
Office of Utilities Regulation

Consumer Affairs Unit

Quarterly Performance Report

2024 October to December

Publication Date: 2025 April 07



OFFICE OF UTILITIES REGULATION

36 Trafalgar Road, Kingston 10

Consumer Affairs Unit Quarterly Performance Report

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Report 2024 October – December**

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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

The OUR discharges its mandate to protect utility consumers through the Consumer and Public Affairs (CPA) Department. The Consumer Affairs Unit, the Public Affairs Unit (PAU) and the OUR Information Centre (OURIC) 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 improve consumer 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 forums and the media is also a key source 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 organising 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. Through the CPA department, the OUR also funds the Consumer Advisory Committee on Utilities (CACU) activities, 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 Unit's performance 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 are gathered from our Customer Information Database and reflect the contacts received from utility consumers island-wide. These contacts are received via various channels, namely: letters, telephone, walk-ins, e-mails, fax and social media.

Methods of Calculation

The methods of calculation used include summation, quarterly, and year-on-year comparisons. The resort later to normalize the number of contacts by expressing this as per 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

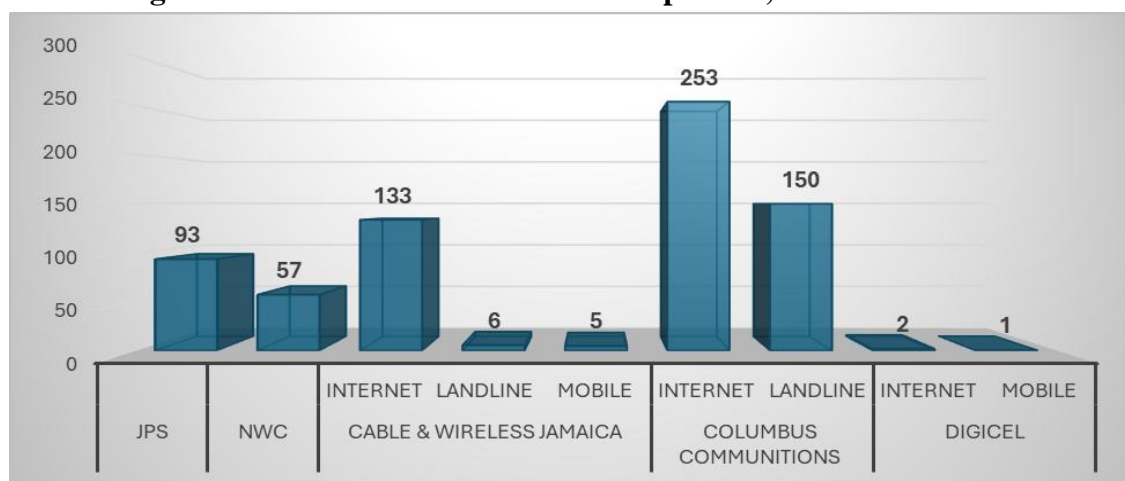
For the October to December quarter, contacts to the OUR's Consumer Affairs Unit (CAU) decreased by 10% to 1,425 over the preceding quarter. The data show that the most significant decreases were in the categories of *Interruption of Service* (-28%), *Irregular Supply* (-18%), and *Billing Matters* (9%).

The following shows the distribution of contacts per service provider¹:

- Jamaica Public Service Company Ltd. (JPS) – 643 (45%)
- National Water Commission (NWC) – 304 (21%)
- Columbus Communications (Flow) – 237 (17%)
- Cable & Wireless Jamaica Ltd. (Flow) – 157 (11%)
- Digicel – 31 (2%)
- Private Telecommunications Providers, Private Water and sewerage service providers and Other (Not Utility Provider Related, e.g. cable service) – 53 (4%).

While JPS at 643 accounted for the most contacts, Figure 1 shows that Columbus Communications (Flow) accounted for the highest numbers – at 253 and 150 per 100,000 – in proportion to its internet and landline customer bases.

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 8 on page 30.

A total of 4,520 contacts were received in 2024, representing a 47% increase over 2023. As is shown in Table 1, Private Telecommunications Service Providers (113%), C&WJ – Flow (108%), and Other/Not Utility Related, e.g. cable service (75%), accounted for the highest percentage increases in the total contacts received in 2024 over 2023.

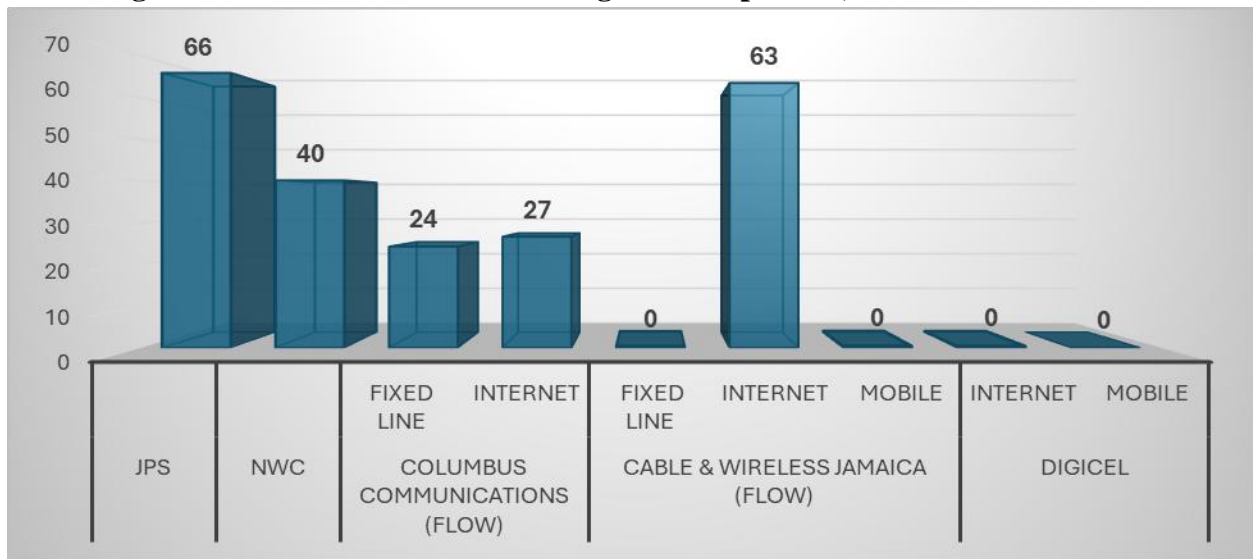
Table 1: Service Providers Contact Summary 2024 vs 2023

