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# Office of Utilities Regulation

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Consumer Affairs Unit

## Quarterly Performance Report

2020 October - December

Publication Date: 2021 April 14



**OFFICE OF UTILITIES REGULATION**

36 Trafalgar Road, Kingston 10

Consumer Affairs Unit Quarterly Performance Report

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## 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 .....	10
(i) Acknowledgements .....	10
(ii) Response to Case Letters .....	10
Chapter 2: Main Customer Concerns.....	12
(i) Billing.....	12
(ii) Interruption of Service.....	13
(iii) Disconnection .....	13
(iv) Poor Service Quality.....	13
(v) Rebate/Refund .....	13
(vi) Terms and Conditions of Service .....	14
(vii) Service Connection.....	14
(viii) Health & Safety.....	14
Chapter 3: Guaranteed Standards Performance .....	15
(i) What are the Guaranteed Standards? .....	15
(ii) How are customers compensated?.....	15
(iii) Quarterly report of breaches .....	15
(iv) Utilities’ performance on Guaranteed Standards.....	16
Chapter 4: Customer Contact Centre/Call Centre Performance Reports.....	19
Chapter 5: Notification of Planned Outages Report .....	21
Chapter 6: Customer Contact Distribution .....	23
Chapter 6: Appeals Performance .....	25
(i) Closure of Appeals .....	25
(ii) Outstanding Appeals.....	25
<b>Appeals Process Resolution Rate.....</b>	<b>25</b>

Chapter 7: Consumer Affairs Highlights .....	27
(i) Credits/Compensation .....	27
List of Tables: 2020 October - December.....	28
Table 6: Contact Activity Summary (All Utilities) .....	28
Table 7: Distribution of Contacts by Categories .....	29
Table 8: Annual Distribution of Contacts by Categories .....	30
Table 9: Distribution of Closed Appeals by Utilities .....	31
Table 10: Distribution of Appeals (Outstanding) .....	31
Table 11: CAU’s Performance on Service Standards (New Appeals) .....	32
List of Figures.....	32
Appendices.....	33
Appendix I: Definition of Terms Used in Documenting Customer Contacts .....	33
Appendix 2: Statement on Confidentiality of Telecommunications Service Provider Information .....	35
Appendix 3: Appeals Process .....	36
Appendix 4: CAU Internal Performance Standards .....	36
<b>Special Appeals.....</b>	<b>37</b>
Appendix 5: Process Timelines for NWC Appeals .....	37
Appendix 6: List of Acronyms .....	40

## **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, act independently and impartially.

## **The Consumer and Public Affairs Department**

Through the Consumer and Public Affairs (CPA) Department, 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 Department. 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 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 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 range of consumer 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 the CPA department 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, 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 heterogeneous 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

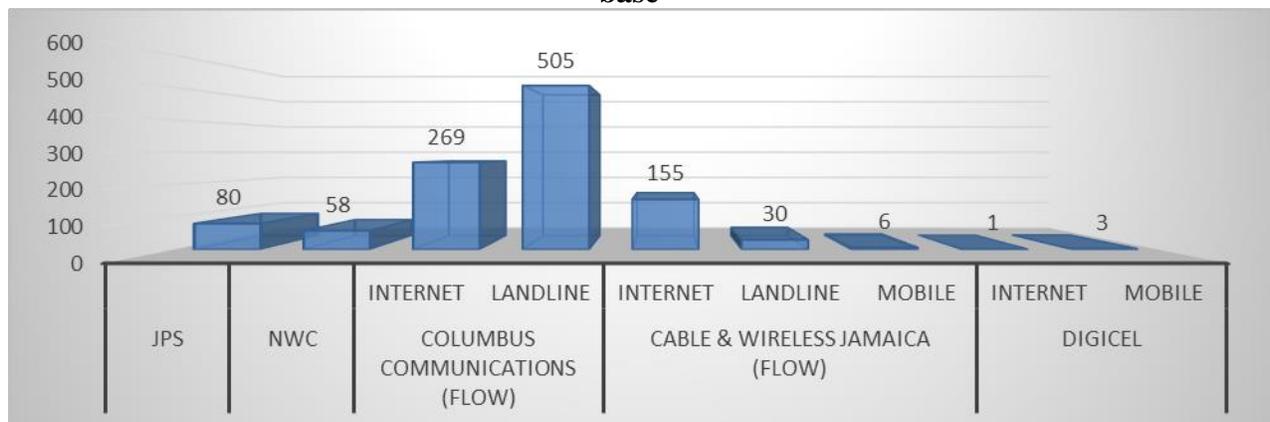
The 2020 October – December period saw the CAU receiving 1,518 contacts, which represents a 17% decrease over the preceding period. The data shows decreases in some categories of customer contact, compared to the preceding period, with the most significant relating to: *Service Connection* (-46%), *Billing Matters* (-32%), *Terms and Conditions of Service* (-30%) and *Disconnection* (-26%).

The following shows the distribution of contacts per service provider<sup>1</sup>:

- Jamaica Public Service Company Ltd. (JPS) – 507 (33%)
- National Water Commission (NWC) – 277 (18%)
- Cable & Wireless Jamaica Ltd. (Flow) – 241 (16%)
- Columbus Communications (Flow) – 337 (22%)
- Digicel – 80 (5%)
- Private water and/or sewerage providers CanCara Development Ltd., Dairy Springs Ltd., DEML, Drax Hall Utilities Ltd., Runaway Bay Water Company Ltd., and St. Jago Hills Development Company Ltd.; small telecommunications providers, Dekal Wireless and XtriNet and Other (Not Utility Provider Related) – 76 (6%).

While JPS at 507, had the most contacts, Figure 1 shows that Columbus Communications (Flow) accounted for the highest number– at 505 per 100,000 – in proportion to its landline customer base.

**Figure 1: Distribution of OUR contacts per 100,000 of customer base**



<sup>1</sup> Details on contact distribution per service provider can be seen in Table 6 on page 27.

A total of 6,345 contacts were received in 2020, which represents a 51% increase over the prior year. As seen in Table 1, Other/Not OUR related (116%), Columbus Communications (Flow) at 81%, C&WJ (Flow) at 64% and JPS at 56% - accounted for the highest percentage increase in the total contacts received in 2020 over 2019.

