
Office of Utilities Regulation

Consumer Affairs Unit

Quarterly Performance Report

2021 October - December

Publication Date: 2022 April 5



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 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 to promote 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 utility 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 utility 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 OUR's 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

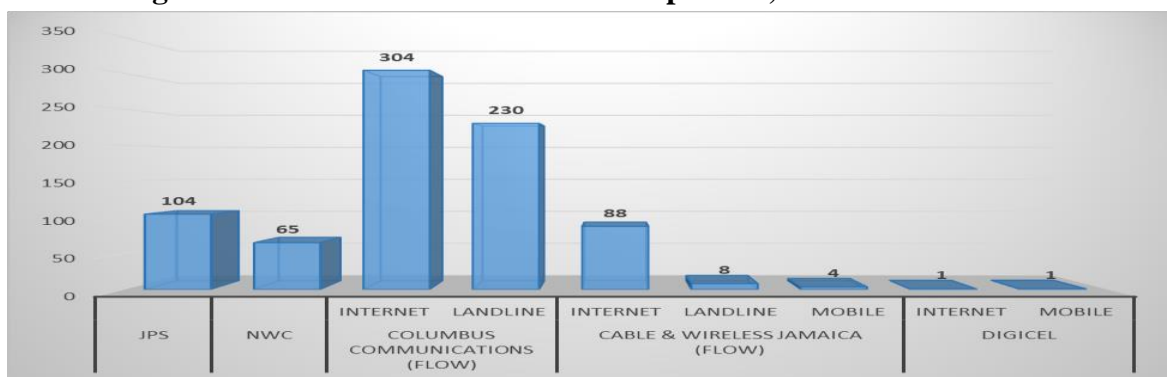
The 2021 October – December period saw the CAU receiving 1,514 contacts, which represents a 29% increase when compared with the preceding period. The data show that the most significant increases were seen in the complaint categories of: *Disconnection* (164%), *Terms and Conditions of Service* (54%), *Billing Matters* (39%), *Poor Service Quality* (19%), and *Rebate/Refund* (2%). The complaint category of *Interruption of Service* saw a 1% decrease over the preceding period.

The following shows the distribution of contacts per service provider¹:

- Jamaica Public Service Company Ltd. (JPS) – 692 (46%)
- National Water Commission (NWC) – 311 (21%)
- Columbus Communications (Flow) – 297 (20%)
- Cable & Wireless Jamaica Ltd. (Flow) – 118 (8%)
- Digicel – 33 (2%)
- Private water and/or sewerage providers Dynamic Environmental Management Ltd. and Runaway Bay Water Company Ltd; small telecommunications providers Dekal Wireless and Other (Not Utility Provider Related) – 63 (3%).

While JPS at 692, accounted for the most contacts, Figure 1 shows that Columbus Communications (Flow) accounted for the highest number – at 304 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 10 on page 30.

A total of 5,771 contacts were received in 2021, which represents a 9% decrease over the prior year. As is seen in Table 1, Private/Small Telecommunications Service Providers (-81%), C&WJ - Flow (-48%), Digicel (-41%), and Other/Not OUR related (-14%), accounted for the highest percentage decreases in the total contacts received in 2021 over 2020.

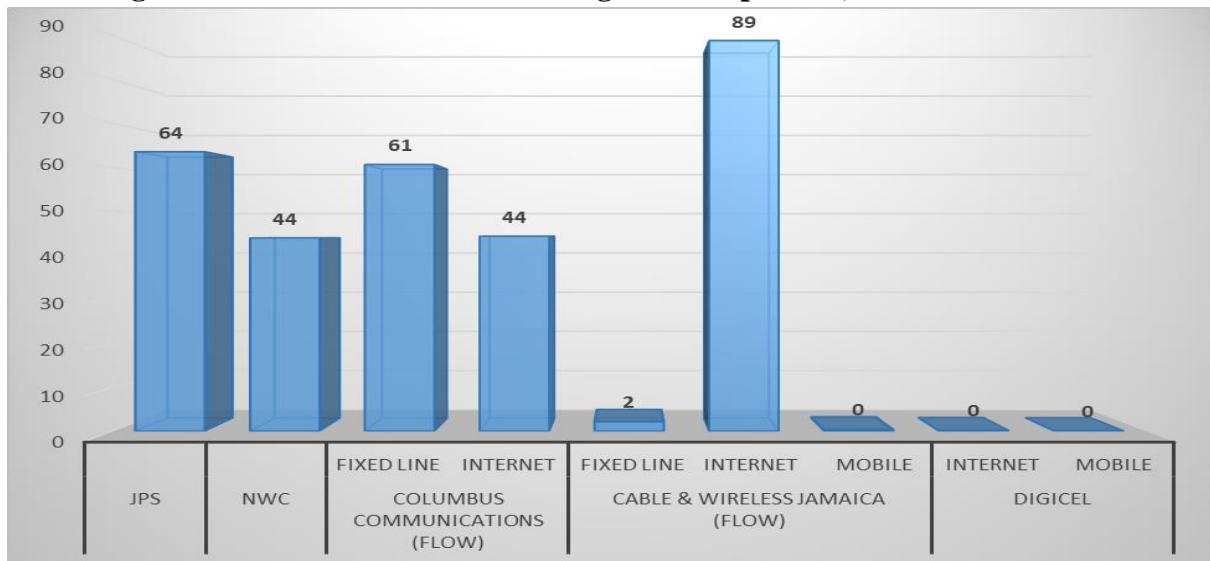
Table 1: Service Providers Contact Summary 2021 vs 2020

Service Providers	Review Periods				Total (Jan - Dec 2021)	Total 2020	% Change
	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec			
JPS	649	632	496	692	2,469	2,448	1%
NWC	361	397	273	311	1,342	1,253	7%
C&WJ (FLOW)	227	155	107	118	607	1,167	-48%
Columbus Communications (Flow)	206	229	202	297	934	879	6%
Digicel	49	47	46	33	175	297	-41%
Small Telecommunications Providers	1	2	1	1	5	27	-81%
Small Water Providers	10	5	3	4	22	21	5%
Other/ Not Utility Provider Related	55	59	45	58	217	253	-14%
Total	1,558	1,526	1,173	1,514	5,771	6,345	-9%

Billing matters, at 47%, continued to be the main reason utility consumers contact the CAU, representing a four-percentage point increase over the preceding period. JPS and NWC with 421 (28%) and 209 (14%) of contacts respectively, accounted for the highest number of billing-related matters. For 2021, billing matters accounted for 48% of total contacts. Details on the contact categories for the year are provided in Table 12, Appendix I.

