



Office of the Director of
**Telecommunications
Regulation**

Measuring Licensed Operator Performance:

Report on Consultation

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TABLE OF CONTENTS

1. INTRODUCTION	4
2. DEVELOPMENTS SINCE THE PUBLICATION OF THE CONSULTATION PAPER	6
3. PRINCIPLES FOR THE MEASUREMENT PROGRAMME	9
3.1 Legislation	9
3.2 Principles	9
4. MEASURING PERFORMANCE	11
4.1 Quantitative Measurements	11
4.2 Qualitative Measurements	12
5. CATEGORISING LICENSEES	13
5.1 Types of Operator	13
5.2 Mandatory Reporting	14
5.3 Categorisation Criteria	14
6. SUITABLE PARAMETERS	17
6.1 Introduction	17
6.2 Subjects for Performance Measurement	17
6.3 Other Parameters	18
6.4 Definition of Quantitative Parameters	19
6.5 Parameters for Publication	23
7. THE MEASUREMENT PROGRAMME	28
7.1 Determining the Parameters	28
7.2 Auditing the Results	28
7.3 Misrepresentation of the Information	29
8. PUBLICATION OF INFORMATION	30
8.1 Mechanisms	30
8.2 Editorial	30

8.3	Timing	31
9.	CONCLUSIONS	35

TABLE	PAGE
Table 1 : Thresholds for Category ‘B’ Licensees	14
Table 2 : Revised Thresholds for Category ‘B’ Licensees	16
Table 3 : Additional Performance Parameter Subjects for the SMP Operator	18
Table 4 : Parameters to be Measured in Tranche 1	20
Table 5 : Parameters to be Measured in Tranche 2	22
Table 6 : Parameters for Publication	24
Table 7 : Timetable for Launch of Performance Measurement Programme	32
Table 8 : Performance Measures for Services Provided by the SMP operator to OLOs	54

1. INTRODUCTION

A consultation document was issued by the Director of Telecommunications Regulation (“the Director”) on 13 July 1999 entitled “Measuring Licensed Operator Performance” (“the Consultation Paper”).¹ The paper sought comments from interested parties on proposals to measure and publish statistics on licensed operators’ performance towards their customers.

The Director would like to thank all the organisations that responded to the Consultation Paper. The comments received have provided valuable input into the Director’s consideration of the issues raised. The Director regrets that telecommunications user groups were not in a position to provide responses at this time, but she expects that the programme set out in this paper will lead to a greater awareness among telecommunications users of the levels of service provided to them by telecommunications operators. Responses were received from the following organisations:

- Cablelink (NTL)
- Cable & Wireless
- Esat Digifone
- Esat Telecom
- Ocean Communications
- MCI Worldcom
- Telecom Éireann (now eircom).

The responses, excluding material that respondents consider confidential and specifically asked be withheld, are available for inspection at the ODTR’s office during working hours.

This document sets out the substantive issues raised in the responses. On some issues, there was broad agreement amongst respondents, whereas on others different perspectives or analysis led to quite different views. This document does not attempt to analyse all the arguments and counter-arguments raised during the consultation. Instead, it provides an overview of the responses to each set of questions, identifying the arguments and evidence the Director considers most relevant. Where different groups of respondents had markedly different views, this is noted.

This document sets out the Director’s current position on a programme for measuring the performance of licensed operators, without prejudice to the legal position or the rights and duties of the Director to regulate the market generally.

The remainder of this paper is structured as follows:

- Section 2 records relevant developments since the publication of the Consultation Paper in July;
- Sections 3-9 provide an account of the responses to the Consultation Paper, and set out the Director’s proposed course of action, including;

¹ Document No. ODTR 99/41

- Principles that should govern the measurement of performance (Section 3);
 - The measurement of performance (Section 4);
 - Categorisation of Licensees (Section 5)
 - Suitable parameters (Section 6);
 - Methodology of a measurement programme (Section 7); and
 - Publication of measurements (Section 8).
- Section 9 sets out the conclusions.

Sections 2-8 follow the contents of the original consultation paper.