**Table 1: Service Providers Contact Summary 2020 vs. 2019**

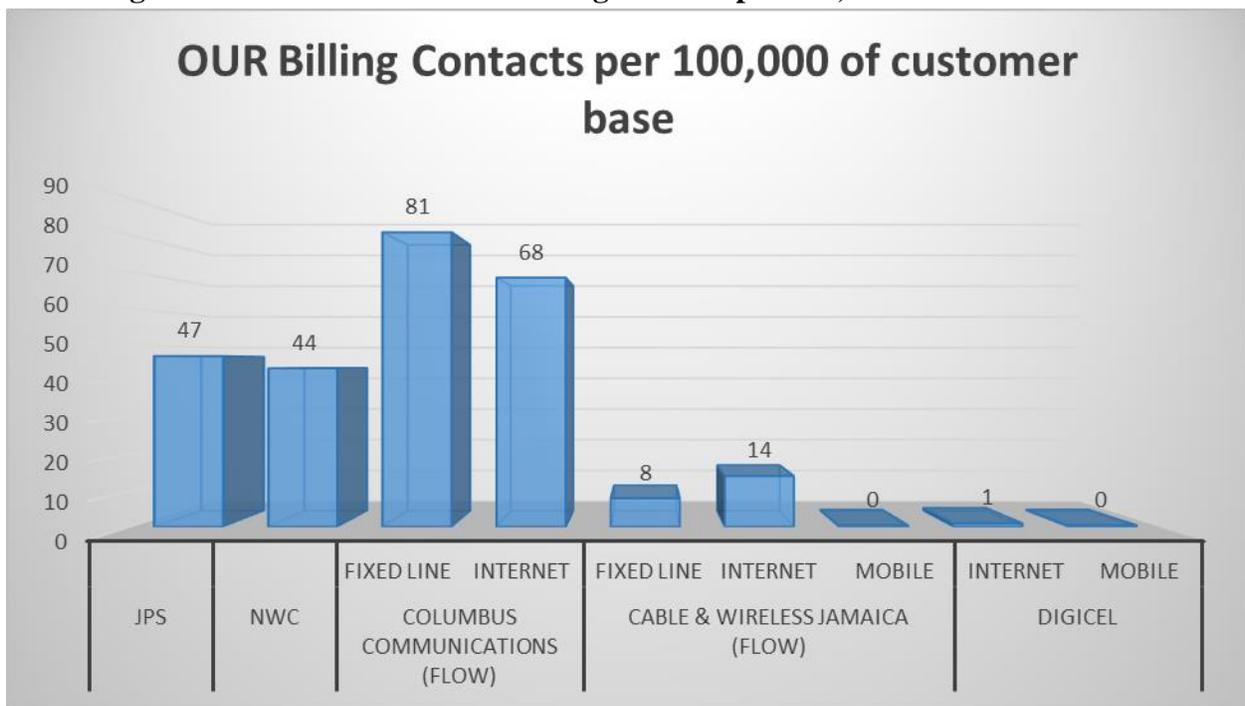
Service Providers	Review Periods				Total 2020	Total 2019	Change	% Change
	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec				
JPS	303	898	740	507	<b>2448</b>	<b>1571</b>	<b>877</b>	<b>56%</b>
NWC	234	375	367	277	<b>1253</b>	<b>984</b>	<b>269</b>	<b>27%</b>
C&WJ (FLOW)	268	357	301	241	<b>1167</b>	<b>713</b>	<b>454</b>	<b>64%</b>
Columbus Communications (Flow)	115	181	246	337	<b>879</b>	<b>486</b>	<b>393</b>	<b>81%</b>
Digicel	71	70	76	80	<b>297</b>	<b>236</b>	<b>61</b>	<b>26%</b>
Small Telecommunications Providers	8	11	5	3	<b>27</b>	<b>41</b>	<b>-14</b>	<b>-34%</b>
Small Water Providers	5	11	3	2	<b>21</b>	<b>42</b>	<b>-21</b>	<b>-50%</b>
Other/ Not Utility Provider Related	29	71	82	71	<b>253</b>	<b>117</b>	<b>136</b>	<b>116%</b>
<b>Total</b>	<b>1033</b>	<b>1974</b>	<b>1820</b>	<b>1518</b>	<b>6345</b>	<b>4190</b>	<b>2155</b>	<b>51%</b>

Billing matters, at 42%, continued to be the main reason for utility consumers contacting the CAU despite realizing a 32% decline in contacts over the preceding period. JPS and NWC with 290 (19%) and 207 (14%) contacts respectively, accounted for the highest number of billing related

matters for 2020. Overall billing matters accounted for 49% of total contacts. Details on the contact categories for the year is provided in Table 8.

As is shown in Figure 2, Columbus Communication's (Flow) fixed line and internet services, at 81 and 68 respectively, accounted for the highest and second highest number of billing related contacts per 100,000 of its customer base. JPS followed with 47 contacts per 100,000 of its customer base.

**Figure 2: Distribution of OUR billing contacts per 100,000 of customer base**



In keeping with the usual trend, service interruption issues, at 22% of total contacts, remained the second highest reason for customer contact to the CAU and accounted for 15% of the total contacts received throughout 2020.

## Chapter 1: Utilities' Responsiveness

### (i) Acknowledgements

During the review period, fourteen (14) new appeals were accepted for investigation with JPS and NWC accounting for four (4) and ten (10) respectively. Requests for information (case letters) were sent for all new appeals accepted.

Based on the established Service Level Agreements (SLAs), both JPS and NWC agreed to acknowledge the OUR's case letters within five (5) business days. As is shown in Table 2, with the exception of the April – June period, JPS attained the acknowledgement target throughout 2020. For the NWC, acknowledgements were received within the agreed timeline for nine (90%) out of the ten Case Letters sent during the review period. Additionally, the NWC attained perfect scores for acknowledgements during the January – March and July – September periods, while missing the target in the April – June period.

**Table 2: Acknowledgement within Standard (5 business days)**

<i>Quarters (2020)</i>	<b>JPS</b>	<b>NWC</b>
<i>January - March</i>	100%	100%
<i>April - June</i>	80%	71%
<i>July - September</i>	100%	100%
<b><i>October - December</i></b>	<b>100%</b>	<b>90%</b>

### (ii) Response to Case Letters

Service providers are required to provide responses to our case letters within 30 business days. As is seen in Table 3, JPS attained a perfect score by providing responses to all four Case Letters within the agreed timeline. For the NWC, seven of the ten responses were due within the reporting period of which four (4), or 57%, were received within the agreed timeline.

