
Office of Utilities Regulation

Consumer Affairs Unit

Quarterly Performance Report

2021 January - March

Publication Date: 2021 June 17



OFFICE OF UTILITIES REGULATION

36 Trafalgar Road, Kingston 10

Consumer Affairs Unit Quarterly Performance Report

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The Role and Objectives of the OUR

The Office of Utilities Regulation Act of 1995 established the Office of Utilities Regulation (**OUR**) as a body corporate. Under the Act, the OUR is charged with the responsibility of regulating the provision of utility services in the electricity, telecommunications and water and sewerage sectors. The objectives are to:

- Ensure that consumers of utility services enjoy an acceptable quality of service at 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.

Requests for additional details or any comments regarding this document should be directed to:

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Executive Summary

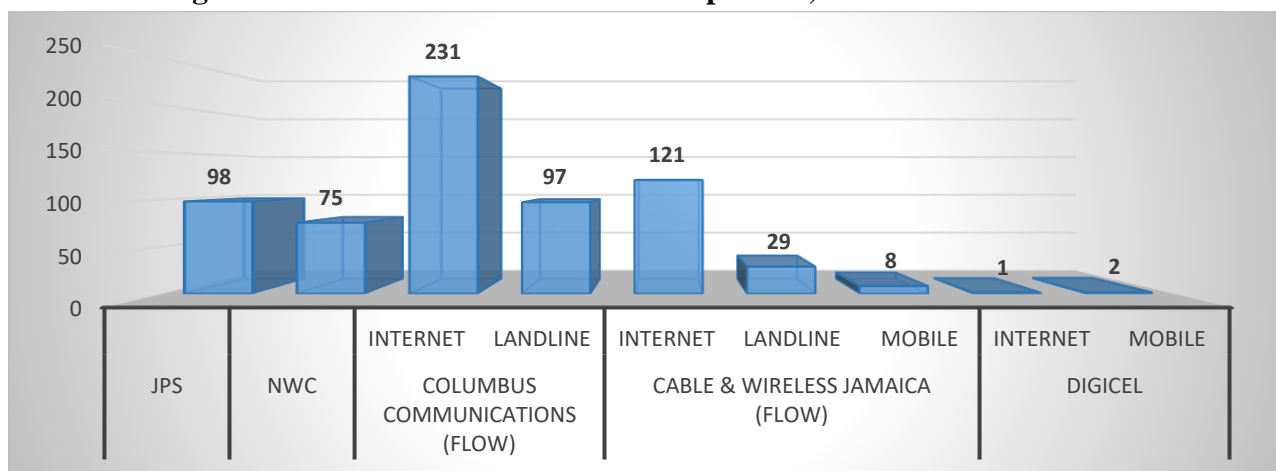
The CAU received 1,558 contacts during the 2021 January – March period, which represents a 3% increase over the preceding period. The data show increases in some categories of customer contact, compared to the preceding period, with the most significant being in the categories of: *Billing Matters* (30%), *Disconnection* (22%), *Rebate/Refund* (26%) and *Guaranteed Standards* (24%).

The following shows the distribution of contacts per service provider¹:

- Jamaica Public Service Company Ltd. (JPS) – 649 (42%)
- National Water Commission (NWC) – 361 (23%)
- Cable & Wireless Jamaica Ltd. (Flow) – 227 (15%)
- Columbus Communications (Flow) – 206 (13%)
- Digicel – 49 (3%)
- Private water and/or sewerage providers Can-Cara Development Ltd. and DEML; small telecommunications provider Dekal Wireless and Other (Not Utility Provider Related) – 66 (4%).

While JPS at 649, accounted for the most contacts, Figure 1 shows that Columbus Communications (Flow) accounted for the highest number – at 231 per 100,000 – in proportion to its internet customer base.