As shown in Figure 2, C&WJ (Flow) internet service, at 89, accounted for the highest number of billing-related contacts per 100,000 of its customer base. JPS and Columbus Communications – fixed line service - followed with 64 and 61 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 15% of total contacts, remained the second highest reason for customer contact to the CAU and accounted for 14% of total contacts throughout 2021.

Chapter 1: Utilities' Responsiveness

(i) Acknowledgements

During the review period, eleven (11) new appeals were accepted for investigation, with JPS and NWC accounting for six (6) and five (5) 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, JPS was fully compliant in attaining the acknowledgement target throughout 2021. For the NWC, acknowledgements were received for three out of the five Case Letters sent during the review period, representing a 60% compliance rating. Additionally, the NWC only attained a perfect acknowledgement compliance rating for the 2021 April – June period, and missed the targets for the January – March and July – September periods.

Table 2: Acknowledgement within Standard (5 business days)

<i>Quarters (2021)</i>	JPS	NWC
<i>January - March</i>	100%	82%
<i>April - June</i>	100%	100%
<i>July - September</i>	100%	86%
<i>October - December</i>	100%	60%

(ii) Response to Case Letters

Service providers are required to provide responses to case letters within 30 business days. As is seen in Table 3, JPS attained a perfect score while the NWC attained a score of 80%, having submitted only four of the five responses within the agreed timeline.

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

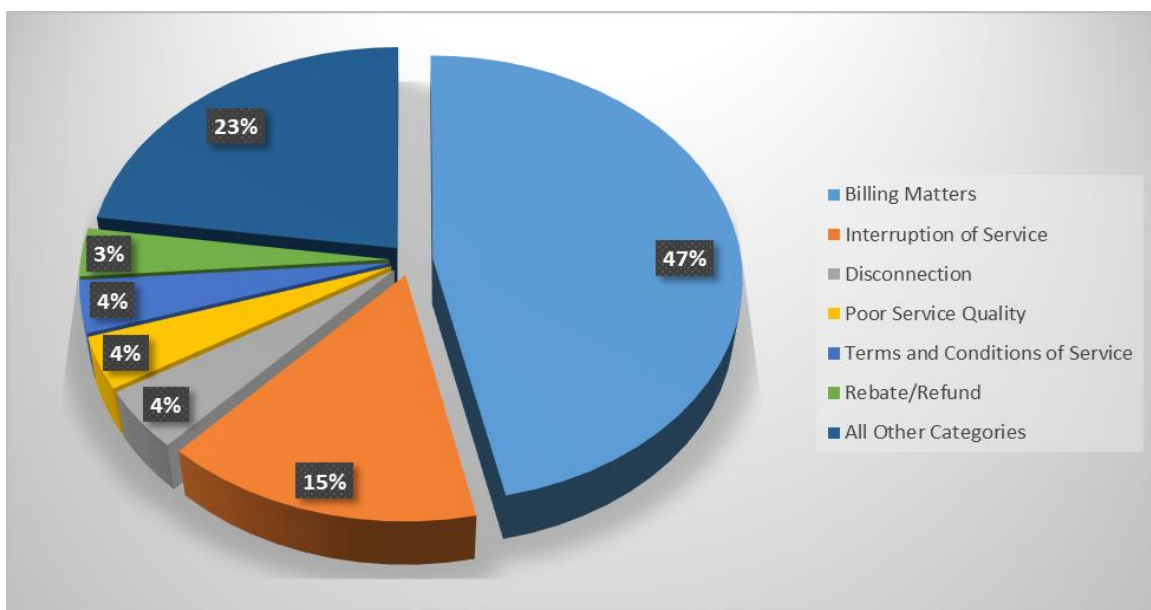
<i>Quarters (2021)</i>	JPS	NWC
<i>January – March</i>	100%	60%
<i>April - June</i>	75%	100%
<i>July – September</i>	100%	43%
<i>October - December</i>	100%	80%

For 2021, both JPS and NWC showed improved performance in their average response rate when compared to 2020. JPS attained an average compliance rating of 94% in 2021, which is an eight-percentage point increase over 2020. The NWC's average compliance rating for 2021 was 71%, representing a nine-percentage point increase over 2020.

Chapter 2: Main Customer Concerns

The main reasons for utility customers contacting the CAU related to billing, interruption of service, disconnection, poor service quality, terms and conditions of service, and rebate/refund. (Figure 3). Further details on all contacts distributed per category are provided in Table 11, Appendix I.

Figure 3: Main Concerns



(i) Billing

Billing matters continued to be the main reason for customer contact, accounting for 47% of total contacts. These matters included high consumption, disputed charges, adjustments to customers' accounts and estimated billing.

