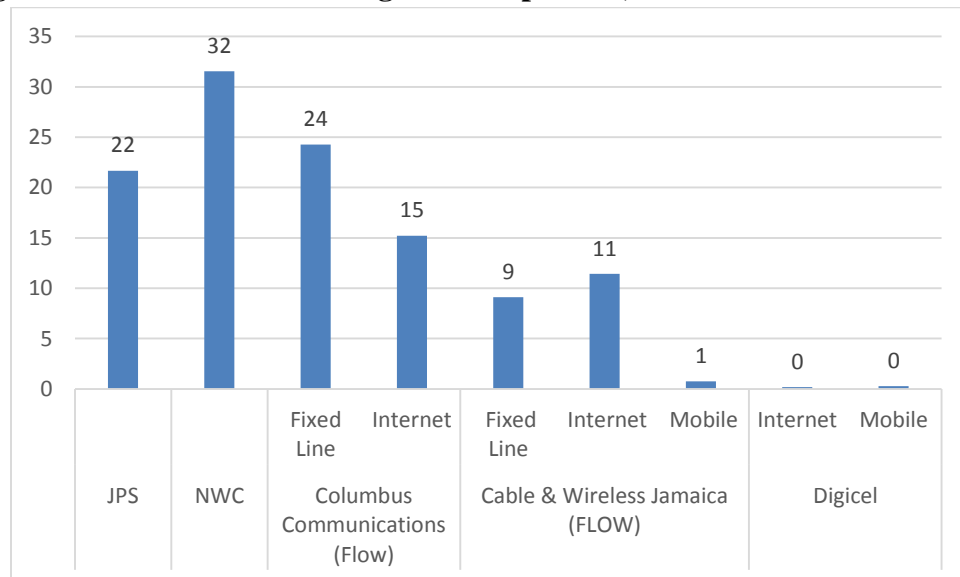


<sup>1</sup> Details on contact distribution per service provider can be seen in Table 1 on page 19

Despite the general decline in total contacts, matters related to billing showed a five percentage point increase over the preceding quarter, and at 49% remained the main reason for customer contact to the CAU. Service interruption contacts again accounted for the second highest reason for customer contacts which at 20% represented a two percentage point reduction over the preceding period.

As shown in Figure 2, the NWC, at 32, Columbus Communications (Flow) with 24 for its fixed line service, and JPS with 22, 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

The CAU accepted fifteen (15) new appeals for investigation during the review period. JPS accounted for six (6) of the new appeals for which information request was sent in the form of case letters. The NWC accounted for the remaining nine (9) for which case letters were also sent requesting information to assist in the investigation.

JPS acknowledged four of the six case letters sent, however only three (representing 50%) were received within the established five business day's timeline. The NWC acknowledged eight of the nine case letters sent, however only three (representing 33%) were received within the established timeline.