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

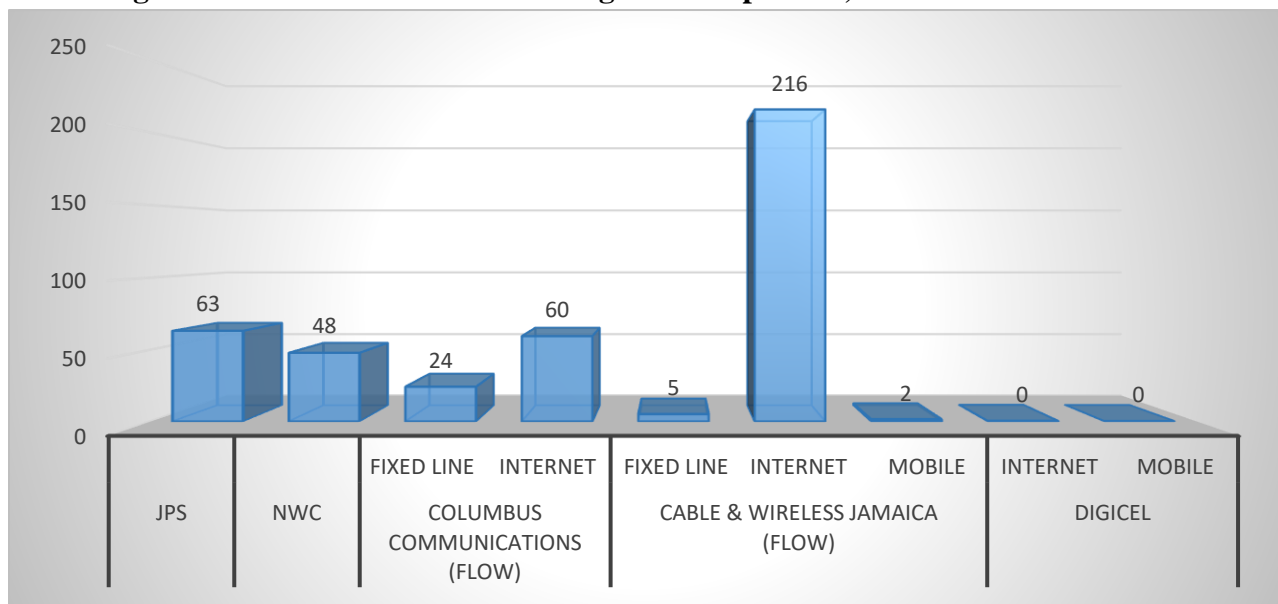


¹ Details on contact distribution per service provider can be seen in Table 4 on page 24.

Billing matters, at 53%, continued to be the main reason utility consumers contact the CAU, representing an eleven-percentage point increase over the preceding period. JPS and NWC with 419 (27%) and 288 (18%) of contacts respectively, accounted for the highest number of billing related matters.

As is shown in Figure 2, C&WJ (Flow) internet service, at 216, accounted for the highest number of billing related contacts per 100,000 of its customer base. JPS and Columbus Communications (Flow) followed with 63 and 60 contacts per 100,000 of their customer bases respectively.

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



In keeping with the usual trend, service interruption issues, at 12% of total contacts, remained the second highest reason for customer contact to the CAU.

Chapter 1: Utilities' Responsiveness

(i) Acknowledgements

Seventeen (17) new appeals were accepted for investigation during the January to March period with JPS and NWC accounting for six (6) and eleven (11) 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 1, all (100%) JPS acknowledgements were received within the agreed timeline. The NWC attained an 82% percent rating as only nine of the 11 acknowledgements were received within the agreed timeline.

Table 1: Acknowledgement within Standard (5 business days)

<i>Quarters (2021)</i>	JPS	NWC
<i>January - March</i>	100%	82%

(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 2, JPS attained a perfect score by providing responses to all six Case Letters within the agreed timeline. For the NWC, five of the 11 responses were due within the reporting period, of which three (3), or 60%, were received within the agreed timeline.

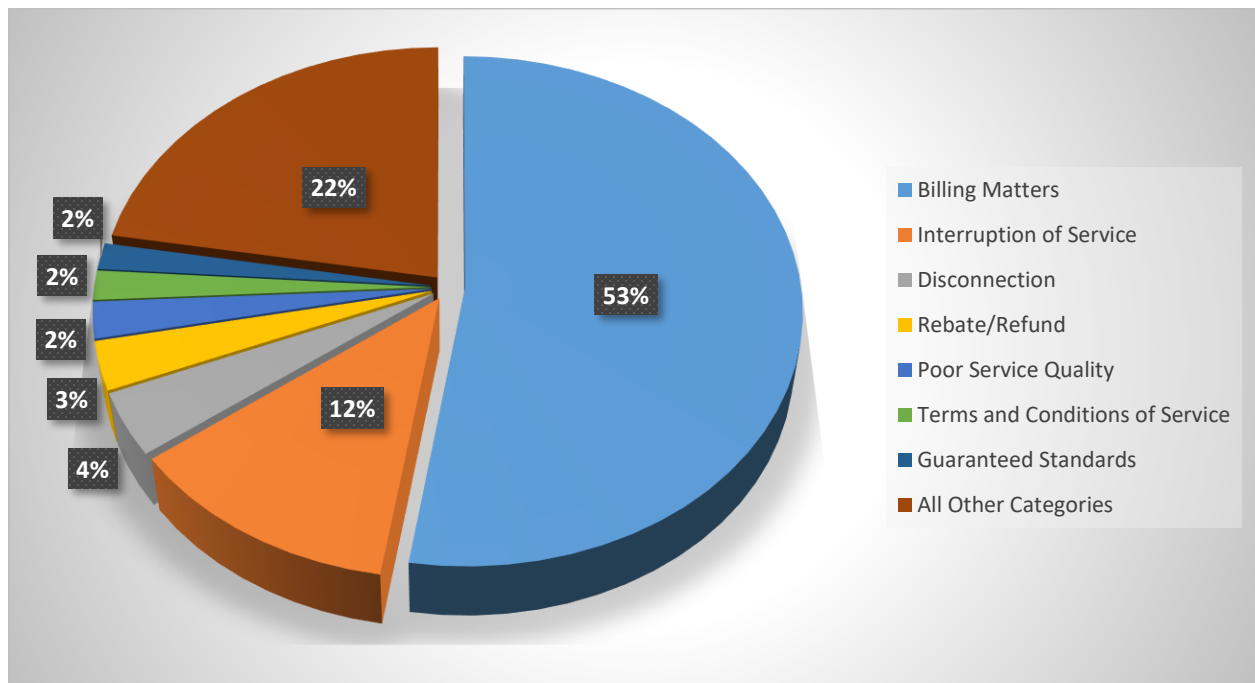
Table 2: Response to case letters within standard (30 business days)