**Table 3: Response to case letters within standard (30 business days)**

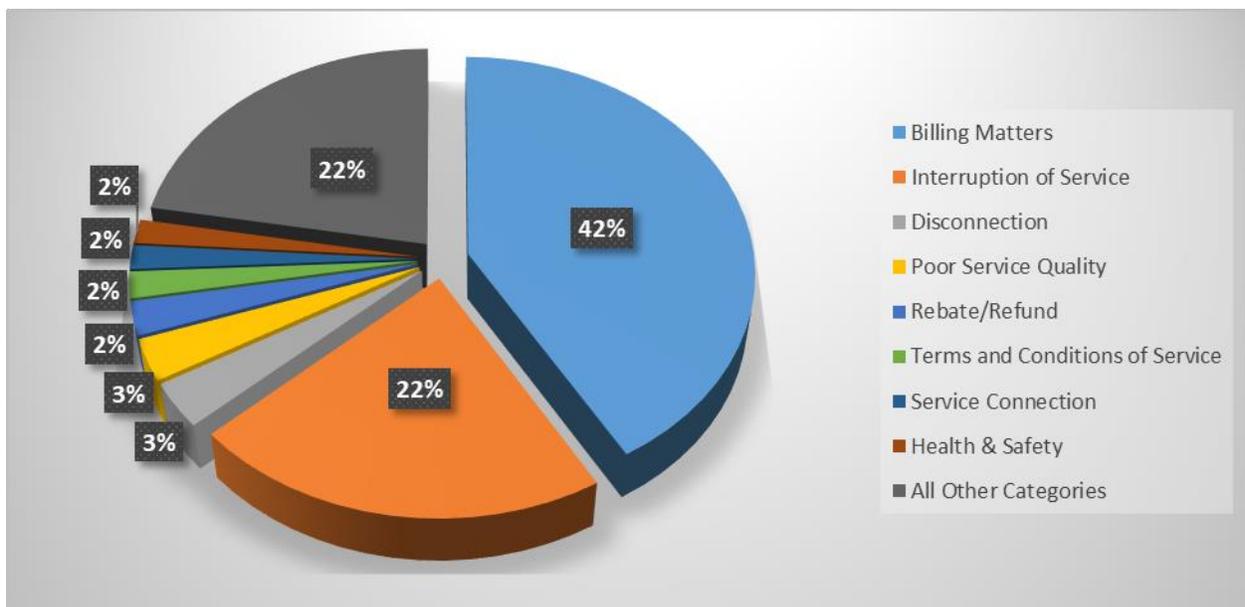
<i>Quarters (2020)</i>	<b>Can-Cara</b>	<b>JPS</b>	<b>NWC</b>
<i>January – March</i>	N/A	100%	50%
<i>April - June</i>	100%	86%	100%
<i>July - September</i>	N/A	57%	40%
<i>October - December</i>	N/A	<b>100%</b>	<b>57%</b>

For 2020, the average response compliance rating for both JPS and NWC showed a decline when compared to 2019. JPS attained an average compliance rating of 86% in 2020, which is a two-percentage point decline over 2019. The NWC's average compliance rating for 2020 was 62%, representing a 26-percentage point decline over 2019.

## Chapter 2: Main Customer Concerns

The main reasons for utility customers contacting the CAU related to: billing, interruption of service, disconnection, poor service quality, rebate/refund, terms and conditions of service, service connection and health and safety (Figure 3). Further details on all contacts distributed per category are provided in Table 6.

**Figure 3: Main Concerns**



### (i) Billing

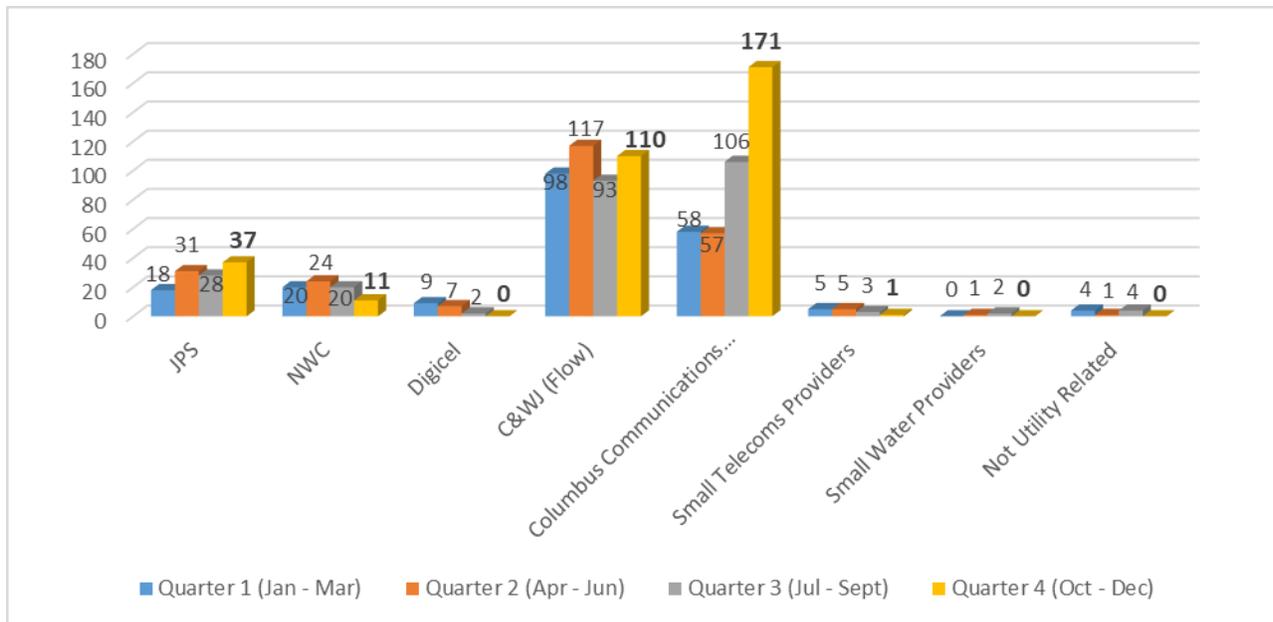
Billing matters continued to be the main reason for customer contact during the review period, accounting for 42% of total contacts received. These matters included high consumption, disputed charges, adjustments to customers' accounts, estimated billing, and billing punctuality.

JPS and NWC continued to have the most billing contacts with 290 (19%) and 207 (14%) respectively. Columbus Communications (Flow) and C&WJ (Flow) accounted for 74 (5%) and 32 (2%) respectively, while Digicel, Private Water Providers and contacts not utility related, accounted for the remaining 28 (1%).