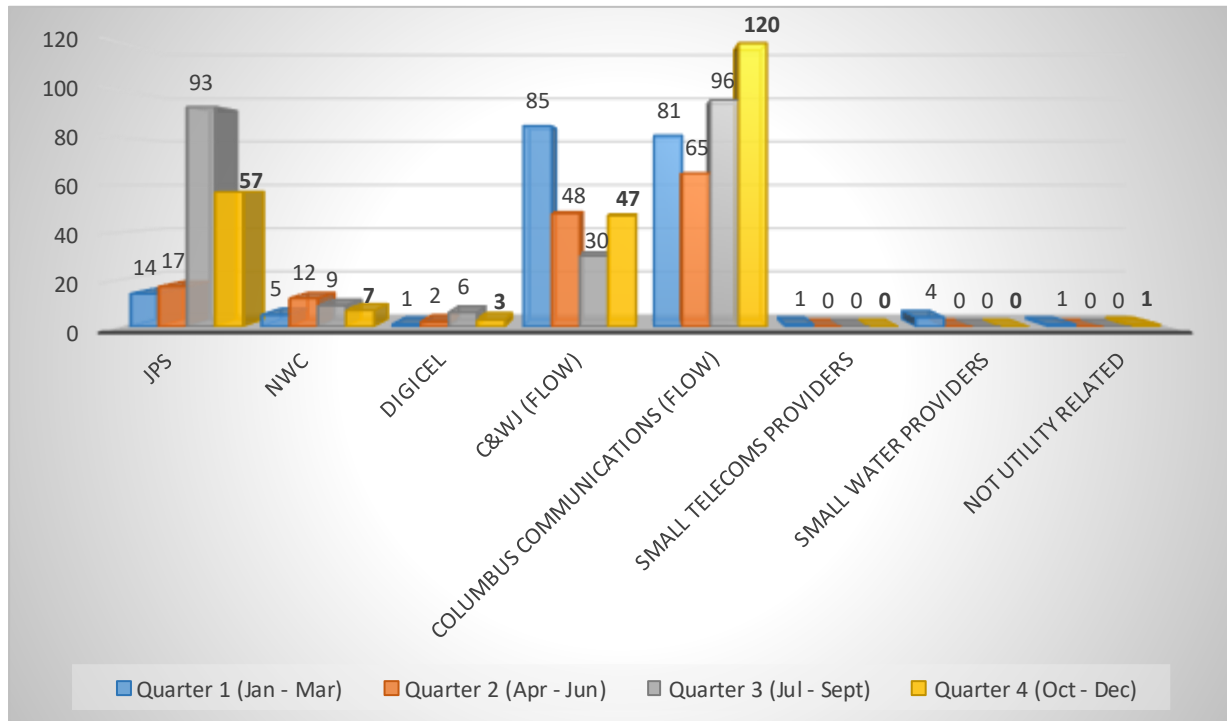
JPS and NWC continued to account for the most billing contacts with 421 (28%) and 209 (14%) respectively. Columbus Communications (Flow) accounted for 50 (3%) while C&WJ (Flow), Digicel, Private Water Providers and contacts not utility related, accounted for the remaining 26 (2%).

(ii) Interruption of Service

Service interruption contacts decreased by five-percentage points, to 15%, when compared with the preceding quarter. As seen in Figure 4, Columbus Communications (Flow) and JPS with 120

(8%) and 93 (4%) respectively, accounted for the highest number of related contacts. C&WJ (Flow), Digicel, NWC, and contacts not utility related accounted for the remaining 58 (3%).

Figure 4: Quarterly Service Interruption Contacts



(iii) Disconnection

Contacts relating to disconnection increased by two percentage point, to 4%, over the previous period. JPS accounted for 2% while Columbus Communications (Flow), C&WJ (Flow), Digicel, and NWC shared the remaining 2%.

(iv) Poor Service Quality

Poor service quality remained at 4% of total contacts with Columbus Communications (Flow) account for 2%. C&WJ (Flow), Digicel, JPS, NWC, and contacts not utility related shared the remaining 2%.

(v) Terms and Conditions of Service

Four percent (4%) of contacts pertained to changes made by service providers to the Terms and Conditions of Service (Contract Terms), representing a one percentage point increase over the

preceding period. Columbus Communication (Flow), C&WJ (Flow), and JPS each account for 1% while Digicel and NWC shared the remaining 1%.

(vi) Rebate/Refund

Requests for rebates/refunds decreased by two percentage points to 3% of total contacts, when compared to the preceding period. Columbus Communications (Flow) accounted for these contacts.

Chapter 3: Guaranteed Standards Performance

(i) What are the Guaranteed Standards?

The Guaranteed Standards (GS) 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?

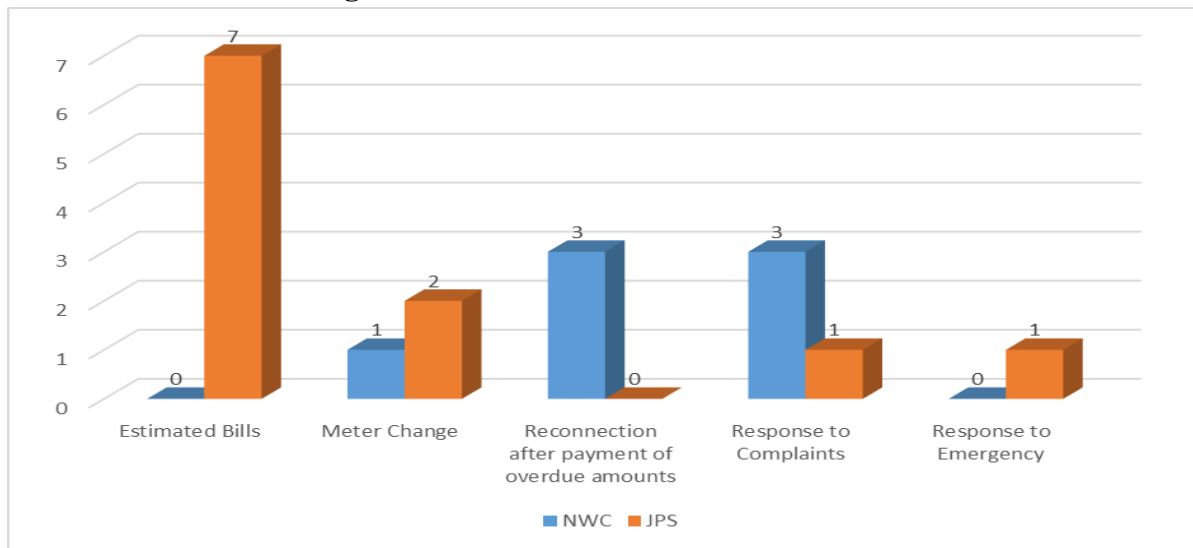
NWC: Compensation for a breach of a standard is four (4) times the applicable service charge OR six (6) times the service charge for those in the special compensation category. Where applicable, customers must submit their claims within 120 days of the breach. Breaches of individual standards will attract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

Eighteen (18) contacts were received from JPS and NWC customers in relation to alleged breaches of the GS, representing one percent (1%) of total contacts received. JPS and NWC accounted for eleven (11) and seven (7) contacts respectively.