<i>Quarters (2021)</i>	JPS	NWC
<i>January - March</i>	100%	60%

Chapter 2: Main Customer Concerns

The main reasons for utility customers contacting the CAU related to: billing, interruption of service, disconnection, rebate/refund, poor service quality, and terms and conditions of service, (Figure 3). Further details on all contacts distributed per category are provided in Table 5.

Figure 3: Main Concerns



(i) Billing

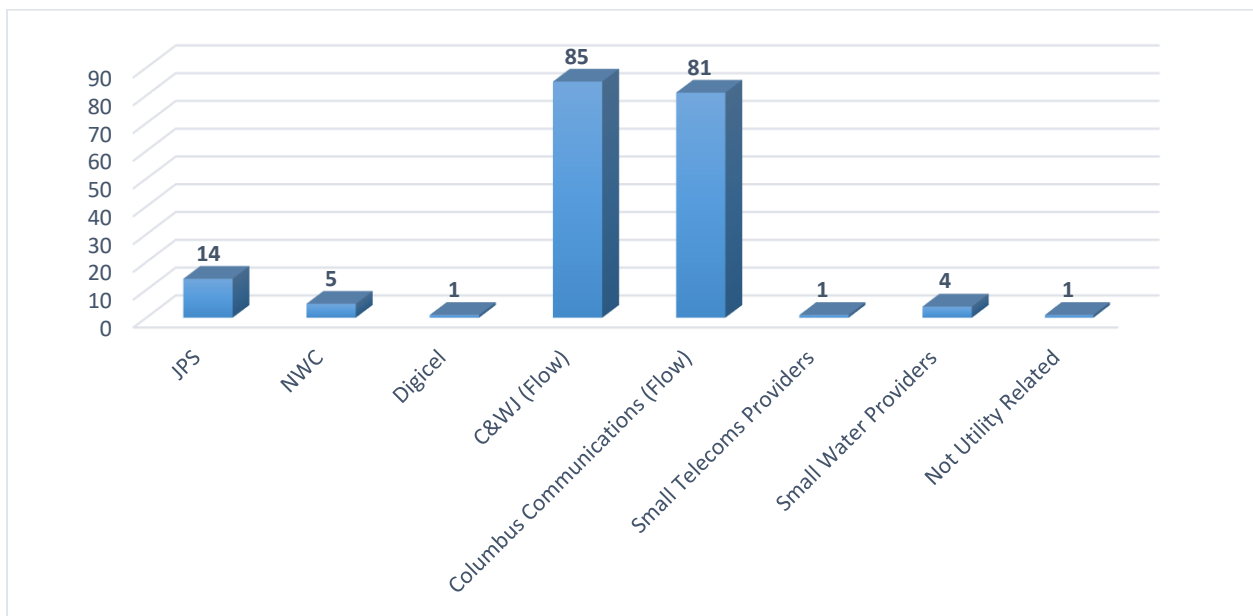
Billing matters continued to be the main reason for customer contact during the review period, and complaints in this category increased by eleven percentage points, to 53% of total contacts received over the preceding period. These matters included high consumption, disputed charges, adjustments to customers' accounts, estimated billing, and billing punctuality.

JPS and NWC continued to account for the most billing contacts with 419 (27%) and 288 (18%) respectively. Columbus Communications (Flow) and C&WJ (Flow) accounted for 53 (3%) and 42 (3%) respectively, while Digicel, Private Water Providers and contacts not utility related, accounted for the remaining 16 (2%).

(ii) Interruption of Service

Service interruption contacts decreased by ten percentage points, to 12%, when compared with the preceding quarter. As seen in Figure 4, C&WJ (Flow) and Columbus Communications (Flow) with 85 (5%) and 81 (5%) respectively, accounted for the highest number of related contacts. All other services providers: JPS, NWC, Digicel, Dekal Wireless, Small Water Providers and Other/Not Utility Related shared the remaining 2% of contacts.

Figure 4: Quarterly service interruption contacts



(iii) Disconnection

Contacts relating to disconnection increased by two percentage points, to 4%, over the previous period. JPS, at 3%, account for the highest share of disconnection contacts while NWC, Digicel, C&WJ (Flow) and Columbus Communications (Flow) shared the remaining 1%.