### (ii) Interruption of Service

Service interruption contacts increased by eight percentage points, to 22%, when compared with the preceding quarter. Columbus Communications with 171 (11%) and C&WJ (Flow) with 110 (7%) accounted for the highest number of related contacts (Figure 4). JPS accounted for 37 (2%) while NWC and small water providers accounted for the remaining 1%.

**Figure 4: Quarterly service interruption contacts**



### (iii) Disconnection

Contacts relating to disconnection accounted for 3% of total contacts with JPS having a share of 2% while C&WJ and Columbus Communications shared the remaining 1%.

### (iv) Poor Service Quality

Poor service quality remained at 3% of total contacts with JPS, C&WJ and Columbus Communications having a share of 1% each.

### (v) Rebate/Refund

Similar to the preceding period, requests for rebates/refunds accounted for 2% of total contacts, with C&WJ and Columbus Communications having an equal share.

(vi) Terms and Conditions of Service

Contacts about changes made by service providers to the Terms and Conditions of Service (Contract Terms) continued to account for 2% of contacts. Telecommunications providers C&WJ and Digicel each had an equal share of 1%.

(vii) Service Connection

Service connection contacts realized a one-percentage point decline, to 2%, when compared with the preceding period, with Columbus Communications and JPS each having an equal share of 1%.

(viii) Health & Safety

Contacts relating to issues of health and safety accounted for 2% of total contacts with JPS and NWC each having an equal share.

## 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 NWC, small water providers and the JPS. If the companies fail to honour the agreement, the affected customer is entitled to compensation which is applied as a credit to their utility account.

### (ii) How are customers compensated?

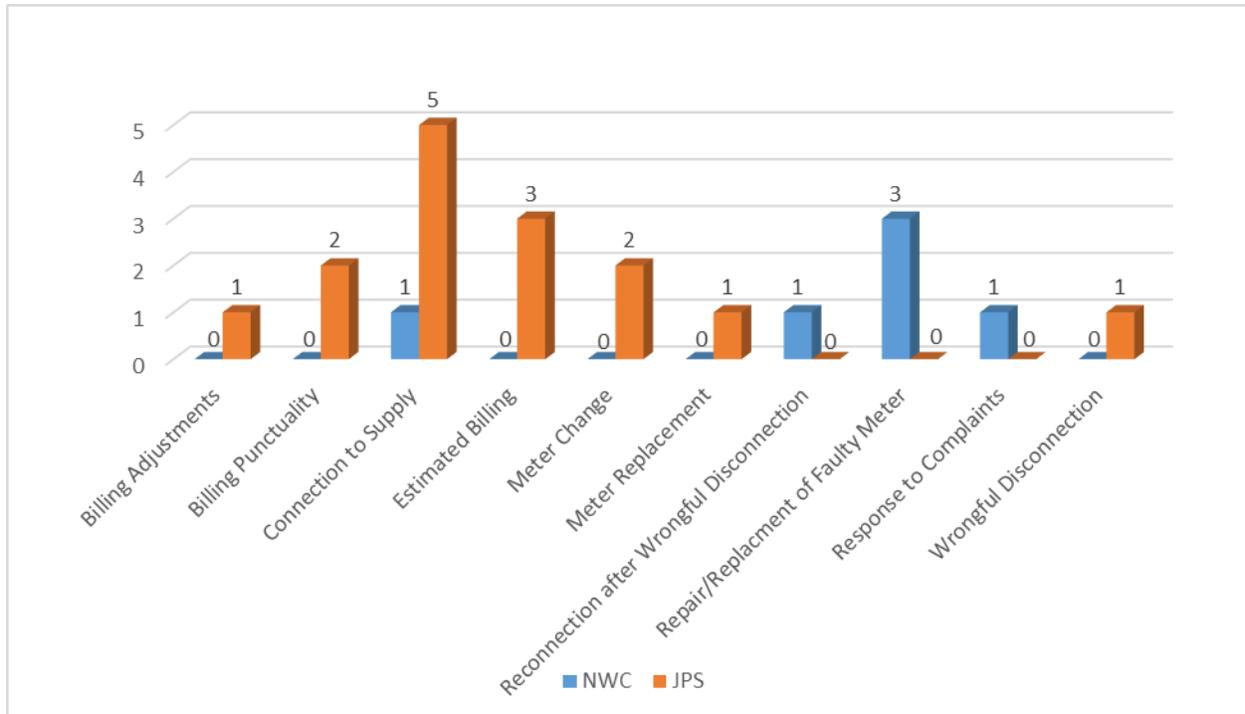
**NWC:** Compensation for a breach of a standard is four (4) times the applicable service charge OR six (6) times the service charge for those in the special compensation category. Where applicable, customers must submit their claims within 120 days of the breach. Breaches of individual standards will 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. Breaches of individual standards will attract compensation of up to eight (8) periods of non-compliance.

### (iii) Quarterly report of breaches

Twenty-one (21) contacts were received from JPS and NWC customers in relation to alleged breaches of the Guaranteed Standards, representing one percent (1%) of total contacts received. JPS and NWC accounted for 15 and six (6) contacts respectively.

As is seen in Figure 5, *Connection to Supply* accounted for the highest number of contacts in relation to alleged breaches of the Guaranteed Standards for JPS. For the NWC, *Repair/Replacement of Faulty Meter* accounted for the highest incidents in relation to alleged breaches of the Guaranteed Standards.

**Figure 5: Guaranteed Standards Contacts**

The Guaranteed Standards (GS) reports submitted by the JPS and NWC did not reflect the alleged incidents of breaches reported to the OUR. Accordingly, no compensatory payments were made by the service providers in relation to the contacts received by the OUR regarding GS breaches.

(iv) Utilities' performance on Guaranteed Standards

**JPS<sup>2</sup>**

JPS's compliance report on its Guaranteed Standards' performance indicated that 16,952 breaches were committed during the October – December quarter; representing a 9% decline when compared with the preceding period. These breaches attracted compensatory payments of approximately \$37.13 million. However, similar to the preceding two reporting periods, no compensatory payments were made to customers for these breaches. JPS advised that it continues to await the response from the Ministry

<sup>2</sup> In keeping with its License provisions, JPS advised that it has submitted a request to MSET for a suspension of the Guaranteed Standards and they are awaiting a response.

of Science, Energy and Technology (MSET) regarding its request to suspend the GS resulting from the island being designated a disaster area, due to the impact of Covid-19 since 2020 March.