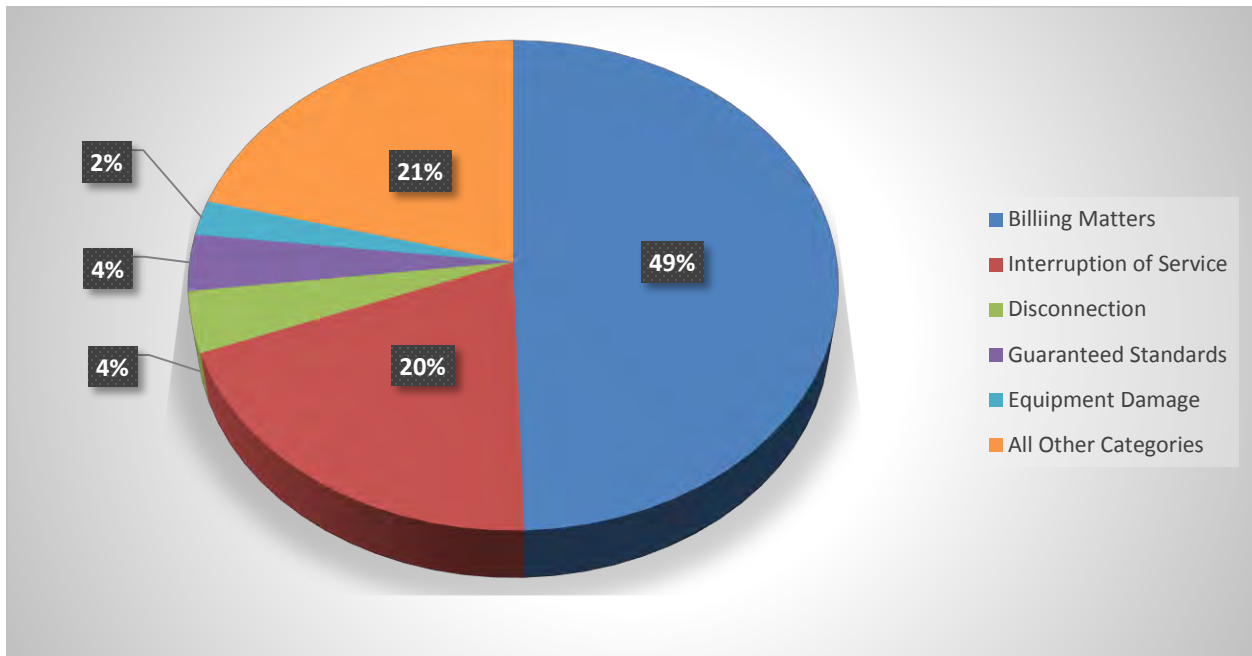
### (ii) Response to Case Letters

JPS provided responses to four (representing 67%) of the six case letters that were sent. However, only three (50%) of the responses were received within the established timeline and one was incomplete. Of the nine case letters sent to the NWC, responses were received for five, with one being incomplete. Only two, representing 22%, of the responses were received within the established timeline.

## 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 and equipment damage.

**Figure 3: Main Concerns**



### (i) Billing

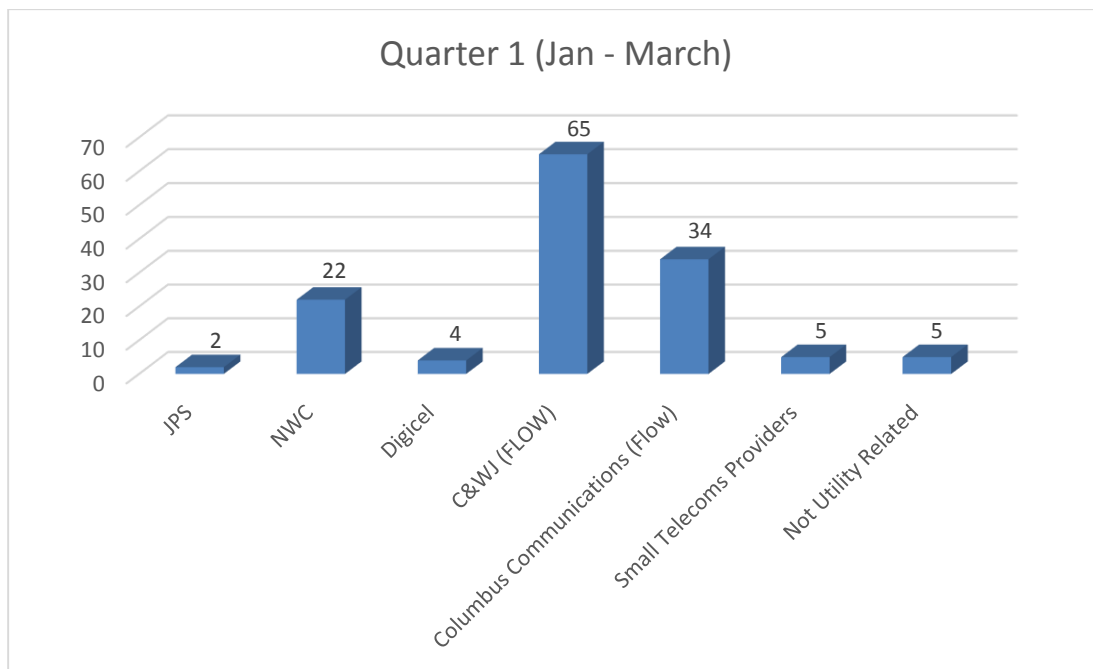
Billing related matters continued to be the main reason for customer contact during the first quarter of 2016. These matters, at forty-nine percent (49%) of total contacts for the quarter, represents a five percentage (5%) point increase in similar contacts made over the preceding quarter. The billing issues complained about included adjustments that were applied to customers' accounts, high consumption, disputed charges and estimated billing.