Service Providers	Review Periods				Total	Total	% Change
	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	(Jan - Dec 2024)	2023	
JPS	262	265	908	643	2,078	1,269	64%
NWC	285	296	256	304	1,141	1,017	12%
C&WJ (FLOW)	47	78	162	157	444	213	108%
Columbus Communications (Flow)	88	80	186	237	591	361	64%
Digicel	24	20	33	31	108	113	-4%
Private/Small Telecommunications Service Providers	3	0	4	10	17	8	113%
Private/Small Water & Sewerage Service Providers	2	9	8	10	29	31	-6%
Other/ Not OUR Related	25	30	24	33	112	64	75%
Total	736	778	1,581	1,425	4,520	3,076	47%

Similar to the previous quarter, billing matters remained the main reason utility consumers contacted the CAU, at 50%. JPS and NWC accounted for the highest number of billing-related matters.

As shown in Figure 2, the service providers with the highest number of billing-related contacts per 100,000 of their customer bases were: JPS at 66 of its customer base and C&WJ (Flow) at 63 of its internet customer base.

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



Service interruption remained the second highest reason for customer contact with the CAU for the review period and throughout 2024, accounting for 23% of total contacts.

Chapter 1: Utilities' Responsiveness

(i) Acknowledgements

Twelve (12) new appeals were accepted for investigation during the October to December period, of which five (5) and seven (7) were related to JPS and NWC matters, respectively. Requests for information (case letters) were sent for all new appeals accepted.

Based on the established Service Level Agreements (SLAs), JPS and NWC agreed to acknowledge the OUR's case letters within five (5) business days. As shown in Table 2, JPS submitted four of five (80%) acknowledgements within the agreed timeline. The NWC submitted five out of seven (71%) acknowledgements within the agreed timeline.

Table 2: Acknowledgement within Standard (5 business days)

<i>Quarters (2024)</i>	JPS	NWC
<i>January - March</i>	N/A	83%
<i>April - June</i>	100%	67%
<i>July - September</i>	100%	60%
<i>October - December</i>	80%	71%

(ii) Response to Case Letters

Service providers should respond to case letters within thirty (30) business days. However, as is shown in Table 3, JPS attained an 80% compliance rating as only four out of five responses were submitted within the agreed timeline. For the NWC, five out of seven responses were due within the reporting period, of which three (60%) were received within the agreed time and the remaining two outside of the timeline.

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

<i>Quarters (2024)</i>	JPS	NWC
<i>January – March</i>	N/A	60%
<i>April - June</i>	100%	0%
<i>July - September</i>	83%	60%
<i>October - December</i>	80%	60%

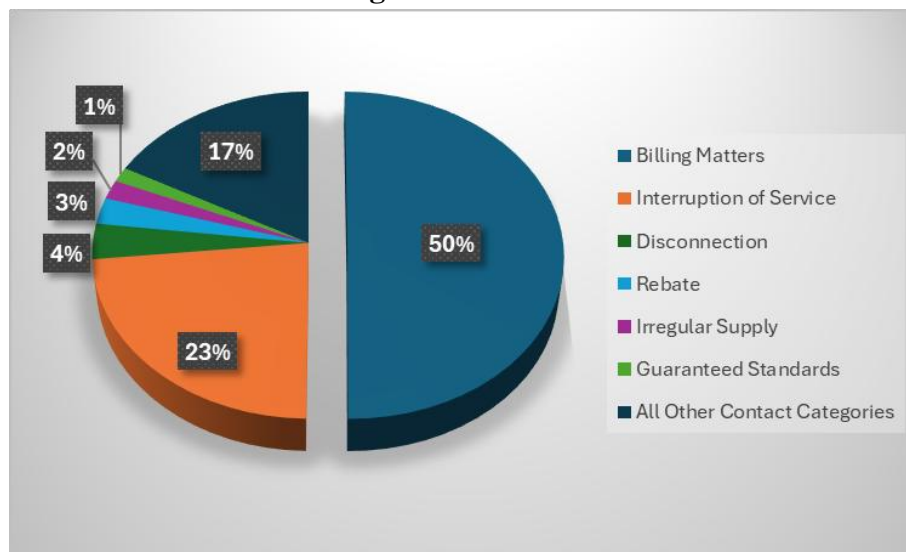
For 2024, there was no change in JPS's compliance with submitting responses to our case letters when compared with 2023. No new appeals were accepted for JPS for the 2024 January to March quarter. JPS attained an average response compliance score of 87.6% for the remaining three quarters.

The NWC attained an average compliance response score for 2024 of 45%, representing a 16-percentage point decrease over 2023.

Chapter 2: Main Customer Concerns

The main reasons for utility customers contacting the CAU during the quarter related to Billing, Interruption of Service, Disconnection, Rebate, Irregular Supply, and Guaranteed Standards (Figure 3). Further details on all contacts distributed per category are provided in Table 9.