JPS' GS compliance reports for 2020 indicate that a total of 64,548 breaches represents a 5% reduction in the number of breaches committed in 2019. Potential compensation associated with the 64,548 breaches was approximately \$140.1 million of which approximately \$28.1 (20%) million was paid. The remaining 80% of unpaid GS compensation was awaiting the decision from MSET on JPS' *force majeure* relief application.

The OUR is responsible for monitoring the performance of the service providers in relation to the GS, which includes ensuring that the relevant compensation is paid for breaches. Accordingly, during the review period, the OUR enquired about the status of MSET's decision on JPS' *force majeure* GS request to inform its decision on the outstanding JPS GS compensation payments. However, no response was received from MSET by the end of the review period.

*Estimated Bills* (which restricts JPS from sending more than two consecutive estimates without a penalty), *Estimation of Consumption* (which prescribes the methodology to be used to calculate estimated consumption) and *Connection to Supply* (which prescribes the time within which JPS is to make a simple connection) accounted for the highest incidents of breaches. These standards accounted for approximately 99% of breaches and compensatory payments, respectively.

### **NWC**

The NWC's Guaranteed Standards compliance report indicates that 504 breaches were committed during the review period, representing a 14% decrease when compared with the preceding period. These breaches had a potential pay-out of approximately \$1.9 million while actual payments amounted to approximately \$685,000 or 36% of total potential payments and were made by way of automatic credits to the affected accounts.

The remaining 64% of potential payments not made, represented those breaches for which the required claim forms were not submitted for validation.

The standards with the highest incidents of breaches for the NWC were: WGS 1 – Access/Service Connection (which requires NWC to connect a new supply within 10 working days); WGS 7 – Meter Installation (which stipulates that meters should be installed within 30 working days upon request); and WGS 10a – (which restricts the NWC from sending more than 2 consecutive estimated bills, where it has access to the meter). These three standards represented 66% of total breaches and potential payments.

Throughout 2020, the NWC GS report indicate that a total of 2,397 breaches were committed, which represents a 14% increase over in the number of breaches committed in 2019. Potential compensation for the 2,397 breaches was approximately \$8.61 million of which approximately \$2.6 million (30%) was paid. The remaining 70% of credits was not paid as the required claim forms were not submitted.

During the review period, the OUR reviewed and responded to a request from the NWC to suspend the following five GS: WGS 1 – Connection to Supply, WGS 7 – Meter Installation, WGS 8 – Repair and Replacement of Faulty Meters, WGS 10a – Meter Reading and WGS 11 – Reconnection after Overdue amounts.

In its response, the OUR advised the NWC that while it remains cognizant of the ongoing impact of the Covid-19 pandemic, the OUR must be guided by its duty to balance the needs of all stakeholders and to ensure the continued protection of consumers' interest. Accordingly, the decision was taken to disallow the suspension of the specified GS and instead, amend (extend) the performance timelines associated with each of the specified GS for the period 2020 November 1 – 2021 January 31.

## Chapter 4: Customer Contact Centre/Call Centre Performance Reports

In recognition of the important role of Customer Contact Centres (Call Centres) in customer service delivery, the OUR has deemed it necessary to include a report on the performance of the JPS and NWC Call Centres. Here, focus is placed on the Key Performance Indicators (KPIs) that indicate general customer satisfaction levels for NWC and JPS in this area.

### NWC:

During the review period, the NWC advised the OUR that it will be unable to submit the Call Centre report for the 2020 October – December quarter, as the entity had begun the process to relocate its Call Centre operation in-house. The Commission further advised that its inability to submit the report was due to delays with the acquisition of the required technology to facilitate the monitoring and reporting of the relevant performance metrics. Accordingly, Table 4 has not been updated to reflect the NWC’s Call Centre performance for the review period, 2020 October - December.

**Table 4: NWC’s Call Centre Performance**

		Performance (2020)		
<i>KPIs</i>	<b>KPI Definition</b>	<b>Jul - Sept</b>	Apr - Jun	Jan - Mar
<i>Percentage Service Level</i>	Percentage of calls answered within 30 seconds <sup>3</sup>	<b>51%</b>	57%	87%
<i>Maximum Delay</i>	Maximum time that caller waited in queue	<b>0:20:00</b>	0:19:30	0:18:45
<i>Average Length of Call (Call Handle Time)</i>	Average length of calls	<b>0:5:25</b>	0:06:01	0:5:57
<i>Percentage of Abandon Calls</i>	Percentage of calls not serviced	<b>12%</b>	8%	2%

<sup>3</sup> This represents the measure used by the NWC

**JPS:**

The review of JPS's Call Centre report showed a general decline in performance during the quarter when compared with the preceding 2020 periods. The report indicates a one-percentage point reduction, to 73%, in the percentage of calls answered within 20 seconds, when compared with the preceding period. This fell below the international standard of 80% and JPS's performance target of 82%. Also, JPS required an additional 1:11 seconds on average to complete calls while the percentage of abandoned calls remained at 24%, which was outside of the set target of 8% or less during the reporting period (see Table 5).

**Table 5: JPS Call Centre Performance**

		Performance 2020			
<i>KPIs</i>	KPI Definition	Oct - Dec	Jul - Sept	Apr - Jun	Jan - March
<i>Service Level Answer</i>	Percentage of calls answered within 20 seconds <sup>4</sup>	<b>73%</b>	74%	70%	88%
<i>Average Length of Call (Call Handle Time)</i>	Average length of calls <sup>5</sup>	<b>7:12</b>	6:01	5:50	4:23
<i>Percentage of Abandon Calls</i>	Percentage of calls not serviced <sup>6</sup>	<b>24%</b>	24%	24%	12%

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<sup>4</sup> Goal of 82% set by JPS

<sup>5</sup> Goal of no more than 5 minutes set by JPS

<sup>6</sup> Less than or equal to 8%

## Chapter 5: Notification of Planned Outages Report

As part of their agreed Quality of Service Standards, the JPS and NWC are required to submit reports relating to their performance in notifying customers within a specified timeline about planned outages. This standard is a part of the Overall Standards for JPS (EOS 1) and the performance targets for the NWC.

### **JPS:**

Under EOS 1, JPS is required to notify customers of planned outages, allowing at least 48 hours (2 days) advance notice. JPS reported a 79.5% compliance rating for this standard, which represents a 2.8 percentage point decline over the preceding period and 20.5 percentage points short of attaining the established target of 100%.

The OUR's Electronic Media Monitoring Report for the review period included reports about service interruption notifications sent by JPS.

### **NWC:**

The NWC performance targets provide for a 98% attainment rate for 12 hours' advance notification of planned service interruptions of a duration of no more than 4 hours. However, where a planned interruption is expected to be for more than four hours, the NWC is required to give advanced notice of at least 24 hours, at a 90% attainment rate.