As is seen in Figure 5, *Estimated Bills* accounted for the highest number of contacts in relation to alleged breaches of the GS for JPS. *Reconnection after payment of overdue amounts* and *Response to Complaints* accounted for the highest number of contacts in relation to alleged GS breaches for the NWC.

Figure 5: Guaranteed Standards Contacts

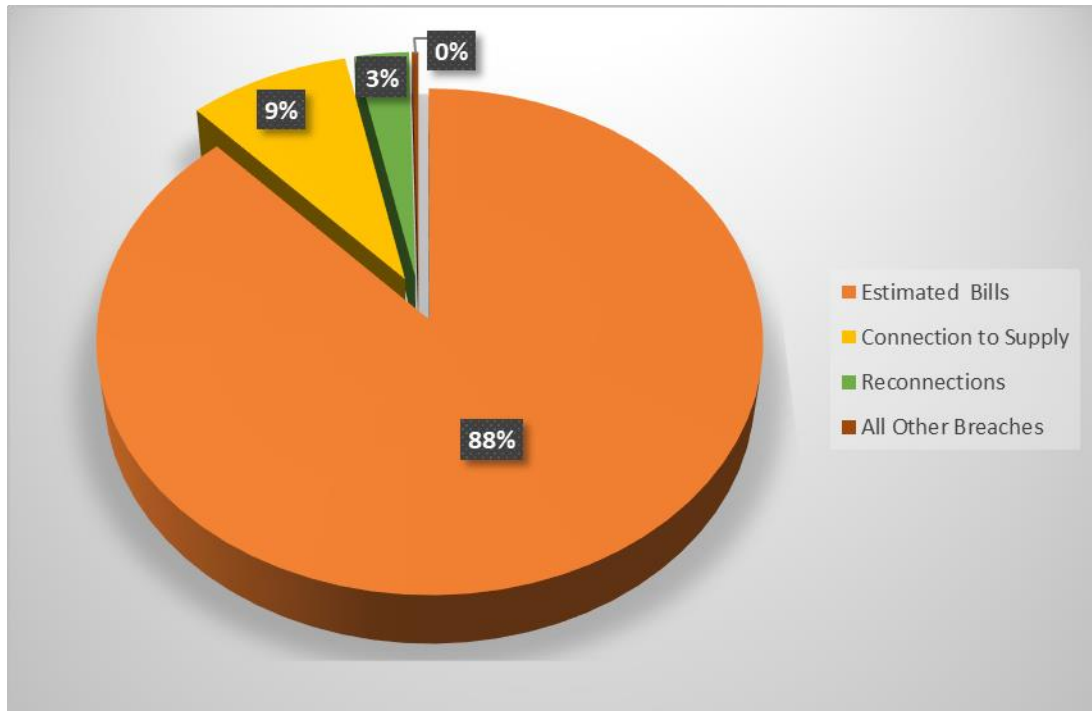
The GS reports submitted by the JPS and NWC did not reflect the alleged incidents of breaches reported to the OUR. Accordingly, no compensatory payments were made by the service providers in relation to the contacts received by the OUR regarding GS breaches.

(iv) Utilities' performance on Guaranteed Standards

JPS

JPS's compliance report on its GS performance indicated that 19,439 breaches were committed during the 2021 October - December quarter; representing a 30% increase compared with the preceding period. These breaches attracted compensatory payments of approximately \$41,151,577.84, all of which were applied automatically to the affected customer's accounts.

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 within 24 hours of payment of overdue amounts) accounted for the highest incidents of breaches (see Figure 6). These standards accounted for approximately 100% of breaches and compensatory payments, respectively.

Figure 6: JPS Reported GS Breaches

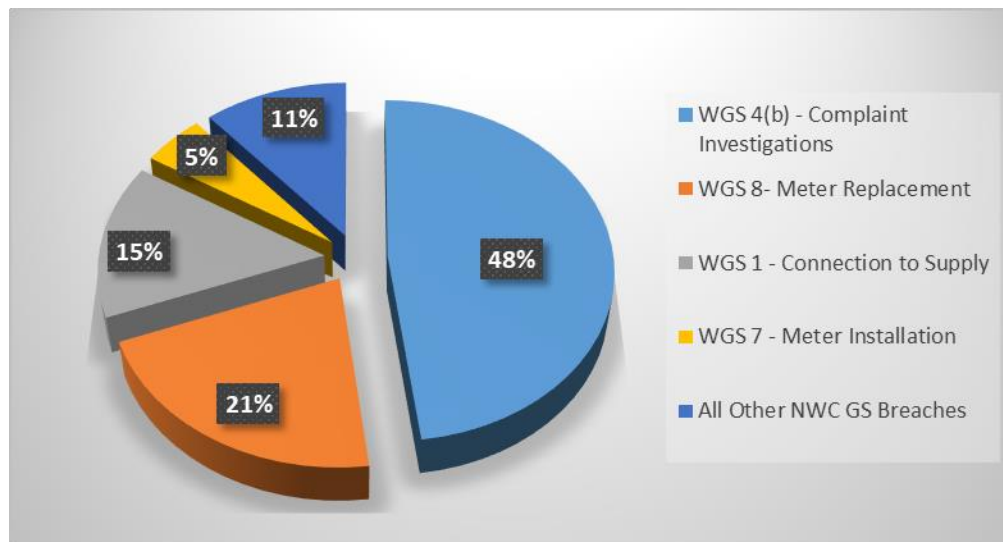
JPS reported that it committed a total of 64,456 breaches throughout 2021. This represents a less than 1% reduction in the number of breaches committed over 2020. Compensation associated with these breaches was approximately \$141.74 million, of which approximately \$66.56 million, or 47%, was credited to the affected customer's account. The remaining 53% of unpaid compensation, covering the 2021 March to September period, will be paid in 2022 March and April as per the OUR approved payment schedule for JPS.

NWC

The NWC's Guaranteed Standards compliance report for the review period indicates that the number of breaches committed increased by 7%, to 1,100, when compared with the preceding period. These breaches had a potential pay-out of approximately \$4.38 million while actual payments amounted to approximately \$2.54 million or 58% of total potential payments and were made by way of automatic credits to the affected accounts. The remaining 42% of potential payments not made, represented those breaches for which the required claim forms were not submitted for validation.