Figure 3: Main Concerns



(i) Billing

At 50%, billing matters remained the main reason for customer contacts received by the CAU. These matters included disputed charges, high consumption, customer account adjustments, and estimated billing. Some of the billing matters, specifically high consumption and estimated billing, are related to Hurricane Beryl.

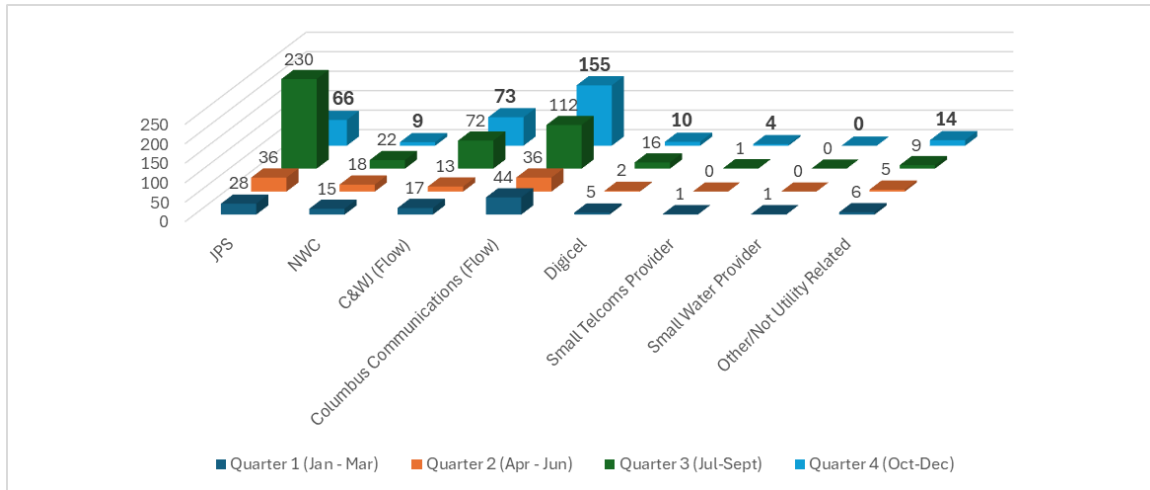
JPS and NWC continued to account for the most billing contacts, with 454 (32%) and 214 (15%), respectively. Columbus Communications (Flow), C&WJ (Flow), Digicel, Small Water/Sewerage Service Providers, and Other/Not Utility Related (e.g. cable services) accounted for the remaining 47 (3%).

(ii) Interruption of Service

Service interruption contacts decreased by six percentage points, to 23%, when compared to the preceding quarter. As seen in Figure 4, Columbus Communications (Flow), C&WJ (Flow) and JPS, with 155 (11%), 73 (5%) and 66 (5%), respectively, accounted for the highest number of

related contacts. NWC, Digicel, Small Telecommunications Provider and Other/Not Utility Related accounted for the remaining 37 (2%) of contacts.

Figure 4: Quarterly Service Interruption Contacts



(iii) Disconnection

Disconnection contacts increased by two percentage points, to 4%, over the preceding quarter and were mainly attributable to JPS, NWC, C&WJ (Flow), and Columbus Communications, each accounting for 1% of these contacts.

(iv) Rebate

Rebate contacts increased by one percentage point, to 3% of total contacts, over the preceding quarter. C&WJ (Flow) and Columbus Communications (Flow) each had a share of 1%, with the remaining 1% being shared among JPS, NWC, Digicel and Other/Not Utility Related.

(v) Irregular Supply

Similar to the preceding quarter, irregular supply contacts remained at 2% of total contacts, with JPS and NWC each accounting for 1%.

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 JPS, NWC, and small water and sewerage service providers. 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?

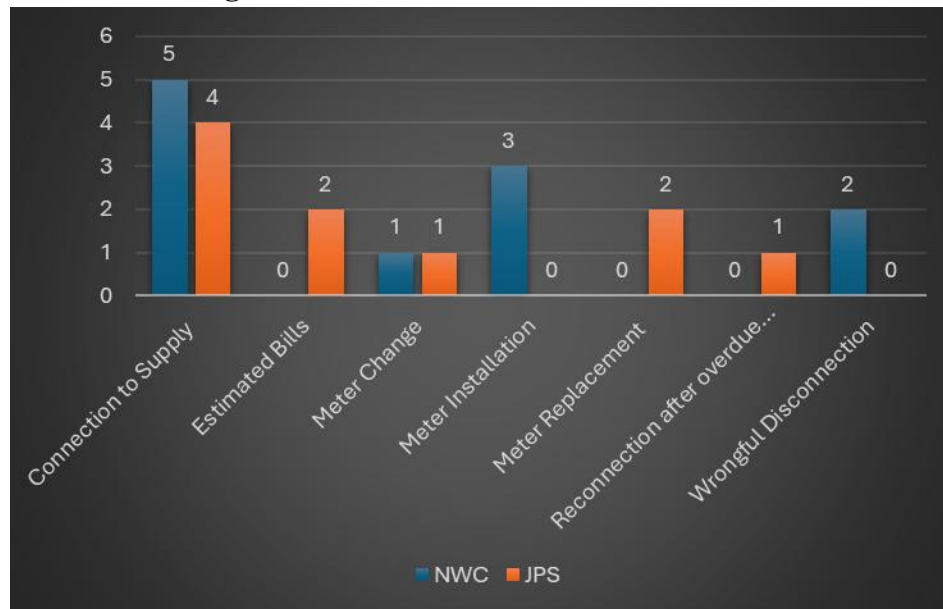
NWC: Compensation for a breach of a standard is four (4) times the applicable service charge OR six (6) times the service charge for those in the special compensation category. Where applicable, customers must submit their claims within 120 days of the breach. Breaches of individual standards will attract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

Twenty-one (21) contacts were received from JPS and NWC customers concerning alleged breaches of the GS, representing one percent (1%) of the total contacts received. JPS and NWC accounted for ten (10) and eleven (11) contacts, respectively.