Based on NWC's notifications to the public, the compliance target of 98% for 12 hours' advanced notification of planned outages of a duration of no more than 4 hours was not met, as the sole notification for disruptions less than four hours was not issued within the stipulated timeline.

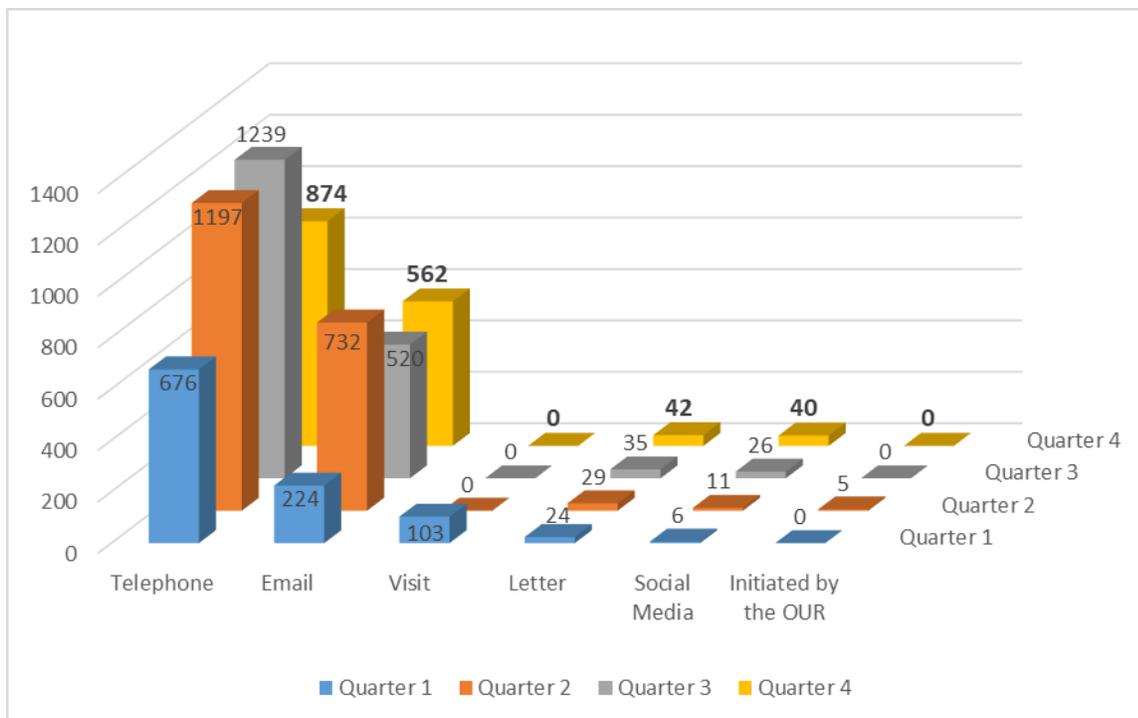
Similar to the preceding period, the NWC only attained a compliance rating of 58% to provide at least 24 hours' advance notice for disruptions of a duration greater than 4 hours. This compliance rating is 32 percentage points less than the established target. Of the 19 related notifications received, 11 were in compliance with the stated target.

The OUR's Electronic Media Monitoring Report for the review period advised of notifications issued by the NWC which alerted customers of scheduled service disruptions due to repairs of scheduled maintenance activities.

## Chapter 6: Customer Contact Distribution

At 58%, the telephone continued to be the most frequently used method for customers contacting the OUR. Emails followed with 37% while letters and social media contacts accounted for 3% and 2% respectively. Figure 6 provides further details.

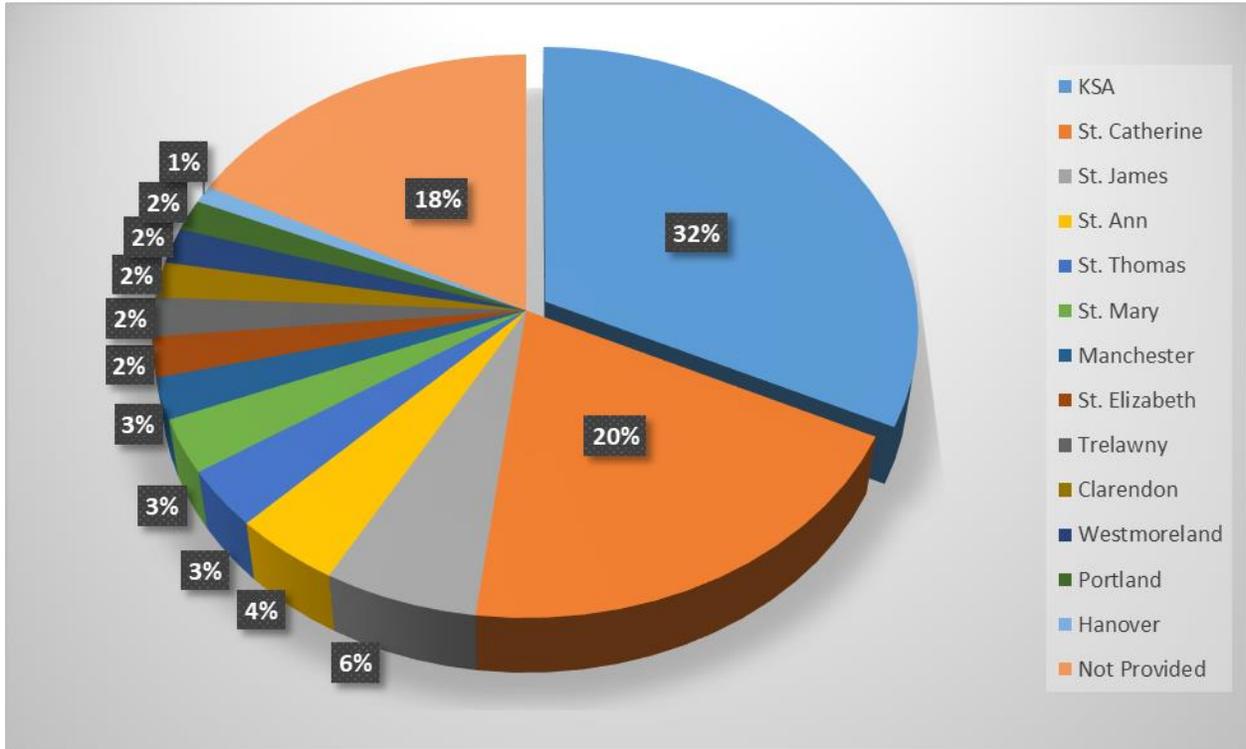
**Figure 6: Methods of Contact**



### Geographical Distribution of Contacts

At 32%, Kingston and St. Andrew continued to account for the highest number of total contacts. St. Catherine, St. James and St. Ann followed with 20%, 6% and 4% respectively. Manchester, St. Mary and St. Thomas each accounted for 3% while all other parishes each had a share of 2% or less. Eighteen percent (18%) 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 6: Appeals Performance