As shown in Figure 7, the standards with the highest incidents of breaches for the NWC were: Complaint Investigations (which requires that NWC completes investigations and responds or provides an update within 30 working days of receipt of a complaint); Meter Repair/Replacement (which stipulated that defective meters are to be verified, repaired/replaced within 20 working days); Access/Service Connection (which requires NWC to connect a new supply within 10 working days); and Meter Installation ((which requires that the NWC installs meters within 30 working days after request is made by the customer). These four (4) standards represented 89% of total breaches and 88% of total potential payments.

Figure 7: NWC Reported GS Breaches



The NWC GS reports indicate that throughout 2021, a total of 3,945 breaches were committed, which represent a 65% increase in the number of breaches committed in 2020. Potential compensation for the 3,945 breaches was \$15.53 million of which approximately \$4.52 million (29%) was paid. The remaining 71% of credits were not paid as the required claim forms were not submitted.

Private/Small Water and/or Sewerage Service Providers' Guaranteed Standards Report

In keeping with the provisions of their Licence and OUR Determination Notices, eight (8) licenced Private/Small Water and/or Sewerage Service Providers are required to submit quarterly

reports on their Quality of Service (QoS) standards performance, which include the Guaranteed and relevant Overall Standards. In addition, the OUR has since 2021 June, held two (2) workshops with these service providers in an effort to reinforce and remind these service providers about their QoS reporting requirements and other obligations. The OUR has also sent periodic reminders to these service providers about QoS report submissions.

As is shown in Table 4, despite the foregoing efforts of the OUR, only 50% of these Service Providers have been consistent with their QoS report submissions for the reporting periods 2021 April – December, albeit missing the due dates in some instances.

Table 4: Private/Small Water and Sewerage Service Providers' QoS Reporting Requirements and Submissions

Licencees to Submit Quarterly QoS Reports	Periods					
	April - June		July - September		October - December	
	Due Date	Submission Date	Due Date	Submission Date	Due Date	Submission Date
Can-Cara Development Ltd.		2021.08.13		2022.02.16		2022.02.16
Dynamic Environmental Management Ltd		2021.10.11		Not received		Not received
Dairy Springs Ltd.		2021.09.08		Not received		Not received
Runaway Bay Water Company Ltd.		Not received		Not received		Not received
LandMark Developers Ltd		Not received		Not received		Not received
St. Jago Hills Development Company Ltd		2021.11.12		2021.11.12		2022.02.14
Richmond Environmental Service Ltd		2021.11.12		2021.11.13		2022.01.31
Tryall Golf and Beach Club	2021 Aug 13	2021.08.13	2021 Nov 12	2022.03.03	2022 Feb 11	2022.03.03

Analysis of the quarterly GS reports received from the service providers indicates that a total of 3,548 GS breaches were committed by these service providers. For these number of breaches, potential compensation amounted to \$10,460,327.04 with actual payments of only \$5,916.12, representing about 0.06%. Details of the GS breaches and compensation for these service providers are provided in Table 5.

Table 5: GS Breaches and Compensation for Private/Small Water and/or Sewerage Service Providers

Service Providers	Total Breaches	Potential Compensation (\$)	Actual Payments (\$)
Can-Cara	3,362	9,941,837.44	5916.12
Dairy Spring	1	5,000.00	0

DEML	120	447,969.60	0
RESL	33	N/A*	N/A*
SJHDC	0	0	0
TGBC	32	65,520.00	0
Total	3,548	10,460,327.04	5,916.12

*The OUR has not yet determined the compensation mechanism for RESL.

The analysis also showed that 99% of the breaches and potential compensation were associated with GS 6/GS 7 for DEML – *Meter Reading* (which requires all these service providers to bill accounts monthly based on meter readings, where there is access to the meters). Additionally, except for TGBC, the compensation for a breach of this GS is to be applied automatically to the affected customers' accounts. Can-Cara, indicated that the compensation for the GS 6 breaches was not paid due to: (1) some accounts being billed based on the OUR approved flat rate applicable to accounts for which no meters are installed, and (2) the company's inability to access the meters. DEML also included in its report, the basis for not paying the compensation for GS 7 breaches which was due to the meters being inaccessible. The remaining 1% of credits not paid resulted from the non-submission of the required claim forms.

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 Call Centre report for the review period indicated a mixture of improvement and decline in performance when compared with the preceding period. As seen in Table 6, *Average Length of Calls* decreased by thirty-one (31) seconds, the Percentage of Abandoned Calls decreased by six percentage points and Percentage Service Level increased by two percentage points. However, it took call centre agents, on average, an additional minute and fifty-nine seconds (0:1:59) to answer calls and customers waited, on average, three hours, thirty-seven minutes and fifty-five seconds (3:37:55) in queue to speak with a call centre agent.

Table 6: NWC's Call Centre Performance
Performance 2021

<i>KPIs</i>	<i>KPI Definition</i>	<i>Apr-Jun</i>	<i>Jul-Sept</i>	<i>Oct - Dec</i>
<i>Average Speed of Answer</i>	Average time for answering calls	Not provided	0:01:39	0:03:38
<i>Average Talk Time</i>	Average time spent talking to customers	0:06:51	0:05:41	0:05:42
<i>Average Length of Calls (Call Handle Time)</i>	Combination of Average Talk Time, Average After Call Work and Hold Time	0:06:51	0:11:15	0:10:44
<i>Maximum Delay</i>	Maximum time that caller waited in queue	0:18:10	0:34:25	3:37:55

<i>Percentage of Abandoned Calls</i>	Percentage of calls not serviced	25%	16%	10%
<i>Percentage Service Level</i>	Percentage of calls answered within 20 seconds	56%	66%	68%

JPS:

The review of JPS's Call Centre report for the review period also indicate a mixture of improvement and decline in performance when compared with the preceding period. As seen in Table 7, *Average Talk Time* and *Average Handle Time* declined by 27 seconds and forty-four seconds respectively. Improvements were also seen in the *Percentage of Abandoned Calls* which fell by four percentage points, to 31%. However, the *Average Speed of Answer* increased by 23 seconds and *Percentage Service Level* which decreased by two percentage points to 39%.