As is seen in Figure 5, *Connection to Supply* accounted for the highest number of contacts about alleged breaches of the GS for JPS and the NWC.

Figure 5: Guaranteed Standards Contacts

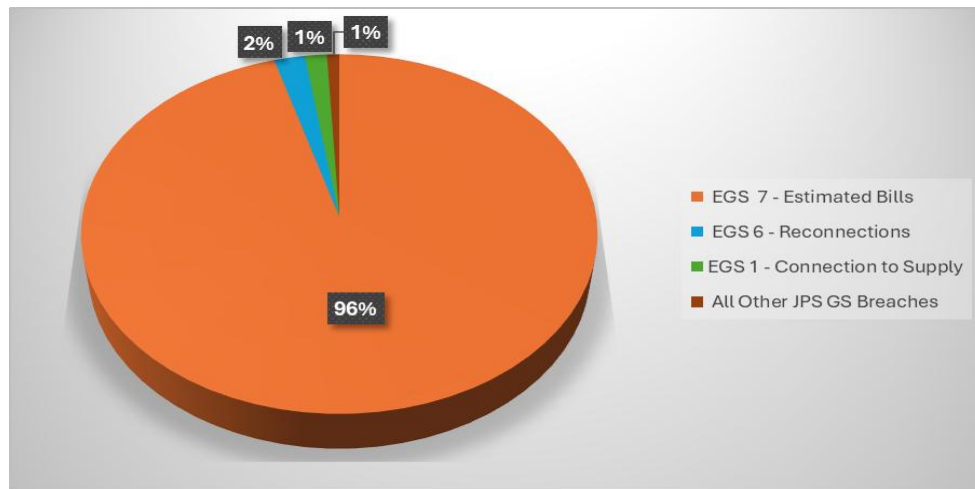
The GS reports submitted by the JPS and NWC did not reflect the alleged incidents of breaches reported to the OUR.

(iv) Utilities' Performance on Guaranteed Standards

JPS

For the review period, JPS's compliance report on its GS performance indicated that 26,263 breaches were committed, representing a 27% increase compared to the preceding quarter. These breaches attracted compensatory payments of approximately \$58.2 million, all of which were applied automatically to the affected customers' accounts.

Guaranteed Standards related to *Estimated Bills* (which restricts JPS from sending more than two consecutive estimates without a penalty), *Reconnection* (which requires that JPS restores supply within 24 hours of payment of overdue amounts) and *Connection to Supply* (which prescribes the time within which JPS is to make a simple connection) remained the standards that accounted for the highest incidents of breaches (see Figure 6). These standards accounted for approximately 100% of breaches and 99% of compensatory payments.

Figure 6: JPS Reported GS Breaches

For 2024, JPS's GS reports indicate that a total of 86,814 breaches were committed, which represents a 3% decrease in breaches over 2023. Compensation associated with these breaches amounted to approximately \$191.1 million, of which \$146.4 million (77%) was paid. The remaining \$44.6 million (23%) is awaiting the decisions of the Minister of Science, Energy, Telecommunications, and Transport regarding JPS's *force majeure* relief request due to Hurricane Beryl.

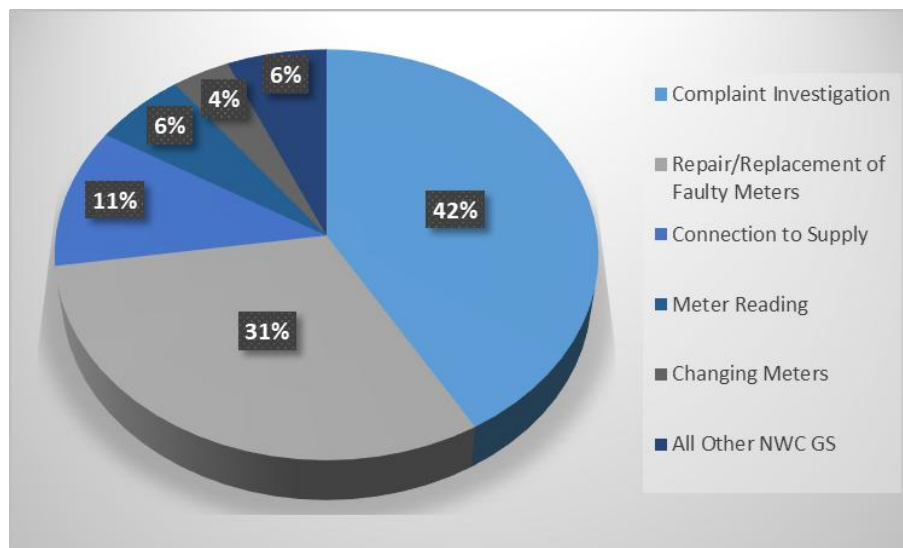
NWC

The NWC's Guaranteed Standards compliance report for the review period indicates that 3,107 breaches were committed during the review period, representing a 22% decrease over the preceding period. These breaches had a potential payout of approximately \$14.65 million, while actual payments amounted to approximately \$7.29 million, or 50% of total potential payments, and were made through automatic credits to the affected accounts. The remaining 50% of potential payments not made include those breaches for which the affected customers did not submit the required claim forms for validation.