### (i) Closure of Appeals <sup>7</sup>

Twenty-seven (27) appeals were closed of which 22 (81%) were resolved in favour of the service provider, compromises were reached for two (7%), two (7%) were withdrawn by the customer while the remaining one (4%) was resolved in the customer's favour. Additionally, nineteen (70%) of the closed appeals were resolved within the established sixty-five (65) working days while the remaining 30% exceeded the established timeline.

### (ii) Outstanding Appeals <sup>8</sup>

At the end of the review period, eight (8) appeals remained outstanding, in that they exceeded the established 65 business days for resolution. Six (6) of the outstanding appeals are awaiting OUR's action while two were awaiting responses from JPS.

JPS accounts for six (6) of the outstanding appeals which relate to two (2) cases of equipment damage, one (1) property damage and three (3) billing related matters. The two outstanding NWC appeals are in relation to billing matters.

### Appeals Process Resolution Rate

Of the fourteen (14) new appeals that were accepted for investigation all relevant information for five (5) were received within the established timeline; five (5) responses were received outside of the established timelines; responses to two (2) remain outstanding while the timeline for the remaining two responses had not expired.

Final decisions were made and communicated to customers (by way of Final Letters), within the established 65 working days, for seven (78%) of the new appeals for which all information was received. Further details on the CAU's performance on some key Appeals Process activity are provided in Table 9.

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<sup>7</sup> Breakdown of Appeals Closures can be seen in Table 9

<sup>8</sup> Breakdown of Outstanding Appeals can be seen in Table 10

Sixty-four (64) new appeals were accepted for investigation in 2020 of which 40 - representing 63% - were resolved within the established 65 business days, based on receipt of all relevant information.

## Chapter 7: Consumer Affairs Highlights

### (i) Credits/Compensation

The total amounts secured for utility consumers, through CAU's intervention, for 2020 was \$59,261,019.16. JPS accounted for 98% while the remaining 2% of credits was shared among C&WJ, Columbus Communications (Flow), Digicel and the NWC.

### **OUR investigation into customers' complaints of high JPS bill**

During the review period, the OUR issued its report on the findings of its investigations into customers' complaints of high JPS bills since the 2020 March – April billing cycle. In its investigation of the customers' complaints, the OUR included an assessment of:

- i. The extent of the increase in customers' consumption in 2020 over 2019;
- ii. The impact of each billing component on total consumption charges; and
- iii. JPS' billing practices compliance level with existing quality control procedures.

The investigation generally found that the increases customers would have seen in their JPS bills would have resulted from a number of factors, which include: increased usage, increase in the Fuel & IPP rates for the particular billing period and/or an increase in the number of billing days. The OUR has reminded JPS that in keeping with our previously issued decision, the billing cycle for customers must not exceed 31 days.

## List of Tables: 2020 October - December

Table 6: Contact Activity Summary (All Utilities)

	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	Landline	Mobile				
<b>A</b>	<b>Contacts for the Quarter</b>														
(i)	New Appeals	7	11	0	0	0	0	0	0	0	0	0	0	0	18
(ii)	New Complaints	99	41	79	43	31	127	15	8	1	23	1	2	5	475
(iii)	New Enquires	118	61	8	5	7	12	4	2	0	2	0	1	6	226
(iv)	New Opinions	9	3	2	1	3	5	0	1	0	1	0	0	0	25
(v)	New Referrals	507	251	48	35	39	80	3	9	0	29	4	0	71	1076
	<b>Total Contacts</b>	<b>740</b>	<b>367</b>	<b>137</b>	<b>84</b>	<b>80</b>	<b>224</b>	<b>22</b>	<b>20</b>	<b>1</b>	<b>55</b>	<b>5</b>	<b>3</b>	<b>82</b>	<b>1820</b>
<b>B</b>	<b>Closure/Resolution of Appeals:</b>														
(i)	Compromise	0	1	0	0	0	0	0	0	0	0	0	0	0	1
(ii)	Resolved in Favour of the Customer	0	2	0	0	0	0	0	0	0	0	0	0	0	2
(iii)	Resolved in Favour of Utility	8	6	0	0	0	0	0	0	0	0	0	0	0	14
(iv)	Withdrawn by Customer	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	<b>Total Closures</b>	<b>9</b>	<b>9</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>0</b>	<b>18</b>
<b>C</b>	<b>Total Appeals from Previous Periods:</b>														
	<b>Outstanding Appeals with OUR</b>														
(i)	Undergoing Analysis/Determination	5	0	0	0	0	0	0	0	0	0	0	0	0	5
(ii)	Outstanding Appeals with Utility (Awaiting Responses)	2	3	0	0	0	0	0	0	0	0	0	0	0	5
	<b>Total Outstanding Appeals</b>	<b>7</b>	<b>3</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>0</b>	<b>10</b>