Table 7: JPS Call Centre Performance
2021 Performance

<i>KPIs</i>	KPI Definition	Jan - Mar	Apr-Jun	Jul-Sept	Oct - Dec
<i>Average Speed of Answer</i>	Average time for answering calls ²	0:04:00	0:06:61	0:06:12	0:06:35
<i>Average Talk Time</i>	Average time spent talking to customers	0:05:50	0:06:11	0:06:29	0:06:02
<i>Average Length of Calls (Call Handle Time)</i>	Combination of Average Talk Time, Average After Call Work and Hold Time ³	0:07:31	0:07:45	0:07:42	0:06:58

² Within 20 seconds, as per the international standard

³ Goal of no more than 5 minutes set by JPS

<i>Percentage of Abandoned Calls</i>	Percentage of calls not serviced ⁴	33%	38%	35%	31%
<i>Service Level Answer</i>	Percentage of calls answered within 20 seconds ⁵	65%	33%	41%	39%

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 of planned outages to customers. JPS reported a 72.1% compliance rating for this standard, which represents a 4.6 percentage point increase over the preceding period and 27.9 percentage points short of attaining the established target of 100%.

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.

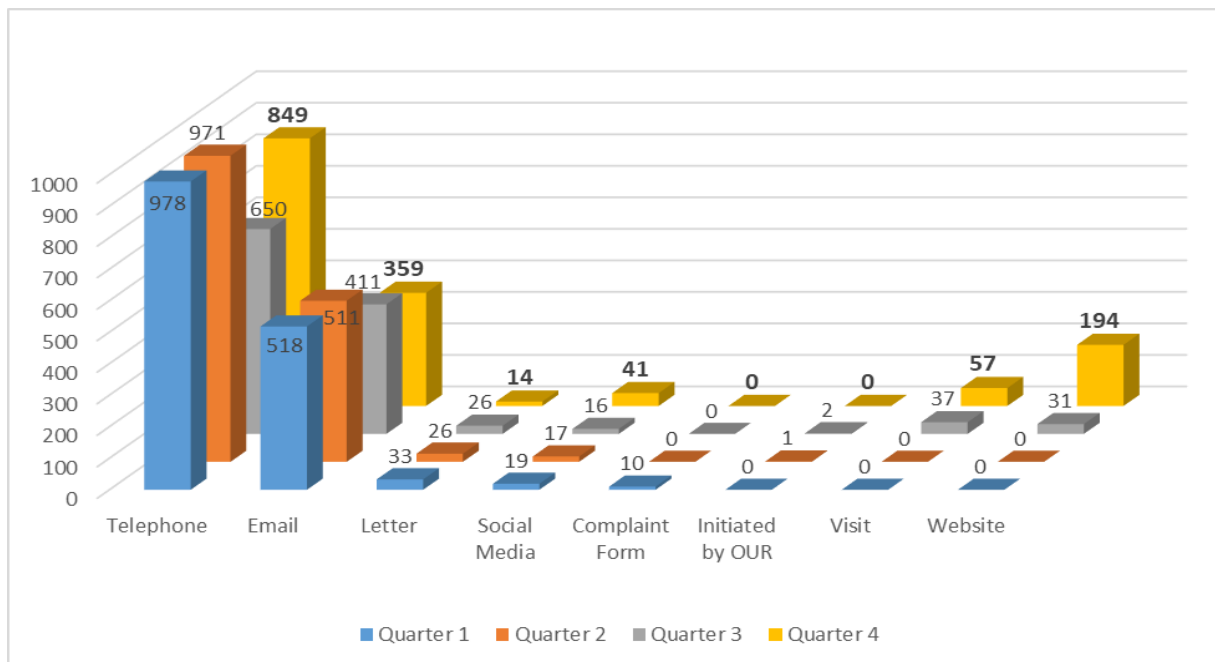
Based on NWC's notifications to the public, the compliance rating was met as the three (3) advisories issued during the review period provided at least 12 hours' advanced notification of planned outages of a duration of no more than 4 hours.

For notifications greater than four hours, the NWC's compliance rating of 54% to provide at least 24 hours' advance notice was 36-percentage points short of the established 90% compliance target and represented a 19 percentage-point decline over the preceding period. Of the 28 related notifications received, 15 complied with the stated target.

Chapter 6: Customer Contact Distribution

At 56%, the telephone continued to be the most frequently used method for customers contacting the OUR. Emails followed with 24% while the website accounted for 13%. Visits, social media, and letters accounted for 4%, 3% and 1% respectively. Figure 8 provides further details.