As shown in Figure 7, the standards with the highest incidents of breaches for the NWC were *Complaint Investigations* (which require the NWC to complete investigations and respond or provide an update within 30 working days of receipt of

a complaint), *Meter Repair/Replacement* (which stipulates that defective meters are to be verified repaired/replaced within 20 working days), *Access/New Service Connection* (which requires NWC to connect a new supply within 10 working days), *Meter Reading* (which restricts the NWC from sending more than two consecutive estimates without a penalty), and Changing Meters (which requires the NWC to provide the customer with specific details (such as the date, meter reading and serial number relating to a meter change)). These five (5) standards represented 94% of total breaches and 93% of potential compensation.

Figure 7: NWC Reported GS Breaches



However, the standards that accounted for 95% of the total compensation paid were: Meter Repair/Replacement (39%), Meter Reading (30%), and payment of compensation (26%).

The NWC GS reports indicate that throughout 2024, 13,012 breaches were committed, representing a 58% increase in the number of breaches committed in 2023. Potential compensation for these breaches was approximately \$62.43 million, of which approximately \$25.06 million (40%) was paid. The remaining 60% of GS compensation was not paid, including those for which the affected customers did not submit the required claim forms.

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

In keeping with the provisions of their licenses and OUR Determination Notices, licensed Private/Small Water and/or Sewerage Service Providers (PWSSP) are required to submit quarterly reports on their Quality of Service (QoS) standards performance, which include the Guaranteed and relevant Overall Standards.

As is shown in Table 4, the PWSSP were generally compliant, as six (6) of eight (8), representing 75%, submitted their QoS reports for the review period. However, only four (50%) reports were submitted within the stipulated timeline.

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

Licensees to Submit Quarterly QoS Reports	2024 October - December	
	Due Date	Submission Date
Can-Cara Development Ltd. (CDL)	2025.02.19	2025.02.17
Dynamic Environmental Services Ltd. (DEML)		2025.02.19
Dairy Spring Ltd. (DSL)		Not Received
Landmark Developers Limited		Not Received
Runaway Bay Water Company Ltd (RBWC)		2025.02.19
Rosehall Development Ltd. (RDL)		2025.02.07
Richmond Environmental Services Ltd. (RESL)		2025.02.18
Tryall Golf and Beach Club (TGBC)		2025.02.21

Analysis of the quarterly GS reports received from the PWSSP indicates that nineteen (19) breaches were committed during the review period. For these breaches, potential compensation amounted to approximately \$58,432.56, with \$28,208.52 actual payments being made. Details of the GS breaches and compensation for the review period 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 Development Ltd.	16	50,148.48	28,208.52

RBWC	3	0	0
Total	19	58,432.56	28,208.52

The analysis also showed that CDL's breaches related to GS 1 - New Service Connections (7) and GS 5 – Repair/Replacement of faulty meters (9). CDL automatically applied compensation for GS to the affected customers' accounts. However, CDL did not pay compensation for the GS 1 breaches, as the required Clim Forms were not submitted by the affected customers.

RBWC reported two (2) breaches of GS 3b – Complaints Investigation and one (1) breach of GS 3c – Investigations involving 3rd party. Both standards require the submission of the Claim Form by the customer for the validation and payment of compensation, which was not done.

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, the focus is placed on the Key Performance Indicators (KPIs) on general customer satisfaction levels for NWC and JPS, which includes their performance on First Call Resolution Rate (FCR).

NWC:

As seen in Table 6, the NWC Call Centre Report for the review period indicates a mixed performance in the KPIs measured compared to the preceding quarter. The *Average Speed of Answer* and *Average Length of Call* increased by five and 12 seconds, respectively. The *Average Talk Time* decreased by nine seconds. *Percentage of Abandoned Calls* increased by .33 percentage points while the *Percentage Service Level* and First Call Resolution Rate decreased by four percentage points, respectively.

Table 6: NWC's Call Centre Performance

KPIs	KPI Definition	2024 Performance			
		Jan - Mar	Apr - Jun	Jul-Sept	Oct-Dec
<i>Average Speed of Answer</i> ²	Average time for answering calls	0:00:22	0:00:11	0:00:08	0:00:13
<i>Average Talk Time</i>	Average time spent talking to customers	0:04:41	0:05:01	0:05:01**	0:04:48
<i>Average Length of Call (Call Handle Time)</i>	Combination of Average Talk Time, Average After Call Work and Hold Time	0:06:48	0:06:34	0:06:46**	0:06:58
<i>Percentage Service Level</i> ³	Percentage of calls answered within 20	92%	94%	96%	92%

² International Standard for the Average Speed of Answer is 20 seconds

³ International Standard for Percentage Service Level is 80% of calls answered within 20 seconds

	seconds				
<i>Percentage of Abandoned Calls</i>	Percentage of calls not serviced	1.22%	1.67%	0.67%	1%
<i>First Call Resolution Rate⁴</i>	Customer's complaint/issue being resolved/solved at the first point of contact with the Call Centre	83%	89%	100%	96%

JPS:

As seen in Table 7, the JPS Call Centre Report for the review period indicates decreases in the time taken for *Average Speed of Answer* and *Average Length of Calls*, while the *Average Talk Time* increased when compared with the previous quarter. The *Percentage of Abandoned Calls* also decreased by four percentage points while the percentage Service Level increased by five percentage points. The FCR increased by .2 percentage points to 84%.