2. DEVELOPMENTS SINCE THE PUBLICATION OF THE CONSULTATION PAPER

As made clear in Section 2.5 of the Consultation Paper, this consultation has not taken place in isolation. The ODTR has carried out other consultations which are relevant to the level of services provided to telecommunications users. The ODTR aims to establish an overall framework that will ensure that Irish telecommunications users receive a consistent and high quality of services from telecommunications licensees. In due course, in a highly competitive market where quality of service is a competitive differentiation tool between operators, customers should have available sufficient information to make choices about which services they wish to purchase based on a range of factors, including the quality of the service provided.

At present, competition in the Irish telecommunications market is still in the early stages of development². In particular, eircom owns a nation-wide ubiquitous fixed telecommunications network and consequently controls access to a large number of customers. Because newer entrants to the market do not possess such a network they must rely on eircom to access customers. In turn, the quality of the services they receive from eircom will determine some of the quality parameters of the service they in turn provide to customers. This relationship is set out in figure 1 below:

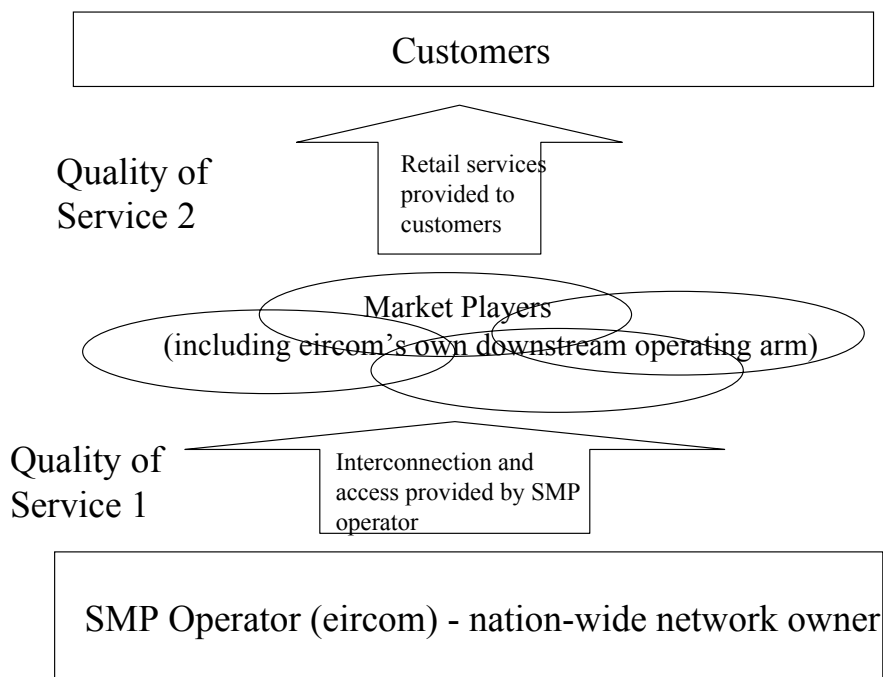


Figure 1

Because the level of service to the customer (Quality of Service 2) relies on the level of service provided by the SMP operator (Quality of Service 1), the ODTR has concentrated initially on Quality of Service 1.

² eircom currently holds 94% of the Public Fixed Networks market, 95% of the Public Fixed Services market and 95% of the Leased Lines market.

The services provided by eircom as an SMP operator to OLOs can be divided into two broad categories; Carrier Services and Interconnection Services. The ODTR carried out a specific public consultation on service levels of carrier services which resulted in ODTR Document No 99/48, “**Service Levels Provided to Other Licensed Operators by Licensees with Significant Market Power: Report on Consultation**”, issued in August 1999.

This report is based on the fact that the wholesale business of the SMP operator is required to provide the same level of service to OLOs as it does to its own retail business. As the level of service on offer at the time of the consultation was considered unsatisfactory, the Director set out parameters for the Service Level Agreements (SLAs) in ODTR 99/48. The SMP operator is required to provide a guaranteed level of service which compares favourably to those available in other EU Member States. Each Carrier Service must have an associated SLA which must be improved over time to reflect growing efficiency within the SMP operator. A penalty payment structure is also set out where the SMP operator’s performance falls below that guaranteed to the OLO.

The second category of services, interconnection services was similarly addressed in a consultation paper and Decision notice D12/99. However, the operation of this decision notice is suspended at this time by legal proceedings.