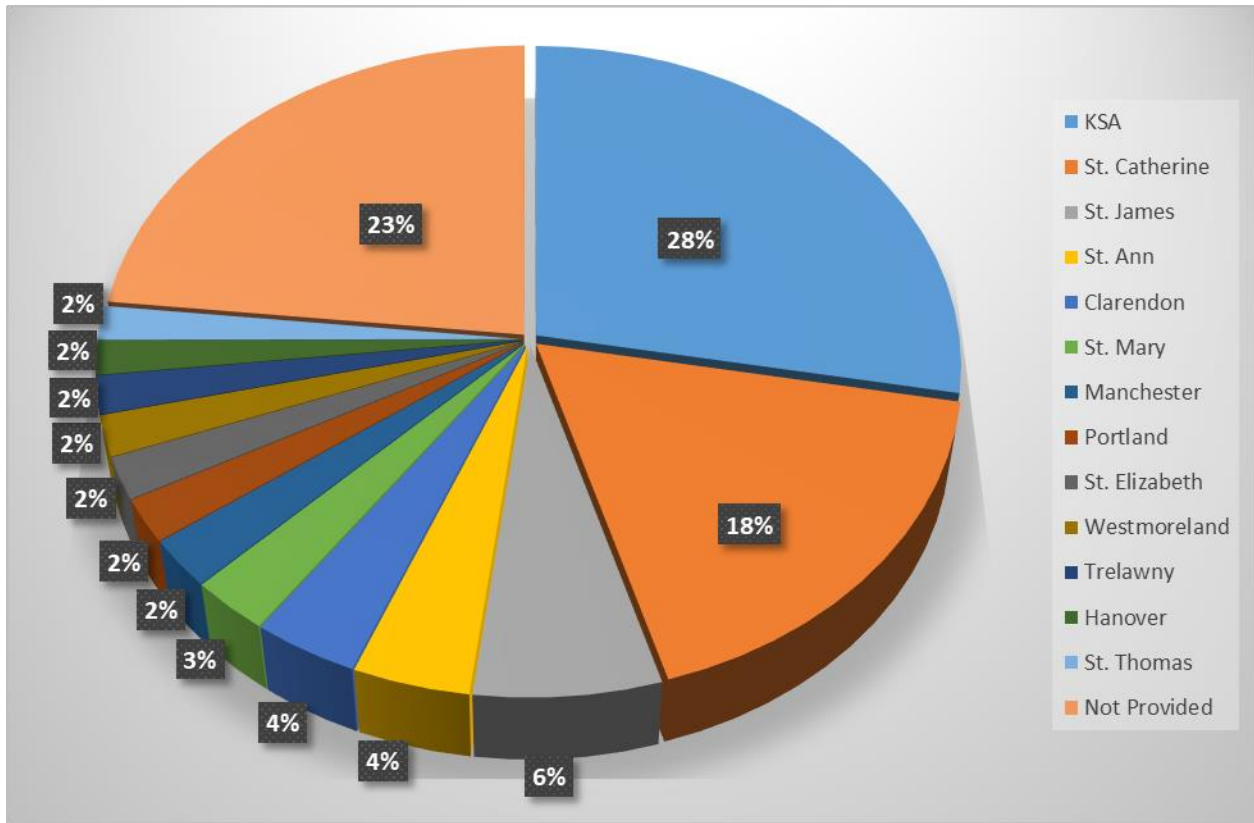
Figure 8: Methods of Contact



Geographical Distribution of Contacts

Kingston and St. Andrew, at 28%, continued to account for the highest number of total contacts. St. Catherine followed with 18%, while St. James accounted for 6% of contacts. Clarendon and St. Ann each recorded 4% and St. Mary accounted for 3%. All other parishes each had a share of 2%. Twenty-three percent (23%) of the contacts received provided no information on their location/parish or the information was not recorded. Details are provided in Figure 9.

Figure 9: Geographic Distribution of Contacts



Chapter 6: Appeals Performance

(i) Closure of Appeals⁶

The OUR closed eleven (11) appeals during the review period. Of these, eight (or 73%) were resolved in favour of the service provider, two (18%) were resolved in the customers' favour while a compromise was reached for one (or 9%). Eight (or 73%) of the closed appeals were resolved within the established sixty-five (65) working days while 3 (27%) exceeded the established timeline.

(ii) Outstanding Appeals⁷

At the end of the review period, five (5) appeals remained outstanding, in that they exceeded the established 65 business days for resolution. All five outstanding appeals were awaiting OUR's action.

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 remaining outstanding appeal relates to a billing matter for NWC.

Appeals Process Resolution Rate

Of the eleven (11) new appeals that were accepted for investigation, all relevant information for ten (10) were received within the established timeline with the remaining response being received outside of the timeline.

For these appeals, final decisions were made and communicated to customers (by way of Final Letters) for eight (or 73%) within the established 65 working days, while two (18%) final responses were sent outside of the established timeline. One final response remains outstanding. Further details on the CAU's performance on some key Appeals Process activities are provided in Table 15, Appendix I.

Forty-four (44) new appeals were accepted for investigation in 2021 of which 33 - representing 75% - were resolved within the established 65 business days.

⁶ Breakdown of Appeals Closures can be seen in Table 13 on page 32

⁷ Breakdown of Outstanding Appeals can be seen in Table 14 on page 32

Chapter 7: Consumer Affairs Highlights

(i) Credits/Compensation

During the review period, the CAU through its intervention secured \$322,315.10 for utility customers. Of this amount, the NWC paid out the highest share of \$302,963.71 (93%) while Columbus Communications (Flow) followed with \$11,488.06 (4%). JPS and C&WJ (Flow) accounted for \$4950.00 (2%) and \$2,913.33 (1%) respectively.

The total amounts secured for utility customers for 2021 was \$1,062,472.45, of which the NWC and JPS accounted for 73% and 15% respectively. Columbus Communications (Flow) and C&WJ (Flow) each accounted for 7% and 5% respectively.

(ii) OUR Approved JPS's payment schedule for outstanding Guaranteed Standards compensation

During the review period, JPS requested the OUR's approval of a phased payment schedule for outstanding compensation relating to breaches of the Guaranteed Standards (GS) over the period 2020 March – 2021 September. The outstanding compensation arose from JPS' request to the Minister of Science, Energy and Technology (MSET) for, inter alia, *force majeure* relief from its GS obligations; which MSET generally denied.

JPS, in requesting the payment schedule, cited worsened cash flow issues due to the Covid-19 pandemic. Following its assessment, the OUR gave its approval for the six (6) month payment schedule outlined in Table 9.

Table 9: OUR Approved JPS GS Compensation Schedule

GS Compensation Period	Payment Period
2020 March - May	2021 November
2020 June – August	2021 December
2020 September – November	2022 January
2020 December – 2021 February	2022 February

GS Compensation Period	Payment Period
2021 March – May	2022 March
2021 June - September	2022 April

Additionally, JPS resumed making monthly payments to affected customers for GS breaches that occurred in 2021 October, as at 2021 November. All GS payments are applied as a credit to the affected customer's account and are evidenced by a line item on the monthly bill.