Table 7: JPS Call Centre Performance

2024 Performance					
KPIs	KPI Definition	Jan - Mar	Apr - Jun	Jul-Sept	Oct-Dec
<i>Average Speed of Answer</i>	Average time for answering calls	0:00:42	0:00:35	0:01:38	0:00:38
<i>Average Talk Time</i>	Average time spent talking to customers	0:05:19	0:05:02	0:05:18	0:05:21

⁴ Compliance Target set for NWC and JPS First Call Resolution Rate is 70%

** Represents the average for July and August only as the data for September showed inaccuracies that are being investigated

<i>Average Length of Call (Call Handle Time)</i>	Combination of Average Talk Time, Average After Call Work and Hold Time	0:06:09	0:05:47	0:06:12	0:06:00
<i>Percentage Service Level</i>	Percentage of calls answered within 20 seconds	96%	96%	91%	96%
<i>Percentage of Abandoned Calls</i>	Percentage of calls not serviced	4%	3%	7%	3%
<i>First Call Resolution Rate</i>	Customer's complaint/issue being resolved/solved at the first point of contact with the Call Centre	81%	84%	83.8%	84%

Chapter 5: Notification of Planned Outages Report

As part of their agreed Quality of Service Standards, the JPS and NWC must 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 must provide customers 48 hours (2 days) notice of planned outages. For the review period, JPS reported a 55.2% compliance rating for this standard, indicating that the company fell 44.8 percentage points short of attaining the established target of 100%.

NWC:

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

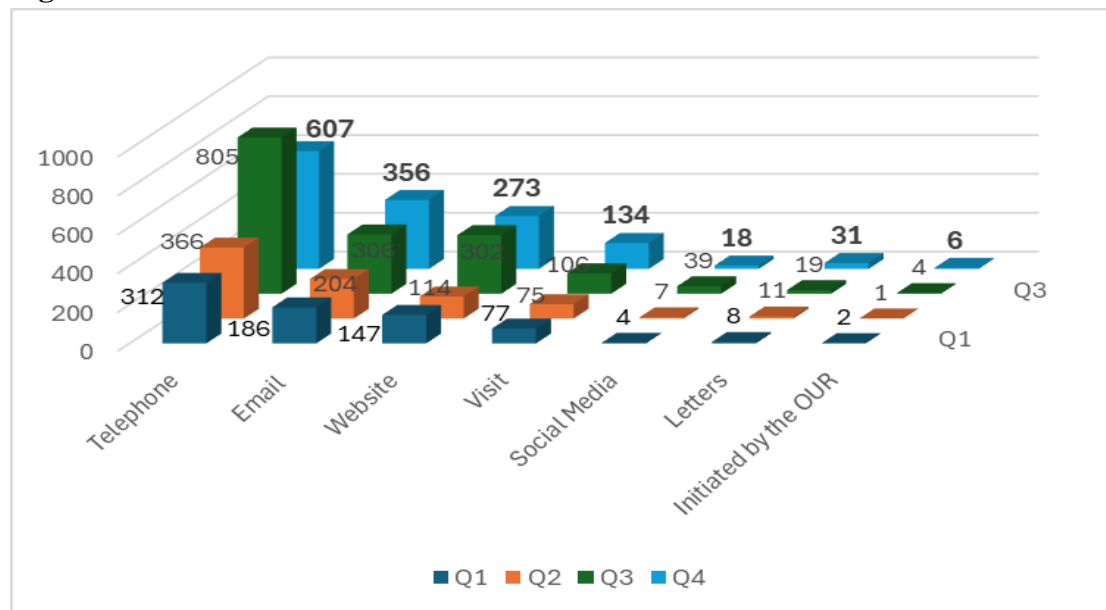
Based on the notifications to the public for outages lasting no more than 4 hours, the NWC attained a 100% compliance rating as all three relevant notices were issued within the established target.

For notifications exceeding four hours, the NWC also achieved a compliance rating of 53% to provide at least 24 hours' advance notice, which fell 37 percentage points short of the established target. Of the 15 related notifications received, eight (8) complied with the stated target.

Chapter 6: Customer Contact Distribution

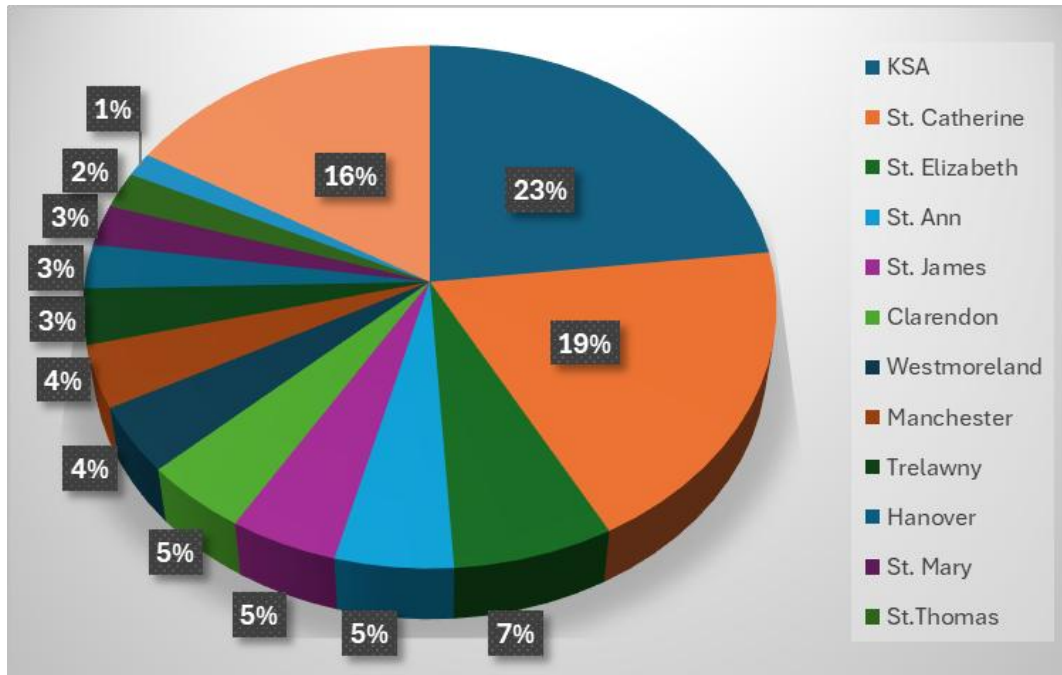
The telephone at 43%, remained the most frequently used method for customers contacting the OUR. Emails, the OUR's website, and visits followed by 356 (25%), 273 (19%), and 134 (9%) respectively. Social media, letters, and contacts initiated by the OUR shared the remaining 55 (3%). The details are provided in Figure 8.