(iv) Rebate/Refund

Requests for rebates/refunds saw a one percentage point increase, to 3%, of total contacts when compared to the preceding period. C&WJ (Flow) and Columbus Communications (Flow) each accounted for 1% while the remaining 1% was shared among JPS, NWC and Digicel.

(v) Poor Service Quality

Poor service quality contacts declined by one percentage point, to 2%, over the preceding period with JPS and Columbus Communications (Flow) having a share of 1% each.

(vi) Terms and Conditions of Service

Contacts about changes made by service providers to the Terms and Conditions of Service (Contract Terms) remained at 2% when compared to the preceding period. Telecommunications providers C&WJ (Flow) and Digicel each had an equal share of 1%.

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?

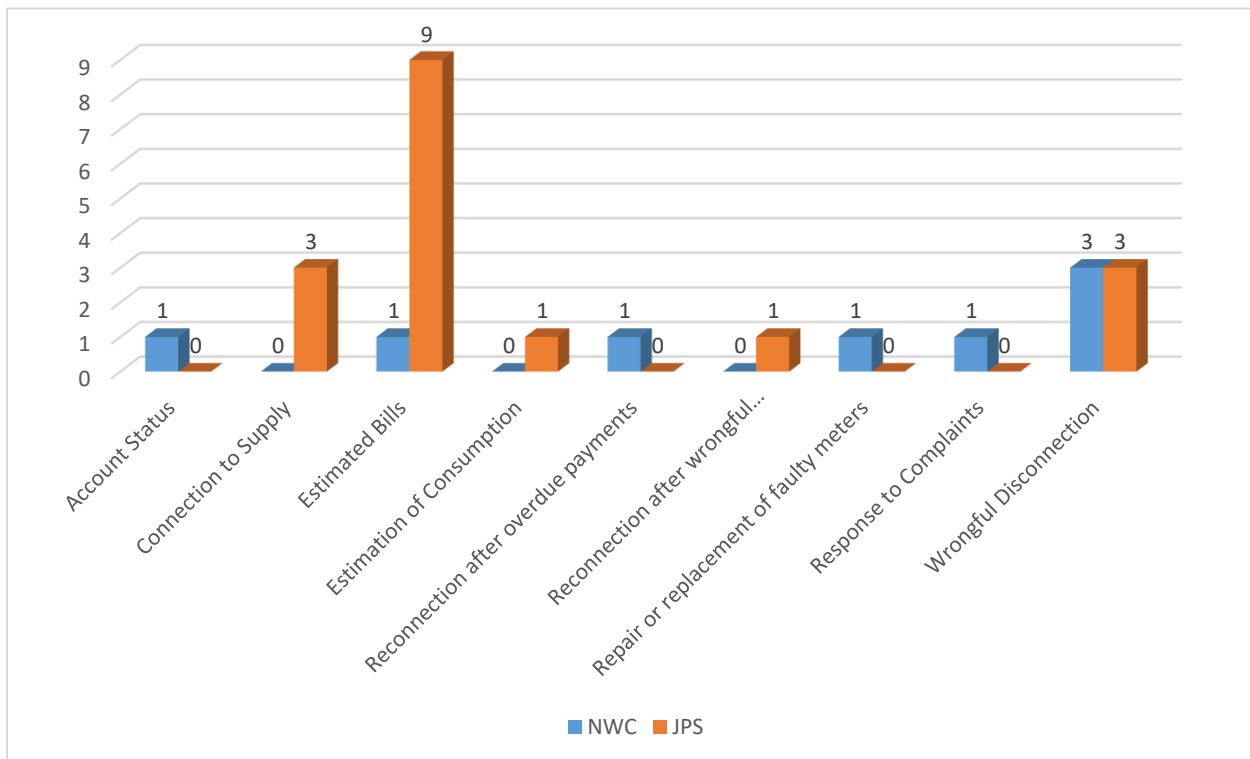
NWC: Compensation for a breach of a standard is four (4) times the applicable service charge OR six (6) times the service charge for those in the special compensation category. Where applicable, customers must submit their claims within 120 days of the breach. Breaches of individual standards will attract 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-five (25) contacts were received from JPS and NWC customers in relation to alleged breaches of the Guaranteed Standards, representing two percent (2%) of total contacts received. JPS and NWC accounted for seventeen (17) and eight (8) contacts respectively.

As is seen in Figure 5, *Estimated Bills* accounted for the highest number of contacts in relation to alleged breaches of the Guaranteed Standards for JPS. For the NWC, *Wrongful Disconnection* 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

JPS²

JPS's compliance report on its Guaranteed Standards' performance indicated that 16,823 breaches were committed during the January - March quarter; representing a 1% reduction compared with the preceding period. These breaches attracted compensatory payments of approximately \$37.3 million. However, no compensatory payments were made for the breaches. JPS advised that it continues to await the response from the Ministry of Science, Energy and Technology (MSET) regarding its

²JPS advised that it has submitted a request to MSET for a reconsideration of its decision regarding the suspension of the Guaranteed Standards and they are awaiting a response.

request for MSET to reconsider its decision on JPS' request to suspend the Guaranteed Standards resulting from the island being designated a disaster area due to the impact of Covid-19 since 2020 March. Accordingly, based on JPS' GS compliance reports for the period 2020 April 1 – 2021 March 31, compensation payments for 68,300 breaches, amounting to approximately \$149.3 million, remains outstanding.