The introduction of Service Level Agreements with specified quality of service targets between the SMP operator and its own downstream arms and other competitors, creates a level playing field on which competing operators can differentiate by providing high quality services to customers. This current report takes this concept and builds on it to produce a template for measuring the performance of licensed operators to their customers as compared with the promised levels of quality. The report identifies various categories of customers, including OLOs as customers of the SMP operator.

The Director believes that this impartial and transparent mechanism will ensure:

- the visibility of service levels at the “wholesale” level and the degree to which those levels are met, which in turn will enable operators to plan and provide their own retail service level programmes with certainty, and
- transparency of information to consumers who will be able to examine the performance of operators as measured against the quality of service promised to the consumers.

The Director does not consider these mechanisms to be “micro-management of the market”, a concern expressed by one of the respondents, but rather enabling mechanisms that will, through transparency, facilitate certainty, innovation and choice.

Earlier Publication of Leased Line Parameters

Since the closing of the consultation period there has been an increasing awareness among consumers of service quality issues. Therefore, in the context of the overall time table for publication of results under the programme in the paper, the Director has considered whether some elements of information can be published earlier.

She has concluded that publication, by the SMP³ operator of Leased Line indicators can take place earlier than is planned under the programme as information on this topic is already collected by the SMP operator and submitted to the EU Commission for publication in accordance with the Leased Lines Directive and Regulations.

The Director will therefore require the SMP Operator to publish leased line performance data separately for the first and second six months of 2000. The parameters for this publication requirement will be in line with the EU Commission's existing requirements.

³ Mobile Operators are not covered by this Performance Programme

3. PRINCIPLES FOR THE MEASUREMENT PROGRAMME

3.1 Legislation

The legislative background is set out in detail in the Consultation Paper ODTR 99/41.

One operator queried the legislative basis for the proposals in the Consultation Paper, stating that S.I. 71 of 1999 only places obligations on the dominant incumbent to provide this information (performance data) and that these obligations do not extend to all other operators.

Regulation 16 of S.I 71 of 1999 explicitly provides for the collection and publication of performance data from operators other than the SMP operator. The relevant subparagraphs, (3), (4) and (5) are set out below for the avoidance of doubt:

“(3) A fixed operator, other than a person referred to in subparagraph (a) of paragraph (1)* which has been licensed under section 111(2) of the Act of 1983 for at least 18 months, shall, if requested by the Director, keep current records concerning its performance based on the parameters, definitions and measurement methods specified in Annex III.

(4) The information referred to in paragraphs (2) **and** (3) shall be provided by the person concerned to the Director on request.

(5) The Director may, where appropriate, and taking account of the views of interested parties in accordance with Regulation 26 issue directions requiring the publication, in accordance with Regulation 15(4), of the performance data referred to in paragraphs (2) **and** (3).”

* Subparagraph (a) of paragraph (1) refers, inter alia, to “a person ... who has significant market power in the provision of either fixed public telecommunications networks or voice telephony services or both”.

3.2 Principles

The consultation paper outlines the following principles on which the performance measurement and publication programme is to be developed:

- The requirement to make, record or collect measurements should seek to minimise the burden on operators, and the effort involved should be proportionate to the value of the measurements obtained, having regard to the regulatory needs of the Director in respect of licence enforcement and the service of the public interest by the provision of public information.
- The definition of any quantitative parameters should be sufficiently exact so as to ensure comparability, but otherwise allow operators flexibility to use any existing systems and procedures for measurement.
- Additional information may be required of eircom as USO and SMP operator in respect of its specific obligations, and in particular, information on the service provided to OLOs should be separately identified from that provided to retail customers. Any other operators with specific obligations may be required to provide additional information in the public interest relating to these obligations.

- Measures which are published should seek to enable the public to make comparisons between companies in respect of the indicators covered.
- Measures to be published will focus on an operator's effectiveness in keeping its promises to customers, rather than comprise empirical data on actual performance which on its own may be misleading. The promises against which an operator is measured will be the terms and conditions offered by that operator and will be published along with the performance statistics.
- ODTR will receive empirical data from operators for its own purposes or for use in agreed calculations, which are defined later in this paper. The data will amongst other things, assist ODTR in identifying whether operators and retail customers receive comparable service.
- Operators will have the opportunity to review and propose reasoned corrections to results prior to publication

There was broad agreement amongst the operators for these principles. Many commented on the importance of keeping the burden on both operators and the ODTR to a minimum, whilst gaining the maximum practical benefit from the information gathered.