Appendices

Appendix I: List of Tables: 2021 October - December

Table 10: Contact Activity Summary (All Utilities)

Description	JPS	NWC	C&WJ (FLOW)			Columbus		Digicel		Private Telecoms Provider	Private Water Providers	OUR/Other (Not Utility Provider Related)	Total
			Internet	Landline	Mobile	Internet	Landline	Internet	Mobile				
Contacts for the Quarter													
New Appeals	6	5	0	0	0	0	0	0	0	0	0	0	11
New Complaints	111	35	44	14	16	185	51	5	13	1	0	4	479
New Enquires	76	28	15	1	3	3	0	2	5	0	0	10	143
New Opinions	6	1	0	0	0	0	0	0	0	0	1	0	8
New Referrals	493	242	10	4	11	52	6	2	6	0	3	44	873
Total Contacts	692	311	69	19	30	240	57	9	24	1	4	58	1514
Closure/Resolution of Appeals:													
Compromise	0	1	0	0	0	0	0	0	0	0	0	0	1
Resolved in Favour of Customer	1	1	0	0	0	0	0	0	0	0	0	0	2
Resolved in Favour of Utility	2	6	0	0	0	0	0	0	0	0	0	0	8
Total Closures	3	8	0	0	0	0	0	0	0	0	0	0	11
Total Appeals from Previous Periods:													
Outstanding Appeals with OUR													
Undergoing Analysis/Determination	4	1	0	0	0	0	0	0	0	0	0	0	5
Total Outstanding Appeals	4	1	0	0	0	0	0	0	0	0	0	0	5

Table 11: Distribution of Contacts by Categories

Complaint Category	Service Providers									Total
	JPS	NWC	Digicel	C&WJ (FLOW)	Columbus Communications (Flow)	Private Telecoms Providers (DeKal Wireless)	Private Water/Sewerage Providers (include: DEMIL and RBWC)	OUR/Other (not utility related)		
Billing Matters	421	209	5	15	50	0	3	3	706	
Broken Main	0	8	0	0	0	0	0	0	8	
Customer Service	3	1	0	1	1	0	0	0	6	
Defective Street Lights	2	0	0	0	0	0	0	0	2	
Disconnection	29	17	1	9	10	0	0	0	66	
Equipment Damage	17	0	0	0	1	0	0	0	18	
Guaranteed Standards	11	8	0	0	0	0	0	0	19	
Guaranteed Standards Query	3	1	0	0	0	0	0	0	4	
Health & Safety	19	3	0	0	0	0	0	0	22	
Illegal Connections	3	0	0	0	0	0	0	0	3	
Interruption of Service	53	7	3	47	120	0	0	1	231	
Irregular Supply	5	3	0	0	0	0	0	0	8	
Leak at Meter	0	3	0	0	0	0	0	0	3	
Metering	1	3	0	0	0	0	0	0	4	
Number Portability	0	0	2	3	2	0	0	0	7	
Other	31	18	7	7	22	0	1	52	138	
Payment Arrangement	1	4	0	0	0	0	0	0	5	
Prepaid Phone Credit	0	0	0	1	0	0	0	0	1	
Phone Credit Depletion	0	0	2	3	0	0	0	0	5	
Poor Service Quality	13	2	4	7	30	0	0	1	57	
Prepaid Metering Service	7	0	0	0	0	0	0	0	7	
Property Damage	2	1	0	0	0	0	0	0	3	
Reconnection	5	3	1	0	2	0	0	0	11	
Rebate/Refund	3	5	0	6	38	0	0	1	53	
Security Deposit	33	0	0	0	0	0	0	0	33	
Service Connection	11	8	2	1	2	0	0	0	24	
Terms and Condition of Service	11	5	6	16	19	0	0	0	57	
Unable to get through to Provider	7	2	0	2	0	1	0	0	12	
Unavailability of Facility	1	0	0	0	0	0	0	0	1	
Total	692	311	33	118	297	1	4	58	1514	

Table 12: Annual Distribution of Contacts by Categories

Complaint Category	Review Periods (2021)				
	Jan - Mar	Apr - Jun	Jul - Sept	Current Quarter (Oct. - Dec.)	Total (Jan - Dec 2021)
Billing Matters	818	761	508	706	2793
Broken Main	4	8	10	8	30
Customer Service	4	6	1	6	17
Defective Street Lights	1	4	3	2	10
Disconnection	62	43	25	66	196
Equipment Damage	25	29	10	18	82
Guaranteed Standards	26	41	8	19	94
Guaranteed Standards Query	8	11	1	4	24
Health & Safety	14	10	9	22	55
Illegal Connections	7	14	11	3	35
Interruption of Service	192	144	234	231	801
Irregular Supply	7	5	10	8	30
Leak at Meter	7	3	6	3	19
Metering	5	1	4	4	14
Number Portability	6	9	5	7	27
Other	177	198	132	138	645
Payment Arrangement	5	8	2	5	20
Prepaid Phone Credit	20	9	0	1	30
Phone Credit Depletion	12	8	13	5	38
Poor Service Quality	36	50	48	57	191
Prepaid Metering Service	3	4	7	7	21
Property Damage	3	5	4	3	15
Reconnection	9	11	6	11	37
Rebate/Refund	48	57	52	53	210
Security Deposit	0	0	0	33	33
Service Connection	17	27	16	24	84
Terms & Conditions of Service	29	43	37	57	166
Unable to get through to Service Provider	13	11	9	12	45
Unavailability of Service	0	6	2	1	9
Total	1558	1526	1173	1514	5771

Table 13: Distribution of Closed Appeals by Utilities

Appeal Category	Service Providers		Total
	JPS	NWC	
Billing Matters	2	8	10
Equipment Damage	1	0	1
Total	3	8	11

Table 14: Distribution of Appeals (Outstanding)

Appeal Category	Service Providers		Total
	JPS	NWC	
Billing Matters	1	1	2
Equipment Damage	2	0	2
Property Damage	1	0	1
Total	4	1	5

Table 15: 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 nine (9) new appeals were acknowledged within the established timeline.
Case Letters/ Other Utility Contact	Within 5 business days of acknowledging customer's correspondence	91%	Ten (10) out of the eleven 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	73%	Final responses were prepared and dispatched within the established timeline for eight (8) new appeals for which all relevant information was received.

Appendix II: 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: JPS Reported GS Breaches
- Figure 7: NWC Reported GS Breaches
- Figure 8: Methods of Contact
- Figure 9: Geographic Distribution of Contacts

Appendix III: 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 IV: 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 V: 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 VI: 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

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

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.

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 VII: 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:

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.

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.

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 VIII: 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