

## OUR Invites public say on Service Standards for Telecommunications Industry

**(KINGSTON, Jamaica; November 24, 2014):** The Office of Utilities Regulation (OUR) is one step closer to formalising quality of service standards for the telecommunications industry.

Customers of the telecommunications companies have been invited to give their feedback on the Proposed Rulemaking for quality of service standards and consumer protection guidelines for the telecommunications sector.

The '*Quality of Service Standards and Consumer Protection Guidelines for the Telecommunications Sector – Notice of Proposed Rulemaking*', (NPRM) document has been posted on the OUR's website and comments are invited from all stakeholders including the local telecommunications companies, their customers, the Ministry of Science, Technology, Energy and Mining, and consumer advocacy groups.

The OUR's proposals on quality of service and consumer protection in this NPRM are shaped by investigations it undertook and consultations held with various stakeholders from as far back as 2010. Specifically, the proposals are influenced by:

- ✓ Discussions with government agencies, consumer organizations and Licensees
- ✓ Analyses of complaints to the OUR and survey results
- ✓ Specific information requests from the OUR to Licensees
- ✓ Call centre and Drive tests
- ✓ International comparisons
- ✓ Analyses of existing contracts

The proposals in the NPRM cover quality standards for fixed telephony, mobile telephony and internet access as well as procedures for handling of consumer complaints. It also includes a General Consumer Code of Practice, which sets out consumer protection guidelines for the telecommunications sector.

The purpose of this NPRM is to provide a framework to be drafted in the form of rules issued pursuant to section 44(3) of the Telecommunications Act for Quality of Service obligations.

Among the proposals is to create quality of service measurement targets for a number of areas including:

- **Customer complaints** – There should be at most five (5) customer complaints in total per one hundred (100) active subscribers for the service in a reporting period of three (3) months; there should be at most one (1) customer complaint each about

disconnections or accounts per one hundred (100) active subscribers for the service in a reporting period of three (3) months.

- **Complaint Resolution Rate** – At least eighty percent (80%) and ninety-five percent (95%) of the number of customer complaints in total over a reporting period should be resolved in fifteen (15) working days and thirty (30) working days respectively.
- **Broadband (Internet) Availability Rate** – Customers must be able to access the broadband (internet) service of their provider 99.95% of the time over a reporting period, except in cases of scheduled network maintenance or upgrading, in which case, the telecommunications provider is obligated to inform customers and the OUR ahead of these planned disruptions in service.

In order for consumers to have a real choice in a competitive market, it is necessary for them to have comparative information on the characteristics, quality and price of services. In this regard the OUR proposes to require measurement and publication of quality of service data on a periodic basis.

The OUR is also proposing other changes, one such being that customers should be given at least one month's notice in advance about proposed changes to their pricing plans or the terms and conditions of contracts and be told that they can withdraw from their contracts without penalty. Persons or entities wishing to make comments, have until Monday, December 8, 2014 to do so. The NPRM document can be accessed on the OUR's website: [www.our.org.im](http://www.our.org.im)

**Background:**

The Telecommunications Act and the Office of Utilities Regulation Act establish as objectives for the OUR, encouraging competition and protecting the interests of consumers. The OUR intends to work towards these objectives by exercising its powers to obtain information from, place requirements on and make recommendations to telecommunications licensees. These requirements and recommendations relate to quality of service and other aspects of consumer protection.

In a perfectly competitive market in which consumers are fully informed about the characteristics and reliability of all products, no regulation of quality is required as each person is able to make an optimal choice given the range of services and relative prices. However, it is common knowledge that markets often fail to meet these perfectly competitive conditions. Consumers will therefore benefit when quality standards are regulated and licensees' performances on quality of service indicators are established and published. This is so because the exercise of choice by better-informed consumers leads to increased competition, as licensees compete to offer better quality services to retain existing customers or attract new ones.