4. MEASURING PERFORMANCE

4.1 Quantitative Measurements

eircom and the majority of the OLOs were supportive of the Director's initiative in this area. The Director is greatly encouraged by this and hopes that this is an indication of the level of co-operation that OLOs and eircom will demonstrate as the programme develops.

Some respondents wished to emphasise the requirement for regulation by the marketplace, avoiding excessive regulatory overhead generated by the ODTR's proposals for gathering information. The Director does not wish to produce an over-regulated market. However it is essential that the ODTR has sufficient information in order to carry out its functions in regulating the market and particularly the SMP operator, specifically in respect of:

- the level of service it provides to consumers,
- the level of service it supplies to OLOs,
- its performance against the requirements of the Universal Service Obligation.

The Director also believes it is important to have visibility of the level of service provided to consumers by OLOs and the SMP operator, to ensure that:

- the level of service provided to consumers is appropriate having regard to the rights and entitlements of the licencees, and
- whether consumer complaints are indicative of, or an exception to, the average level of performance provided by a particular licensee.

The Director also believes that appropriate information should be available to the market, to provide greater transparency within the market and to assist consumers in their purchasing decisions. In order to do this the Director recognises the concerns raised by some respondents that any published parameters must be:

- agreed in advance so that there is clarity and certainty
- fair and sufficiently tightly defined
- accurately calculated and audited by the industry
- directly comparable
- reflect the interdependencies of operators on each other.

One respondent felt that any proposed programme should be restricted to cover the SMP operator and only extended to OLOs once the industry has developed. Conversely another respondent felt that there was a significant risk in developing a performance programme purely to measure the SMP operator's performance with the intention of incorporating OLOs at a later date. Such a course of action would risk compromising the comparability of parameters, as they would initially be developed to assess the performance of one operator, which would be atypical of the other operators in the marketplace. The Director agrees that the programme should be developed having regard to the entire market.

In light of the strong support from the industry, the willingness of operators to take part and put resources into the development of the programme and the resource constraints of the ODTR (as identified by some operators), the Director has revised her proposal for the mechanics of the programme, which is outlined in Section 7 of this document.

4.2 Qualitative Measurements

The consultation paper discussed the possibility of instigating a market research programme to determine the perceptions of customers of the level of service provided by Licensed Operators.

Given the early stage of market development the Director believes that it would be inappropriate at this stage to develop a qualitative performance measurement programme but it is her intention to review the need for such a programme when she considers the market may be mature enough to justify its implementation. The Director feels that such market research initiatives now would place an unnecessary burden on new operators in the market.

There was unanimous agreement with this viewpoint from all respondents.

5. CATEGORISING LICENSEES

5.1 Types of Operator

The Director has defined three different types of Licensee for the purposes of the performance measurement programme.

These categories are:

- *Category 'A' Licensees* : Licensees who fall below the thresholds in Table 1 (overleaf) will be required to provide data on only those parameters that are deemed mandatory for all Licensees
- *Category 'B' Licensees* : Licensees who are above the thresholds in Table 1 will be required to provide data on the mandatory parameters plus a number of supplemental metrics
- *Category 'S' Licensees*: those operators which have been determined to have SMP within the relevant market will be required to provide data on the same parameters as Category 'B' Licensees plus additional metrics pertinent to the SMP operator's position.

Respondents felt that this categorisation was a fair reflection of the principle to make the value of the information gathered proportional to the effort involved. The Director reserves the right to review this position and amend it if appropriate.

Esat Digifone asked for confirmation that Mobile Licensees would not be the subject of the programme. The Director can confirm that the programme is only for operators holding General Licences and does not extend into the mobile market at this time.

Services to be Covered by the Consultation

Respondents requested that the Director supply a definition of the various service types covered in the programme, which is provided below:

- **direct access services** where the telecommunications company provides a direct link from an exchange to the customer's various premises
- **indirect access services** where the telecommunications company does not provide a direct link to the customer's premises
- **leased line services** where the telecommunications company provides a link between the customer's premises' or between the customer's premises and the operator's exchange.