Similar to the previous period, *Estimated Bills* (which restricts JPS from sending more than two consecutive estimates without a penalty), *Connection to Supply* (which prescribes the time within which JPS is to make a simple connection) and *Reconnection* (which requires that JPS restores supply with 24 hours of payment of overdue amounts) 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 602 breaches were committed during the review period, representing a 19% increase when compared with the preceding period. These breaches had a potential pay-out of approximately \$2.25 million while actual payments amounted to approximately \$719,297.8 or 32% of total potential payments and were made by way of automatic credits to the affected accounts. The remaining 68% 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); WGS 8 - Meter Repair/Replacement (which stipulated that defective meters are to be verified, repaired/replaced within 20 working days) and WGS 10a – (which restricts the NWC from sending more than 2 consecutive estimated bills, where it has access to the meter). These four standards represented 92% of total breaches and 91% of total potential payments.

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:

The NWC advised the OUR that it continues to experience challenges with the technology acquired to facilitate the monitoring and reporting of its Call Centre performance metrics. Accordingly, it is unable to provide the Call Centre report for the reporting period.

JPS:

The review of JPS' Call Centre report continued to show a general decline in performance during the reporting period when compared with the preceding period. The report indicates that JPS required an additional 19 seconds on average to handle calls while there was an eight-percentage point reduction, to 65%, in the percentage of calls answered within 20 seconds (Service Level Answer) when compared with the preceding period. This Service Level Answer performance fell below the international standard of 80% and JPS' performance target of 82%. However, performance on the percentage of abandoned calls saw a seven percentage point improvement, at 17%, when compared to the preceding period, but continued to exceed the set target of 8% or less (see Table 3).

Table 3: JPS Call Centre Performance

Performance 2021

<i>KPIs</i>	KPI Definition	Jan - Mar
<i>Average Talk Time</i>	Average time spent talking to customers	N/A

<i>Average Length of Calls (Call Handle Time)</i>	Combination of Average Talk Time, Average After Call Work and Hold Time ³	7:31
<i>Percentage of Abandoned Calls</i>	Percentage of calls not serviced ⁴	17%
<i>Service Level Answer</i>	Percentage of calls answered within 20 seconds ⁵	65%

³ Goal of no more than 5 minutes set by JPS

⁴ Less than or equal to 8%

⁵ Goal of 82% set by JPS

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 provide 48 hours (2 days) notice to customers of planned outages. JPS reported an 85.4% compliance rating for this standard, which represents a 5.9 percentage point increase over the preceding period and 14.6 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.

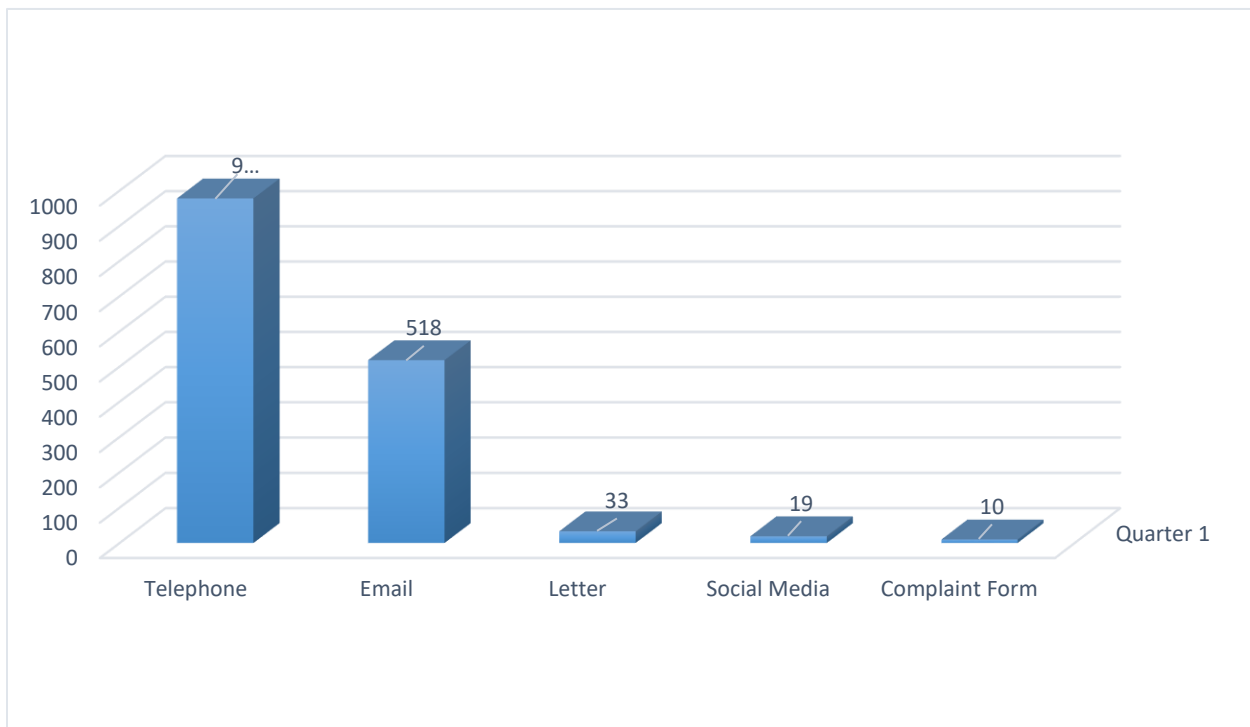
Based on NWC's notifications to the public, the compliance target of 98% for 12 hours' advanced notification of planned outages of a duration of no more than 4 hours was met, as the two notification for disruptions less than four hours were issued within the stipulated timeline.