There were 346 billing related contacts of which JPS and NWC accounted for 129 (or 37%) and 149 (43%) respectively. Digicel accounted for 6 (or 2%) while C&WJ (FLOW) and Columbus Communications (Flow) accounted for 36 (or 10%) and 18 or (5%) respectively. Small water providers and contacts that were not utility related accounted for the remaining 8 (or 2%).

(ii) Interruption of service

At 20% of total contacts, service interruption issues saw a two percentage point reduction when compared with the October - December 2015 quarter. As seen in Figure 4, C&WJ (FLOW) and Columbus Communications (Flow) accounted for the highest number of total contacts at 65 (9%) and 34 (5%) respectively. NWC accounted for 3% while Digicel, Dekal Wireless, JPS and issues not utility service related shared the remaining 3% of service interruption contacts.

**Figure 4: Quarterly service interruption contacts**



(iii) Disconnection

Disconnections accounted for four percent (4%) of total contacts received. JPS and C&WJ (FLOW) and Columbus Communications (FLOW) each accounted for 1% of disconnection related issues with the remaining 1% being shared between Digicel and the NWC.

(v) Equipment damage

During the review period, equipment damage issues accounted for four percent (4%) of total contacts received. These contacts also represented eight percent (8%) 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?

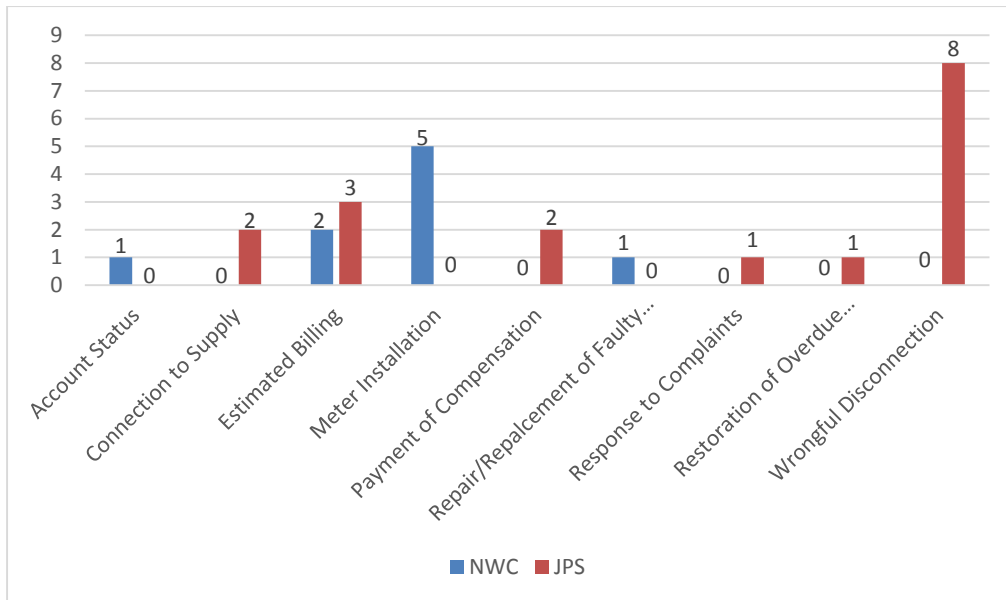
**NWC:** Compensation for breach of a standard is four (4) times the applicable service charge OR six (6) times the service charge for those in the special compensation category. Where applicable, customers must submit their claims within 120 days of the breach. Breaches of individual standards will 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-six (26) contacts in relation to alleged breaches of the Guaranteed Standards by the JPS and the NWC. This represented four percent (4%) of total contacts received during the review period and a one percentage point increase over the preceding quarter. JPS accounted for 17 (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 *Wrongful Disconnection*. In the case of the NWC, the highest number of contacts in relation to alleged breaches related to *Meter Installations*.