Ocean proposed the inclusion of partial leased circuits and International Private Leased Circuits (IPLCs). The former is a carrier level product, which has not been proposed for inclusion in the current set of eircom carrier services. The Director has therefore decided not to include this product in Appendix IV at this time. IPLCs are by their nature highly dependent on third-party operators in countries outside of the regulatory framework in Ireland. Therefore, the Director considers that any statistics may be misleading as they are dependent on the performance of overseas operators and there is little consequential benefit of the ODTR having oversight of such statistics.

5.2 Mandatory Reporting

The Director proposed that all operators report on the following parameters relating to complaints:

- number of registered complaints
- number of registered complaints resolved within 20 days
- number of registered complaints requiring dispute resolution.

The Director recognises that the definition of a complaint will have to be sufficiently exact to ensure comparability between the results of each operator. She hopes that the revised definitions included in Appendix II, can provide a basis for industry-wide agreement.

The Director's proposal to monitor the disconnection for non-payment for residential subscribers was designed to ensure that lower income consumers are not excluded from the market. The Director concurs with the comments of respondents that such a requirement should not be placed on OLOs as only the SMP operator is *obliged* under the terms of the USO to provide service. Therefore, this parameter has been moved to Appendix IV : Supplemental Performance Parameters Applicable to the SMP Operator.

5.3 Categorisation Criteria

Table 1 shows the thresholds proposed by the Director to determine Category 'B' Licensees.

Table 1 : Thresholds for Category 'B' Licensees

Service Offered	Threshold for Reporting
Direct access telephony	2,500 lines ⁴
Indirect access telephony	IR£ 1m revenue from indirect access services
National leased lines	500 digital leased lines

Licensees will be required to report on their performance on a service by service basis as they pass each threshold.

The revenue threshold for indirect access services is an annual figure. A respondent correctly identified that a particular operator's revenue could fluctuate around the £1m threshold over a number of quarters. The Director has determined that a licensee will be deemed to be within Category 'B' for the 12 months following its first passing of the threshold. The status of licensees will be reviewed on an annual basis.

Cable & Wireless suggested that the thresholds should be the same as those used in the UK:

- direct access : 5,000 lines (of the type to be reported e.g. business or residential)
- indirect access : £3m of annual revenue

⁴ See Appendix II for definition.

It should be noted that the UK telephony market is almost eleven times larger, by revenue⁵, than the Irish market. Therefore, if a direct parallel were to be drawn between the Irish and the UK markets, an Irish operator participating in this programme would only have to generate approx. I£ 250,000 of revenue per annum. The Director feels that such a threshold is too low.

Conversely, the Director believes that setting a threshold of IR£ 3m would mean that, given the size of the Irish market, the majority (if not all) of the indirect access service providers would not fall within the Category 'B' during the near and, perhaps, medium term. Hence, the Director has determined that a value of I£1m is an appropriate threshold to ensure:

- that the larger licensees are included in the programme
- smaller licensees are released from the limited burdens created by the programme
- the thresholds are set to take account of the relative size of the Irish market.

In its response, Ocean proposed setting the thresholds based on the market share of the operator, e.g. an operator did not have to take part in the programme until it achieved x% of the relevant market.

The Director considers that this approach is not appropriate at this time because:

- it requires a detailed measurement of the total value of the market, in terms of
 - absolute size
 - segmentation of revenue
 - definition of which 'revenue' is relevant to which 'market'
- agreement from all participants on the above and availability of revenue data from all licensees, and
- it mitigates against innovative service providers who might cross the boundaries of the 'relevant market' segmentation by bundling services together.

Worldcom proposed to measure the volume of indirect customers based on the number of CLIs registered with the operator. The Director's concerns about this approach include the fact that :

- a CLI may not directly relate to the number of 'customers' actually serviced by the operator as one small customer may have one registered CLI and one very large customer may have one registered CLI or many CLIs registered. Hence an operator focussing on SMEs may have a completely different ratio of CLIs to customers than an operator servicing corporate clients
- the existence of a CLI being registered with an operator does not reflect the revenue associated with that CLI and therefore there is a risk of placing the limited burdens of participation in the programme on smaller licensees.