Figure 8: Methods of Contact



Geographical Distribution of Contacts

Kingston and St. Andrew and St. Catherine, at 23% and 19% respectively, continued to account for the most contacts. St. Elizabeth followed with 7%. Clarendon, St. Ann and St. James each accounted for 5%. Westmoreland and Manchester accounted for 4% each while all other parishes each had a share of 3% or less. Sixteen (16%) of the contacts received provided no information on their location/parish, or the information was not recorded. Details are provided in Figure 9.

Figure 9: Geographic Distribution of Contacts

Chapter 6: Appeals Performance

(i) Closure of Appeals ⁵

Ten (10) appeals were closed during the review period, all of which were resolved in favour of the utility service providers. Four (4), representing 40% of the closed appeals, were resolved within the established sixty-five (65) working days, while the remaining six (6) were closed outside of the timeline.

(ii) Outstanding Appeals ⁶

At the end of the review period, fifteen (15) appeals remained outstanding because they exceeded the established sixty-five (65) business days for resolution. Of these appeals, eight (8) were awaiting OUR's action, while we are awaiting responses from the NWC for the remaining seven (7) outstanding appeals.

JPS accounts for seven (7) of the outstanding appeals, which relate to two (2) cases of equipment damage, two (2) property damage, and three (3) billing-related matters. The NWC accounts for the remaining eight (8) outstanding appeals which all relate to billing matters.

Appeals Process Resolution Rate

Of the twelve (12) new appeals that were accepted for investigation, responses were received for seven (7) within the established timeline and three (3) outside of the timeline. Follow-up actions were taken on four (4) appeals based on the responses provided, with one of the service providers' responses remaining outstanding. The response timelines for the remaining two (2) appeals have not expired.

All relevant information was received for nine (9) of the new appeals for which final decisions were made and communicated to five (5), or 56%, customers (by way of Final Letters) within the stipulated timeline. The final decisions for the remaining four (4), or 44%, customers were completed outside of the established 65 working day timeline. Further details on the CAU's performance on some key Appeals Process activities are provided in Table 13, Appendix I.

⁵ Breakdown of Appeals Closures can be seen in Table 11 on page 32.

⁶ Breakdown of Outstanding Appeals can be seen in Table 12 on page 32.

Forty (40) new appeals were accepted for investigation in 2024, of which 33, or 87%, were closed. Of the seven open appeals, four, or 57%, are outstanding, while the timeline for closing the remaining three has not expired. Fourteen – representing 38% - of the 37 new appeals due for closure were resolved within the established 65 working days.

Chapter 7: Consumer Affairs Highlights

(i) Credits/Compensation

Through the OUR's intervention, \$460,604.53 was secured for utility consumers during the review period. Of this sum, NWC, Columbus Communications, JPS, and C&WJ (Flow) accounted for \$194,085.62 (42%), \$106,703.30 (23%), \$89,579.09 (19%), and \$67,636.52 (15%), respectively. CanCara Development Limited accounted for the remaining \$2,600 (1%).

While \$82,284.30 (18%) of the total credits secured were recorded during the reporting period, they were applied to customers' accounts by the service providers in previous periods.

The total sum secured for utility consumers for 2024 was \$3,843,452.23, of which NWC, JPS, Columbus Communications (Flow), and C&WJ (Flow) accounted for 66%, 25%, 7%, and 3%, respectively.

(ii) Consultation to Establish *force majeure* Relief for Utility Providers' Customers

Within the utility regulatory framework, provisions are made for utility service providers to be excused from meeting stipulated service standards due to the negative impact of *force majeure* events. These events are described as circumstances which are outside of the control of the utility service providers, such as acts of God, natural disasters such as hurricanes, epidemics, or the outbreak of hostilities. However, unlike the utility service providers, there are no established provisions for utility customers to access relief from their service providers due to the negative impact of *force majeure* events.

This asymmetry was again highlighted with the island being affected by Hurricane Beryl on 2024 July 3, where, like the service providers, customers were negatively affected. However, unlike the service providers, no established *force majeure* relief provisions exist for their customers.

Consequently, a consultation will be conducted with the major service providers to agree and decide on the relief measures that will be implemented for customers resulting from *force majeure* events. As part of the consultation process, a survey is currently being administered to garner the views of members of the public on this very critical issue. The internally developed

survey will be administered during the period 2025 March 11 to April 7. Following this, the Consultation Document will be published, which will discuss the issue and outline proposed measure/s to be implemented by the utility service provider to provide relief due to *force majeure* events. We are therefore encouraging the public to participate in this process.