**Figure 5: Guaranteed Standards contacts**(i) **Utilities' performance on Guaranteed Standards**

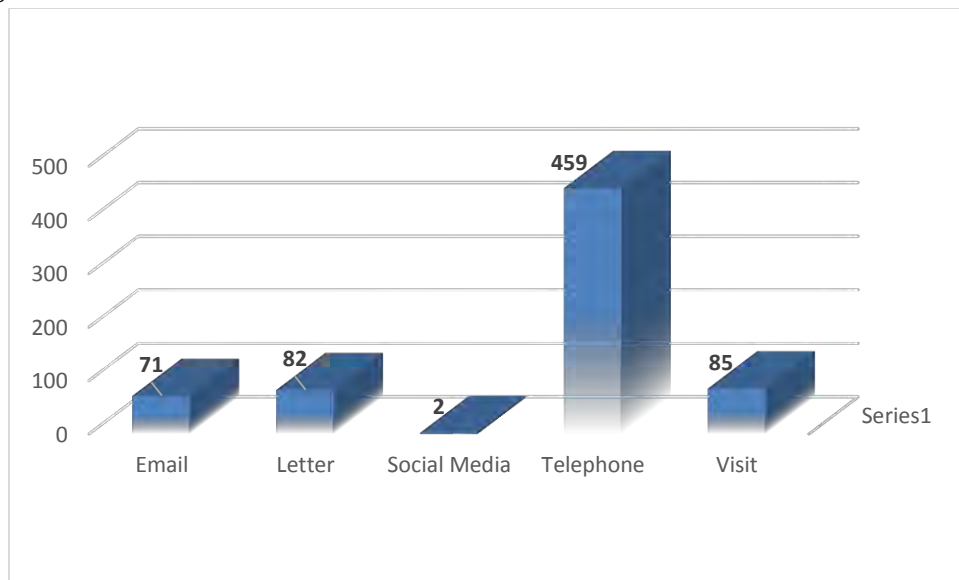
The NWC has submitted one part of the Guaranteed Standards report, which is the section that shows the number of breaches. The missing section details the sum that the Commission would have paid out in automatic compensation during the review period.

No report has been received from JPS to date.

## Chapter 4: Customer Contact Distribution

As is shown in Figure 6, the telephone continued to be the most frequently used method for customer contact with the CAU, representing sixty-six percent (66%) of the total contacts received. Visits and letters each represented twelve percent (12%) of total contacts while contacts made via email had a share of ten percent (10%). Contacts received via social media were less than one percent.

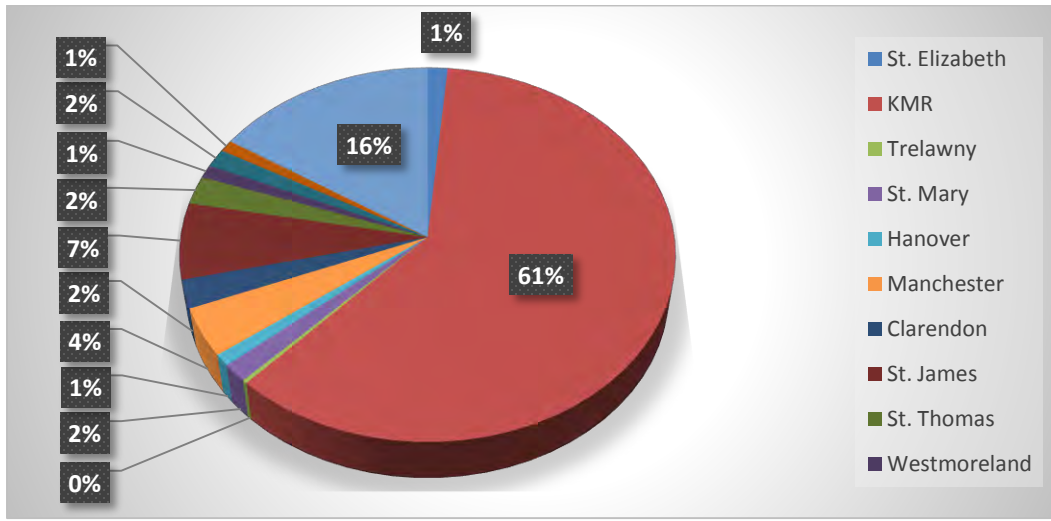
**Figure 6: Methods of Contact**



### Geographical Distribution of Contacts

The Kingston Metropolitan Region accounted for the highest number of total contacts at sixty-one percent (61%). At 7%, St. James accounted for the second highest number of contacts. Manchester was third with 4% of total contacts while the remaining parishes each had a share of two percent (2%) or less. Sixteen (16%) of the contacts received provided no information on their location/parish or the information was not recorded. Details are provided in Figure 7.

**Figure 7: Geographic Distribution of Contacts**



## Chapter 5: Appeals Performance

### (i) Closure of Appeals <sup>2</sup>

Twenty-five (25) appeals were closed by the CAU during the review period. Of those closed, sixty percent (60%) were in favour of the service providers while twenty-four percent (24%) were in favour of the customer. The remaining 16% represents appeals for which a compromise was reached or those that were withdrawn by the customer.