Consequently, the Director proposes the revised thresholds shown in Table 2

⁵ ITU 1995

Table 2 : Revised Thresholds for Category 'B' Licensees

Service Offered	Threshold for Reporting
Direct access telephony	2,500 lines in specific market (e.g. business or residential)
Indirect access telephony	From first year where annual revenues exceed I£ 1m from indirect access services
National leased lines	500 digital leased lines

6. SUITABLE PARAMETERS

6.1 Introduction

Most operators concurred that the ETSI Technical Report, ETR138; “Network Aspects (NA); Quality of service indicators for Open Network Provision (ONP) of voice telephony and Integrated Services Digital Network (ISDN)” was sufficiently developed only to provide guidance for the parameters to be used in the proposed programme. eircom requested that the ODTR delay any implementation of the programme until the latest revision of the report is available.

The work on a revised ETR 138 is currently underway, but is far from completion. The Director understands that a revised version of the report will not be published until June 2001. The Director does not see such a delay as being beneficial to the development of the programme and considers that such a delay would unnecessarily delay the benefits that the programme can bring. She believes that the programme can be developed in a robust fashion that will permit adjustments if necessary on publication of the final version of ETR 138

6.2 Subjects for Performance Measurement

Operators concurred with the Director’s decision to exclude the collection of technical parameters from the performance measurement programme. The Director retains the right to request specific information from any Licensee should she see fit.

There was broad agreement on the areas to be covered by any programme. These were:

- Service provision : the provision of service to customers as a result of a firm customer order
- Fault management : the number of faults reported by customers and the management of these faults
- Complaints : the number and types of complaints from customers.
- Billing : the accuracy of bills.
- Disconnection : the number and reasons for disconnection of residential customers.

As discussed in Section 0 disconnection reporting will be revised and limited to the SMP operator, in line with the comments provided by respondents.

Cablelink was the only operator to disagree with the majority, feeling that reporting should be limited to Service Provision and Fault Management only. Some operators identified a requirement to phase in the collection of parameters, given the large number proposed in the consultation paper. The Director concurs that the initial tranche of parameters should focus on those items of information that operators would be collecting for their own purposes. As such, Complaints, Fault Management and Service Provision would appear to be ideal candidates. A second tranche of parameters will be introduced at a later date after further consideration by the industry.

The Director considers that supplemental information is required of the designated Universal Service Provider⁶ so that she can ensure:

- all users, independent of their geographical location are provided with a minimum set of services of specified quality at an affordable price.⁷

The universal service obligation as specified in Decision Notice D3/99, extends to the following services:

- access to the fixed network and services,
- directory services, and
- provision of public pay telephones.

The Director also considers that supplemental information is required of those operators designated as having SMP. This is to ensure that SMP operators' performance towards OLOs is compatible with the maintenance of a "level playing field" between the OLOs and the retail arm of the SMP operator when Carrier Services (see below) are provided.

SMP operators will provide supplemental data regarding those subject areas outlined in Table 3. The parameters are defined in Appendix IV.

Eircom published Service Level Agreements for Carrier Services on 15 October 1999. These SLAs are effective from 1 November 1999. The definitions of Carrier Services in these SLAs are used in this report.

Table 3 : Additional Performance Parameter Subjects for the SMP Operator

Topic	Description
Fault Management and Service Provisioning parameters for OLOs	Data presented separately for carrier services provided to OLOs.
Directory Enquiry Services	The performance of the Directory Enquiries service provided by the SMP operator.
Public Payphones	The availability of public card and coin payphones wholly managed by the SMP operator.
Interconnect circuits ⁸	Circuits provided for the interconnection of OLO networks to the network of the SMP operator.

6.3 Other Parameters

The Director reserves the right to include additional parameters for either OLOs or the SMP operator, under the terms of the General Telecommunications Licences and the appropriate legislation.

⁶ Under Decision Notice D3/99, eircom was designated Universal Service Provider.

⁷ European Communities (Voice Telephony and Universal Service) Regulations, 1999, SI No 71 of 1999.

⁸ Additional parameters added as a result of the consultation.

6.4 Definition of Quantitative Parameters

Table 4 shows lists of the parameters proposed against each of the areas identified in Section 6.2. Detailed definitions of each parameter are attached as Appendices II, III and IV to this document.

In its response Ocean suggested some additional parameters which would assist customers in their buying decision:

1. call answering for orders
2. call answering for fault reporting
3. call answering for enquiries.