For notifications greater than four hours, the NWC attained a compliance rating of 89% to provide at least 24 hours' advance notice, missing the established target by 1%. Of the 37 related notifications received, 33 were in compliance with the stated target.

Chapter 6: Customer Contact Distribution

At 63%, the telephone continued to be the most frequently used method for customers contacting the OUR. Emails followed with 33% while letters, social media contacts and Complaints Forms accounted for the remaining 4%. Figure 6 provides further details.

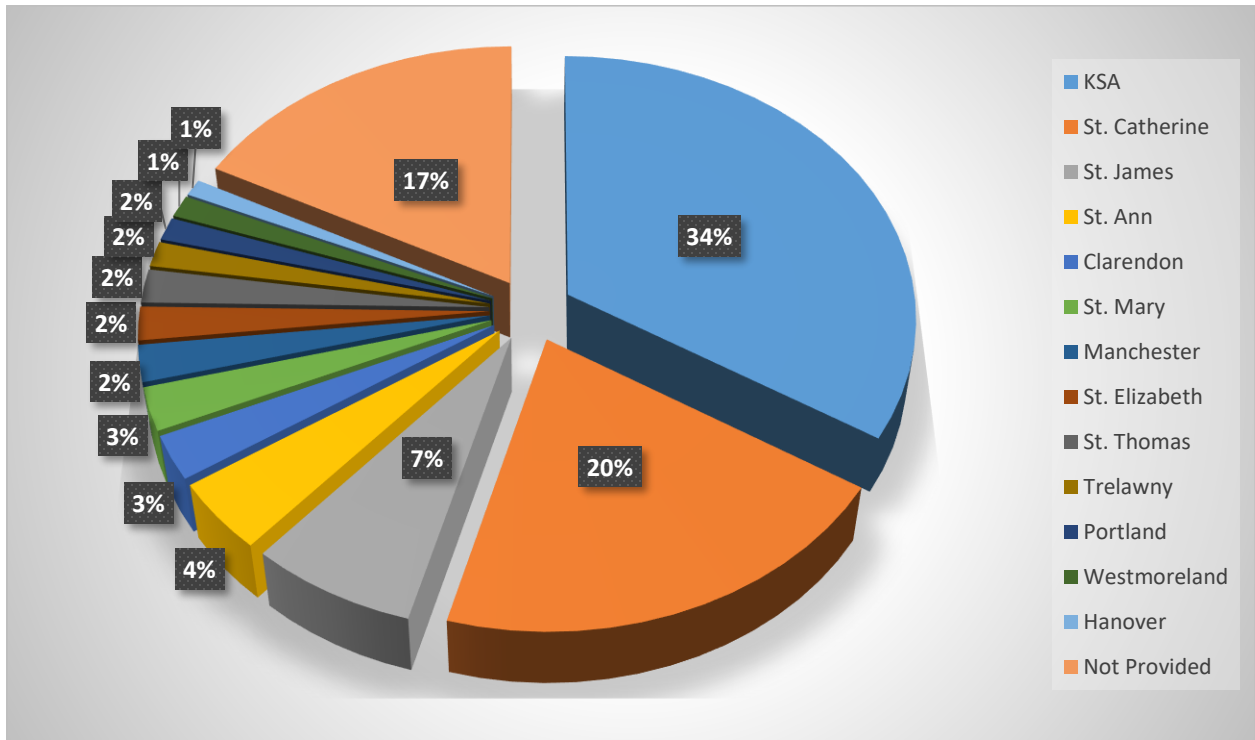
Figure 6: Methods of Contact



Geographical Distribution of Contacts

At 34%, Kingston and St. Andrew continued to account for the highest number of total contacts. St. Catherine, St. James and St. Ann followed with 20%, 7% and 4% respectively. Clarendon and St. Mary each accounted for 3% while all other parishes each had a share of 2% or less. Seventeen percent (17%) 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 Appeals⁶

Nineteen (19) appeals were closed. Fourteen (or 74%) were resolved in favour of the service provider, compromises were reached for four (21%), while the remaining one (5%) was resolved in the customer's favour. Additionally, eleven (58%) of the closed appeals were resolved within the established sixty-five (65) working days while the remaining 42% exceeded the established timeline.