Table 7: Distribution of Contacts by Categories

Complaint Category	Service Providers								Total
	JPS	NWC	Digicel	C&WJ (FLOW)	Columbus Communications (Flow)	Small Telcoms Providers (Dekal Wireless, Noble Wi-Fi, XtriNet)	Small Water/Sewerage Providers (include: RBWC, St. Jago Hills)	OUR/Other (not utility related)	
Billing Matters	498	265	21	94	47	0	1	4	930
Broken Main	0	1	0	0	0	0	0	0	1
Customer Service	2	0	0	4	8	0	0	1	15
Defective Street Lights	3	0	0	0	0	0	0	0	3
Disconnection	31	7	0	16	15	0	0	0	69
Equipment Damage	26	0	0	0	0	0	0	0	26
Guaranteed Standards	23	7	0	0	0	0	0	0	30
Guaranteed Standards Query	5	0	0	0	0	0	0	0	5
Health & Safety	15	3	0	0	0	0	0	1	19
Illegal Connections	12	1	0	0	0	0	0	0	13
Interruption of Service	28	20	2	93	106	3	2	4	258
Irregular Supply	1	9	0	0	0	0	0	0	10
Leak at Meter	0	5	0	0	0	0	0	0	5
Metering	1	1	0	0	0	0	0	0	2
Mobile Credit Depletion	0	0	0	0	0	0	0	0	0
Number Portability	0	0	6	1	0	0	0	0	7
Other	42	30	14	20	14	0	0	71	191
Payment Arrangement	2	1	0	1	0	0	0	0	4
Phone Cards	0	0	0	0	0	0	0	0	0
Poor Service Quality	14	3	9	17	17	1	0	0	61
Property Damage	5	2	0	1	0	0	0	0	8
RAMI Service Connection & CDU	4	0	0	0	0	0	0	0	4
Reconnection	7	0	0	2	2	0	0	0	11
Rebate/Refund	3	1	0	14	19	0	0	1	38
Service Connection	12	6	3	15	13	1	0	0	50
Terms and Condition of Service	2	1	20	18	2	0	0	0	43
Unable to get through to Provider	4	3	1	4	3	0	0	0	15
Unavailability of Service - No Facility	0	1	0	1	0	0	0	0	2
<b>Total</b>	<b>740</b>	<b>367</b>	<b>76</b>	<b>301</b>	<b>246</b>	<b>5</b>	<b>3</b>	<b>82</b>	<b>1820</b>

Table 8: Annual Distribution of Contacts by Categories

Complaint Category	Review Periods (2020)				
	Jan - Mar	Apr - Jun	Jul - Sept	Current Quarter (Oct. - Dec.)	Total (Jan - Dec 2020)
Billing Matters	420	1128	930	631	3109
Broken Main	4	8	1	2	15
Customer Service	5	7	15	7	34
Defective Street Lights	3	3	3	1	10
Disconnection	28	63	69	51	211
Equipment Damage	16	16	26	29	87
Guaranteed Standards	21	24	30	21	96
Guaranteed Standards Query	3	7	5	5	20
Health & Safety	8	28	19	27	82
Illegal Connections	6	9	13	8	36
Interruption of Service	212	243	258	330	1043
Irregular Supply	11	20	10	6	47
Leak at Meter	7	2	5	8	22
Metering	3	1	2	0	6
Mobile Data Depletion	0	9	0	17	26
Number Portability	4	2	7	10	23
Other	111	173	191	191	666
Payment Arrangement	0	4	4	3	11
Phone Cards	0	2	0	0	2
Poor Service Quality	47	51	61	47	206
Property Damage	11	3	8	3	25
RAMI Service Connection & CDU	2	4	4	0	10
Reconnection	11	13	11	12	47
Rebate/Refund	45	50	38	38	171
Service Connection	22	19	50	27	118
Terms & Conditions of Service	30	64	43	30	167
Unable to get through to Service Provider	2	20	15	14	51
Unavailability of Service	1	1	2	0	4
<b>Total</b>	<b>1033</b>	<b>1974</b>	<b>1820</b>	<b>1518</b>	<b>6345</b>

Table 9: Distribution of Closed Appeals by Utilities

Appeal Category	Service Providers		Total
	JPS	NWC	
Billing Matters	5	18	23
Equipment Damage	2	0	2
Property Damage	2	0	2
<b>Total</b>	<b>9</b>	<b>18</b>	<b>27</b>

Table 10: Distribution of Appeals (Outstanding)

Appeal Category	Service Providers		Total
	JPS	NWC	
Billing Matters	3	2	5
Equipment Damage	2	0	2
Property Damage	1	0	1
<b>Total</b>	<b>6</b>	<b>2</b>	<b>8</b>

Table 11: CAU's Performance on Service Standards (New Appeals)

<b>Activity</b>	<b>Service Standards</b>	<b>% Compliance</b>	<b>Comment</b>
Acknowledgement of Appeals	Within 2 business days of receipt of customer's correspondence	100%	All fourteen (14) new appeals were acknowledged within the established timeline.
Case Letters/ Other Utility Contact	Within 5 business days of acknowledging customer's correspondence	93%	Thirteen (13) of 14 Case Letters 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	78%	Final responses were prepared and dispatched within the established timeline for seven (7) new appeals for which all relevant information was received.

### 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 from consumers who feel that particular action(s) of a utility service provider might have been in breach of their Terms and Conditions or might have been unfair to them. The OUR provides investigation for complaints as is necessary. Acceptance of complaints does not require submission of a written response from the service provider.
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.
Equipment Damage:	Damage caused to customers' equipment as a result of alleged action or inaction of their service provider.
Interruption of Service:	Where no service is provided, usually for an extended period.
Irregular supply:	Where service is not provided regularly and in keeping with the Terms and Conditions of Service/Contract.
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.

Refund:	Amounts credited to customers' accounts for breaches of the service provider's Terms and Conditions of Service/Contract
Resolution:	Where the OUR communicates its decision on customers' appeals and complaints
Resolution Rate:	The percentage of resolutions that are made within the established timelines

## 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

#### Process Timeline for General 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 <sup>9</sup>
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 (Five) working days
Review Response to F/U Case Letter	5 (Five) working days <sup>10</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
<b>Total</b>	<b>65 working days</b>

<sup>9</sup> 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.

<sup>10</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.

### Special Appeals

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.

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

### Recommended Service Levels

1. 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.
2. 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.
3. 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.
4. 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)
  - **Ninety-five (95) working days** for Equipment Damage Appeals (which do not require external consultation)
5. 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>11</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>

### Special Appeals

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 NWC 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.

Where necessary, an additional five (5) working days is allotted to the NWC 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 time to review Special Appeal from twenty (20) to fifteen (15) working days; thereby retaining the completion timeline for Special Appeals at 85 working days.

### Other Appeals Activities:

Monthly reports detailing the appeals for which the responses are outstanding will be generated and sent to the NWC. Where the responses/updates are not received within ten (10) working days of submission of the report, the matter will be escalated to the Vice President – Investment and Performance Monitoring, 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:

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<sup>11</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.

## 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 for General appeals**. **However, where necessary, the NWC 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 NWC being allotted a total of ten (10) working days to provide the response, from the date of the Follow-up Case Letter.**

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 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 6: List of Acronyms

Can Cara	-	Can Cara 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)
KSA	-	Kingston & St. Andrew
NWC	-	National Water Commission (Water & Sewerage Provider)
OUR	-	Office of Utilities Regulation
OURIC	-	Office of Utilities Regulation Information Centre
The Office	-	Comprises 6 members and is headed by a Chairman with the Director General serving as an <i>ex officio</i> member