In relation to item 1., the Director considers that any adverse customer reaction to call answering for orders could result in the customer not placing an order at all. As a result the market would act as the regulator in this instance and it is inappropriate to include the item at this time. If there is evidence in the future that this is not so, the Director will reconsider this item. In relation items 2. and 3., the Director agrees that these would be useful items to measure customer reaction to. However, given the number of parameters within Tranches 1 and 2 on which operators can report, she considers that customer reaction to these items would better be gauged through any future market research work (see Section 4.2).

eircom felt that the Director should only collect statistics from operators on complaints that were seen as 'justified'. It is the Director's view that complaints invariably appear 'justified' to the complainant. Therefore, if the statistics collected are to reflect the level of complaints made by consumers, then the gross number of complaints should be collected. The Director feels that a subjective measure of 'justified' complaints, where the operator determines whether such a complaint is justified is too open to misinterpretation to be worthwhile.

At present, eircom does not operate a telephone complaints line. The measures dealing with complaints state that "Operators must notify the ODTR, in advance of data collection, which complaint channels, e.g. written, telephone, personal visit, will be included and which will not be included for the purposes of this measure. Explicit reasons for exclusion must be provided by the operator and accepted by the ODTR." Therefore, the lack of a complaints telephone line would preclude eircom from providing data for III.4.1, but not the measures dealing with the number of complaints made.

MCI-Worldcom raised the issue of collecting statistics on 'repair times' for telephony services and 'response times' for leased line services. The Director's rationale for having these different measure was:

- telephony service customers are more likely to receive 'promises' from operators regarding 'when the service will be restored'
- leased line service customers are more likely to have an SLA with the operator stating a minimum response time, rather than a repair time.

Should the subsequent discussions with in the industry prove otherwise the Director will consider adjusting the definition of such parameters accordingly.

Table 4 : Parameters to be Measured in Tranche 1

Ref. No.	Name
Applicable to all General Licences	
<i>Complaints</i>	
II.1.1	Number of Registered Complaints
(i)	Total number of complaints
(ii)	Number of complaints by reporting category
(iii)	Number of complaints per 100 lines (for direct access customers)
(iv)	Number of complaints per 100 indirect customers
II.1.2	Number of Registered Complaints Resolved within 20 working days⁹
(i)	Number of registered complaints resolved within 20 days
(ii)	Proportion of complaints which are resolved within 20 days
II.1.3	Number of Registered Complaints Requiring Dispute Resolution
Applicable to Category 'B' and 'S' Licensees	
<i>Service Provision</i>	
III.1.1	Proportion of orders completed on or before the date promised to the customer (direct access telephony)
III.1.3	Proportion of orders completed on or before the date promised to the customer (indirect access telephony)
III.1.5	Proportion of orders completed on or before the date promised to the customer (leased lines)
<i>Fault Management</i>	
III.2.1	Customer reported faults per 100 direct access telephony lines
III.2.2	Customer reported faults per 100 registered indirect customers

⁹ i.e. within 1 month.

Supplemental Performance Parameters Applicable to the SMP Operator	
<i>Performance towards OLOs</i>	
IV.1.1	Number of Registered Complaints
IV.1.2	Number of Registered Complaints Resolved within 20 working days
IV.1.3	Number of Registered Complaints Requiring Dispute Resolution
IV.1.4	Proportion of orders completed on or before the date promised to the customer (by carrier service)
IV.1.6	Response to Fault Reports (by carrier service)
IV.1.8	Availability of leased lines
(i) or (ii)	Availability of leased lines
IV.3.1	Call Statistics for Directory Enquiries
(i)	Total number of calls to DQ
(ii)	Mean time to answer for the period
(iii)	Mean holding time
(iv)	Total number of telephone number look-ups performed
(v)	Number of unsuccessful look-ups
(vi)	Failure rate for DQ look-ups
(vii)	Average number of look-ups per DQ call
IV.4.1	Availability (i.e. in working order) of card and coin operated public pay phones
(i)	Average number of public payphones in operation
(ii)	Proportion of payphones in working order
<i>Disconnection for non-payment</i>	
IV.5.1 (formerly II.2.1)	Disconnection for non-payment of bills
(i)	Gross disconnection rate per 1000 lines
(ii)	Net disconnection rate per 1000 lines