(ii) Outstanding Appeals⁷

At the end of the review period, six (6) appeals remained outstanding, in that they exceeded the established 65 business days for resolution. Five (5) of the outstanding appeals are awaiting OUR's action with the remaining one awaiting the NWC's response.

JPS accounts for four (4) of the outstanding appeals which relate to two (2) cases of equipment damage, one (1) property damage and one (1) billing related matter. The two outstanding NWC appeals are in relation to billing matters.

Appeals Process Resolution Rate

Of the seventeen (17) 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 while the timeline for the remaining seven (7) responses had not expired.

Of the ten appeals for which all information was received, final decisions were made and communicated to customers (by way of Final Letters) for eight (80%) within the established 65 working days. Further details on the CAU's performance on some key Appeals Process activity are provided in Table 8 (see Appendix).

⁶ Breakdown of Appeals Closures can be seen in Table 6

⁷ Breakdown of Outstanding Appeals can be seen in Table 7

Chapter 7: Consumer Affairs Highlights

(i) Credits/Compensation

Resulting from the intervention of the OUR's Consumer Affairs Unit, \$262,998.04 was secured for utility customers. Of this amount, the NWC paid out the highest share of \$161,700.62 (61%) while C&WJ (Flow) followed with \$37,027.30 (14%). Columbus Communications (Flow) and JPS accounted for \$31,763.43 (12%) and \$32,506.69 (12%) respectively.

(ii) OUR's Recommendation to MSET regarding JPS' Guaranteed and Overall Standards *Force Majeure* Application

During the review period, the OUR received a request from the Ministry of Science, Energy and Technology (MSET) to review JPS' Application for *force majeure* relief from the Guaranteed Standards (GS) and the Overall Standards (OS). In keeping with its license provisions, JPS submitted the Application to MSET due to the impact of the Covid-19 pandemic on its operations.

Based on the analysis conducted, the OUR's recommendations regarding the specified GS and OS, for which information justifying the request was provided, were as follows:

- **EGS 1 (New Installations)** - consideration should be given to the grant of relief from compliance but only for the period 2020 March 13 – June 30;
- **EGS 7 (Estimated Bills)** - consideration should be given for relief from compliance with EGS 7 in 2020 March only. However, JPS accounts with smart meters should be excluded from the grant of *force majeure* relief for EGS 7; and
- **GS Compensatory Payments** – the OUR noted that JPS has not paid its customers the requisite compensation for Guaranteed Standards breaches since 2020 March 13. Upon notification of the Minister's decision on JPS' Application, the OUR will instruct JPS to immediately pay affected customers the requisite compensation for all incidences of Guaranteed Standards breaches since 2020 March 13, for which no *force majeure* relief is allowed. JPS will also be required to pay compensation up to the eight (8) periods of non-compliance applicable to all Guaranteed Standards breaches, which are not included in the *force majeure* relief granted.

- **EOS 3 (System Average Interruption), EOS 4 (System Average Interruption Index), EOS 5 (Customer Average Interruption Duration Index) and Q-Factor Requirements** - the OUR is of the view that the request for relief from the performance requirements of EOS3, EOS4, EOS5 and the relevant Q-Factor requirements, are NOT justified at this time. Accordingly, the OUR is recommending that this request should NOT be allowed.
- **System Losses** - Based on the requirements of the Licence, adjustments for the Y-Factor is performed at each annual review using the relevant losses targets set at the five-year Rate Review. During the recently concluded 2019-2024 Rate Review process, the OUR revised its initial system losses targets based on updated losses projections from JPS, which took into account the impact of the COVID-19 pandemic. These losses targets are reflected in the JPS 2019-2024 Rate Review Determination Notice dated 2020 December 24, which became effective 2020 December 28. Based on this intervention, there is no need to introduce additional relief measures and as such, relief from the system losses target should not be allowed.

MSET accepted our recommendations and communicated same to JPS during the review period. However, JPS has advised that it has asked the Minister to reconsider the decision. It is awaiting a response.