Appendices:

Appendix I: List of Tables: 2024 April - June

Table 8: Contact Activity Summary (All Utilities)

	Description	JPS	NWC	C&WJ (FLOW)			Columbus		Digicel		Private Water Providers	Private Telecoms Providers	OUR/Other (Not Utility Provider Related)	Total
				Internet	Landline	Mobile	Internet	Landline	Internet	Mobile				
A	Contacts for the Quarter													
(i)	New Appeals	9	7	0	0	0	0	0	0	0	0	0	0	16
(ii)	New Complaints	304	132	91	10	21	92	17	13	5	5	4	3	697
(iii)	New Enquires	9	10	2	0	2	1	1	0	1	1	4	0	31
(iv)	New Opinions	0	0	1	0	0	2	0	0	0	0	0	0	3
(v)	New Referrals	321	155	11	3	16	105	19	7	5	4	2	30	678
	Total Contacts	643	304	105	13	39	200	37	20	11	10	10	33	1,425
B	Closure/Resolution of Appeals:													
(i)	Resolved in Favour of Utility	6	4	0	0	0	0	0	0	0	0	0	0	10
	Total Closures	6	4	0	0	0	0	0	0	0	0	0	0	10
C	Total Appeals from Previous Periods:													
	Outstanding Appeals with OUR													
(i)	Undergoing Analysis/Determination	7	1	0	0	0	0	0	0	0	0	0	0	8
(ii)	Awaiting Service Provider's Response	0	7	0	0	0	0	0	0	0	0	0	0	7
	Total Outstanding Appeals	7	8	0	0	0	0	0	0	0	0	0	0	15

Table 9: Distribution of Contacts by Categories

Complaint Category	Service Providers								
	JPS	NWC	Digicel	C&WJ (FLOW)	Columbus Communications (Flow)	Small/Private Telecommunications Providers	Small/Private Water/Sewerage Providers	OUR/Other (Not Utility Related)	Total
Billing Matters	454	214	6	10	27	0	3	1	715
Broken Main	0	5	0	0	0	0	0		5
Customer Service	0	0	0	1	1	0	0	2	4
Defective Street Light	2	0	0	0	0	0	0	0	2
Disconnection	14	9	2	15	8	1	0	1	50
Equipment Damage	14	0	0	0	1	0	0	0	15
Guaranteed Standards	10	11	0	0	0	0	0	0	21
Health & Safety	10	1	0	0	1	0	1	0	13
Illegal Connections	3	0	0	0	0	0	0	0	3
Interruption of Service	66	9	10	73	155	4	0	14	331
Irregular Supply	18	9	0	0	0	0	0	0	27
Leak at Meter	0	3	0	0	0	0	0	0	3
Metering	0	1	0	0	0	0	4	0	5
Number Portability	0	0	3	2	2	0	0	0	7
Other	26	24	2	14	17	2	2	13	100
Payment Arrangement	0	1	0	0	0	0	0	0	1
Phone Credit Depletion	0	0	1	10	0	0	0	0	11
Poor Service Quality	5	4	2	8	0	0	0	0	19
Prepaid Metering Service	3	0	0	0	0	0	0	0	3
Property Damage	2	0	0	0	0	0	0	0	2
Rebate	1	1	1	15	18	0	0	1	37
Reconnection	1	7	0	1	0	0	0	0	9
Refund	4	2	3	3	2	0	0	1	15
Service Connection	6	3	0	1	2	0	0	0	12
Terms and Condition of Service	3	0	1	3	0	0	0	0	7
Unable to get through to Utility Provider	1	0	0	1	3	3	0	0	8
Total	643	304	31	157	237	10	10	33	1,425

Table 10: Annual Distribution of Contacts by Categories

Complaint Category	Review Periods (2023)				
	Jan - Mar	Apr - Jun	Jul - Sept	Current Quarter (Oct. - Dec.)	Total (Jan - Dec 2024)
Billing Matters	396	365	787	715	2,263
Broken Main	4	6	2	5	17
Customer Service	3	10	2	4	19
Defective Street Lights	2	0	0	2	4
Disconnection	30	33	25	50	138
Equipment Damage	13	9	19	15	56
Guaranteed Standards	29	18	19	21	87
Guaranteed Standards Query	0	0	0	0	-
Health & Safety	9	8	17	13	47
Illegal Connections	2	1	4	3	10
Interruption of Service	117	110	462	331	1,020
Irregular Supply	15	33	33	27	108
Leak at Meter	1	3	5	3	12
Metering	0	2	2	5	9
Number Portability	1	4	0	7	12
Other	52	90	90	100	332
Payment Arrangement	0	0	1	1	2
Phone Credit Depletion	4	2	6	11	23
Poor Service Quality	17	29	35	19	100
Prepaid Metering Service	5	7	3	3	18
Property Damage	3	1	4	2	10
RAMI Service Connection	0	2	2	0	4
Reconnection	5	7	6	9	27
Rebate	0	5	24	37	66
Refund	11	9	7	15	42
Security Deposit	0	0	0	0	-
Service Connection	7	11	10	12	40
Terms & Conditions of Service	9	13	9	7	38
Unable to get through to Service Provider	0	0	7	8	15
Unavailability of Service	1	0	0	0	1
Total	736	778	1,581	1,425	4,520

Table 11: Distribution of Closed Appeals by Utilities

Appeal Category	Service Provider		Total
	JPS	NWC	
Billing Matters	5	4	9
Equipment Damage	1	0	1
Total	6	4	10

Table 12: Distribution of Appeals (Outstanding)

Appeal Category	Service Providers		Total
	JPS	NWC	
Billing Matters	3	8	11
Equipment Damage	2	0	2
Property Damage	2	0	2
Total	7	8	15

Table 13: CAU's Performance on Service Standards (New Appeals)

Activity	Service Standards	% Compliance	Comment
Acknowledgement of Appeals	Within two business days of receipt of customer's correspondence	83%	Ten of twelve new appeals were acknowledged within the established timeline.
Case Letters/ Other Utility Contact	Within five business days of acknowledging customer's correspondence	75%	Nine of twelve Case Letters were dispatched within the stipulated five business days.
Correspondence Copied to Customer	The 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	56%	Final responses were prepared and dispatched within the established timeline for five of the nine 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 ⁷
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 ⁸
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

⁷ 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.

⁸ 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 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 ⁹
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 allocated 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:

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.

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 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