Twenty-two (22) of the closed appeals were carried forward from previous periods while the remaining three closed appeals were received and resolved within the OUR-established standard of sixty (65) working days.

### (ii) Outstanding Appeals<sup>3</sup>

Sixty-eight (68) appeals remained outstanding at the end of the review period, in that they exceeded the established 65 business days for resolution. Of these appeals, 30 (or 44%) are awaiting responses from the service providers. The remaining 38 (or 56%) are for OUR action and are either undergoing analysis or awaiting additional information from the customer.

Six percent (6%) and seventy-four percent (74%) of the outstanding appeals represent billing complaints from JPS' and NWC's customers, respectively. Equipment damage appeals, which relates specifically to JPS, also account for 6% of outstanding matters. All other categories for which the appeals are outstanding have a share of 2% or less.

## Appeals Process Resolution Rate

Of the 15 new appeals received during the review period, nine provider responses were received however, only five were within the established timeline. Two of the nine responses were

---

<sup>2</sup> Breakdown of Appeals Closures can be seen in Table 3. Additionally, there was an error in the preceding report for the October – December 2015 quarter. The 34 closed appeals reported included 10 that were closed subsequent to the reporting period. Therefore, the correct number of closures for the October – December 2015 period was 24 appeals.

<sup>3</sup> Breakdown of Outstanding Appeals can be seen in Table 4



incomplete while requests for additional information was submitted to the JPS and NWC for three of the appeals.

Of the five new appeals for which all relevant information was received, one was closed within the 65 business day's timeline while another was closed outside of the established timeline. The remaining three are still undergoing analysis. This indicates a resolution rate of 7% for all 15 new appeals and a 20% resolution for those for which all relevant information was received. Further details on the CAU's performance on some key appeals process activity is provided in Table 5.

## Chapter 5: Consumer Affairs Highlights

### (i) Credits/Compensation

During the review period, an amount of \$1,723,267.99 was secured for utility customers as a result of our investigation into their appeals. JPS accounted for 41% while the NWC accounted for the remaining 59%.

### (ii) Quarterly Meeting with JPS and NWC

Meetings were convened with the senior customer service and regulatory personnel of the JPS and the NWC during the review period. The meeting with the JPS was held on 2016 February 29 while NWC's was held on 2016 March 15.

Both meetings were used to discuss the issues relating to consumer contacts as well as operational matters. Coming out of the NWC meeting, the decision was taken to hold a workshop which was geared towards both parties getting a better understanding of their internal processes highlighting the challenges that may arise.

## List of Tables

Table 1: Contact Activity Summary (All Utilities) 2016 January – March

	Description	JPS	NWC	C&W (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				
<b>A</b>	<b>Contacts for the Quarter</b>													
(i)	New Appeals	7	9	0	0	0	0	0	0	0	0	0	0	16
(ii)	New Complaints	4	7	2	0	1	2	1	0	1	1	0	0	19
(iii)	New Enquires	10	12	0	2	1	1	0	0	1	0	0	0	27
(iv)	New Opinions	2	3	0	0	1	1	0	0	0	0	0	0	7
(vi)	New Referrals	<u>182</u>	<u>187</u>	<u>26</u>	<u>97</u>	<u>12</u>	<u>33</u>	<u>42</u>	<u>8</u>	<u>15</u>	<u>6</u>	<u>4</u>	<u>18</u>	630
	<b>Total Contacts</b>	<b>205</b>	<b>218</b>	<b>28</b>	<b>99</b>	<b>15</b>	<b>37</b>	<b>43</b>	<b>8</b>	<b>17</b>	<b>7</b>	<b>4</b>	<b>18</b>	<b>699</b>
<b>B</b>	<b>Closure/Resolution of Appeals:</b>													
(i)	Mutually Resolved/Compromise	0	3	0	0	0	0	0	0	0	0	0	0	3
(ii)	Outside of jurisdiction	0	0	0	0	0	0	0	0	0	0	0	0	0
(iii)	Resolved in Favour of Customer	2	4	0	0	0	0	0	0	0	0	0	0	6
(iv)	Resolved in Favour of Utility	2	13	0	0	0	0	0	0	0	0	0	0	15
(v)	Withdrawn by customer	<u>1</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>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>
	<b>Total Closures</b>	<b>5</b>	<b>20</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>0</b>	<b>0</b>	<b>25</b>
<b>C</b>	<b>Total Appeals from Previous Periods:</b>													
	<b>Outstanding Appeals with OUR</b>													
(i)	Undergoing Analysis/Determination	8	28	0	0	0	0	0	0	0	0	2	0	38
(ii)	Outstanding Appeals with Utility (Awaiting Responses)	<u>4</u>	<u>25</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>30</u>
	<b>Total Outstanding Appeals</b>	<b>12</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>68</b>