List of Tables: 2021 January – March

Table 4: Contact Activity Summary (All Utilities)

	Description	JPS	NWC	C&WJ (FLOW)			Columbus		Digicel			Small Telecoms Provider	Small Water Provider	OUR/Other (Not Utility Provider)	Total
				Internet	Landline	Mobile	Internet	Landline	Internet	Landline	Mobile				
A	Contacts for the Quarter														
(i)	New Appeals	6	11	0	0	0	0	0	0	0	0	0	0	0	17
(ii)	New Complaints	104	40	55	39	23	120	16	8	1	11	1	1	4	423
(iii)	New Enquires	93	56	14	4	6	8	1	2	0	4	0	3	3	194
(iv)	New Opinions	4	4	0	0	1	1	1	0	0	1	0	2	2	16
(v)	New Referrals	442	250	26	23	36	53	6	3	0	19	0	4	46	908
	Total Contacts	649	361	95	66	66	182	24	13	1	35	1	10	55	1558
B	Closure/Resolution of Appeals:														
(i)	Compromise	3	1	0	0	0	0	0	0	0	0	0	0	0	4
(ii)	Resolved in Favour of the Customer	1	0	0	0	0	0	0	0	0	0	0	0	0	1
(iii)	Resolved in Favour of Utility	5	9	0	0	0	0	0	0	0	0	0	0	0	14
	Total Closures	9	10	0	0	0	0	0	0	0	0	0	0	0	19
C	Total Appeals from Previous Periods:														
	Outstanding Appeals with OUR														
(i)	Undergoing Analysis/Determination	4	1	0	0	0	0	0	0	0	0	0	0	0	5
(ii)	Outstanding Appeals with Utility (Awaiting Responses)	0	1	0	0	0	0	0	0	0	0	0	0	0	1
	Total Outstanding Appeals	4	2	0	0	0	0	0	0	0	0	0	0	0	6

Table 5: Distribution of Contacts by Categories

Complaint Category	Service Providers								Total
	JPS	NWC	Digicel	C&WJ (FLOW)	Columbus Communications (Flow)	Small Telecoms Providers (Dekal Wireless)	Small Water/Sewerage Providers (include: RBWC, St. Jago Hills)	OUR/Other (not utility related)	
Billing Matters	419	288	10	42	53	0	2	4	818
Broken Main	0	4	0	0	0	0	0	0	4
Customer Service	1	1	0	0	2	0	0	0	4
Defective Street Lights	1	0	0	0	0	0	0	0	1
Disconnection	39	8	2	8	5	0	0	0	62
Equipment Damage	25	0	0	0	0	0	0	0	25
Guaranteed Standards	18	8	0	0	0	0	0	0	26
Guaranteed Standards Query	8	0	0	0	0	0	0	0	8
Health & Safety	8	3	0	0	0	0	2	1	14
Illegal Connections	6	1	0	0	0	0	0	0	7
Interruption of Service	14	5	1	85	81	1	4	1	192
Irregular Supply	2	5	0	0	0	0	0	0	7
Leak at Meter	0	7	0	0	0	0	0	0	7
Metering	3	2	0	0	0	0	0	0	5
Number Portability	0	0	1	4	1	0	0	0	6
Other	54	21	12	20	22	0	2	46	177
Payment Arrangement	3	2	0	0	0	0	0	0	5
Prepaid Phone Credit	0	0	6	14	0	0	0	0	20
Phone Credit Depletion	0	0	0	12	0	0	0	0	12
Poor Service Quality	10	0	5	6	15	0	0	0	36
Property Damage	1	1	0	0	0	0	0	1	3
Pre-paid Metering Service	3	0	0	0	0	0	0	0	3
Reconnection	6	1	0	1	1	0	0	0	9
Rebate/Refund	4	1	2	20	21	0	0	0	48
Service Connection	14	0	0	0	3	0	0	0	17
Terms and Condition of Service	3		10	13	1	0	0	2	29
Unable to get through to Provider	7	3	0	2	1	0	0	0	13
Total	649	361	49	227	206	1	10	55	1558

Table 6: Distribution of Closed Appeals by Utilities

Appeal Category	Service Providers		Total
	JPS	NWC	
Billing Matters	7	10	17
Equipment Damage	2	0	2
Total	9	10	19

Table 7: Distribution of Appeals (Outstanding)

Appeal Category	Service Providers		Total
	JPS	NWC	
Billing Matters	1	2	3
Equipment Damage	2	0	2
Property Damage	1	0	1
Total	4	2	6

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

Activity	Service Standards	% Compliance	Comment
Acknowledgement of Appeals	Within 2 business days of receipt of customer's correspondence	100%	All seventeen (17) new appeals were acknowledged within the established timeline.
Case Letters/ Other Utility Contact	Within 5 business days of acknowledging customer's correspondence	100%	All seventeen (17) 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	80%	Final responses were prepared and dispatched within the established timeline for eight (8) new appeals for which all relevant information was received.

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Appendices

Appendix I: Definition Of Terms Used In Documenting Customer Contacts

Appeal:	Any contact in which the utility company has completed an investigation into a customer's complaint, the customer remains dissatisfied with the outcome and writes to the OUR asking for an independent investigation of the matter.
Complaint:	Any contact 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 ⁸
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 ⁹
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

⁸ 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 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

<u>Description</u>	<u>Timelines</u>
Acknowledging correspondence & Assigning Appeal	2 working days
Case Letter Preparation	5 working days

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

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:

¹⁰ 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