Table 2: Distribution of Contacts by Utilities

Complaint Category	Service Providers									Total
	JPS	NWC	Digicel	Columbus Communications (Flow)	C&W (FLOW)	Dekal Wireless	Small Water Providers (CanCar, DEML & NIC)	OUR/Other (not utility related)		
Billing Matters	129	149	6	18	36	1	4	3		346
Broken Main	0	2	0	0	0	0	0	0		2
Customer Service	0	3	0	3	6	0	0	0		12
Defective Street Lights	4	0	0	0	0	0	0	0		4
Disconnection	8	3	1	6	10	0	0	0		28
Equipment Damage	16	0	0	0	0	0	0	0		16
Guaranteed Standards	17	9	0	0	0	0	0	0		26
Health & Safety	2	2	0	0	0	0	0	0		4
Illegal Connections	6	0	0	0	0	0	0	0		6
Interruption of Service	2	22	4	34	65	5	0	5		137
Irregular Supply	1	5	0	0	0	0	0	0		6
Metering	1	6	0	0	0	0	0	0		7
Number Portability	0	0	0	3	1	0	0	0		4
Other	9	8	8	11	12	0	0	9		57
Payment Arrangement	1	1	0	0	0	0	0	0		2
Phone Cards	0	0	2	0	1	0	0	0		3
Poor Service Quality	0	2	2	2	4	1	0	1		12
Property Damage	0	1	0	0	0	0	0	0		1
RAML Service Connection & CDU	5	0	0	0	0	0	0	0		5
Reconnection	1	1	0	0	1	0	0	0		3
Redress not Received	0	1	0	0	2	0	0	0		3
Removal of Pole	1	0	0	0	0	0	0	0		1
Service Connection	2	3	2	0	2	0	0	0		9
Unable to get through to Service Provider	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>5</u>
<b>Total</b>	<b>205</b>	<b>218</b>	<b>25</b>	<b>80</b>	<b>142</b>	<b>7</b>	<b>4</b>	<b>18</b>		<b>699</b>

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

Complaint Category	Service Providers		Total
	JPS	NWC	
Billing Matters	3	18	21
Equipment Damage	1	0	1
Illegal Connection	1	0	1
Other	0	1	1
Leak at Meter	<u>0</u>	<u>1</u>	<u>1</u>
<b>Total</b>	<b>5</b>	<b>20</b>	<b>25</b>

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

Complaint Category	Service Providers					Total
	JPS	NWC	Columbus Communications (Flow)	DEML	St. Jago Developers	
Billing Matters	4	50	0	1	1	<b>56</b>
Disconnection	0	1	1	0	0	<b>2</b>
Equipment Damage	6	0	0	0	0	<b>6</b>
Leak at Meter	0	1	0	0	0	<b>1</b>
Metering	0	1	0	0	0	<b>1</b>
Property Damage	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u><b>2</b></u>
<b>Total</b>	<b>12</b>	<b>53</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>68</b>

Table 5: 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	93%	
Case Letters/ Other Utility Contact	Within 5 business days of acknowledging customer's correspondence	73%	Of the 15 Case Letters sent, 11 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	20%	Five provider responses were received for which one (1) final responses was dispatched within the established timeline.

### List of Figures

- Figure 1: Distribution of Contacts per 100,000 of Customer Base
- Figure 2: Distribution of Billing Contacts per 100,000 of Customer Base
- Figure 3: Main Customer Concerns
- Figure 4: Quarterly Service Interruption Contacts
- Figure 5: Guaranteed Standards Contacts
- Figure 6: Methods of Contact
- Figure 7: Geographic Distribution of Contacts

## 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 <sup>4</sup>
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**.

<sup>4</sup> 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

<b><u>Description</u></b>	<b><u>Timelines</u></b>
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 <sup>5</sup>
Final Letter Preparation (Draft)	5 working days
Supervisor's Review of Final Letter	2 working days
Dispatch Final Letter	1 working day
<b>Total</b>	<b>65 working days</b>

<sup>5</sup> 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