Table 5 : Parameters to be Measured in Tranche 2

Applicable to Category 'B' and 'S' Licensees	
<i>Service Provision</i>	
III.1.2	Variance from promised delivery date (direct access telephony)
(i)	Time line distribution of orders delivered after promised date
III.1.4	Variance from promised delivery date (indirect access telephony)
(i)	Time line distribution of orders delivered after promised date
III.1.6	Variance from promised delivery date (leased lines)
(i)	Time line distribution of orders delivered after promised date
<i>Fault Management</i>	
III.2.3	Fault Restoration by Target Time
(i)	Percentage of faults cleared within target time
III.2.4	Variance from Target Repair Time
(i)	Distribution of actual repair times for fault reports outstanding after the target time
III.2.5	Response to Fault Reports (leased lines)
(i)	Percentage of faults responded to within target time
III.2.6	Variance in Response Time (leased lines)
(i)	Distribution of actual response times for fault reports outstanding after the target time
<i>Billing</i>	
III.3.1	Billing Accuracy
(i)	Number of billing accuracy complaints per 1000 bills issued
<i>Complaints Handling</i>	
III.4.1	Call Statistics for Complaints Handling Line¹⁰
(i)	Total number of calls to the complaints line
(ii)	Mean time to answer for the period
(iii)	Mean holding time

¹⁰ To ensure that customers are able to make complaints, and that the complaints statistics are not adversely affected by the performance of the complaints line.

Supplemental Performance Parameters Applicable to the SMP Operator	
<i>Performance towards OLOs</i>	
IV.1.5	Variance from promised delivery date (by carrier service)
IV.1.7	Variance in Response Time (by carrier service)

6.5 Parameters for Publication

The Director has considered the parameters which she believes are appropriate for publication, taking into account the principles laid down in the consultation paper. Table 6 shows whether a parameter in Table 4 and Table 5 should be published and the Director's reason for publishing / not publishing such a parameter. In general respondents agreed with the Director's reasoning and the proposals remained unchanged.

OLOs were concerned that some of the complaints about their services, might arise as a consequence of the action of the SMP operator, from which they had purchased carrier services. Some OLOs requested that such SMP dependent complaints were excluded from any calculation. The Director disagrees with this proposal because:

- the apportioning of blame by the OLO on the SMP operator may not be transparent in the statistics produced
- the OLO maintains a contract with the customer and is responsible for the promises made to the customer over the level of service provided to it, as such the OLO should take into account the level of service guaranteed in any carrier service SLA and factor this into the promises made to the end customer
- a "back-to-back" complaint may be made by the OLO regarding the complaint of the consumer.

The Director prefers the use of the "back-to-back" complaints because it allows her to measure both the absolute number of complaints made by consumers and, to a certain extent, the dependency of these complaints on the relationship between the SMP operator and the OLO.

Table 6 : Parameters for Publication

Ref. No.	Name	Publish	Reason
Applicable to all General Licences			
<i>Complaints</i>			
II.1.1	Number of Registered Complaints		
(i)	Total number of complaints	n	This is not a directly comparable statistic and could be misinterpreted.
(ii)	Number of complaints by reporting category	n	Level of detail which is not suitable for public consumption. The inclusion of a single category for 'other services' may lead to misinterpretation of results.
(iii)	Number of complaints per 100 lines (for direct access customers)	y	Public interest, readily understandable metric which allows direct comparison.
(iv)	Number of complaints per 100 indirect customers	y	Public interest, readily understandable metric which allows direct comparison.
II.1.2	Number of Registered Complaints Resolved within 20 working days		
(i)	Number of registered complaints resolved within 20 days	n	Level of detail which is not suitable for public consumption. [see II.1.1 (ii)]
(ii)	Proportion of complaints which are resolved within 20 days	y	Public interest, readily understandable metric which allows direct comparison.
II.1.3	Number of Registered Complaints Requiring Dispute Resolution		
(i)	Total number of registered complaints requiring dispute resolution by category	n	Information gathered for the Director's oversight of the complaints handling processes of operators.
Applicable to 'B' and 'S' Licensees			
<i>Service Provision</i>			
III.1.1	Proportion of orders completed on or before the date promised to the customer (direct access telephony)		
(i)	Proportion of orders completed on or before the date promised	y	Public interest, readily understandable metric which allows direct comparison.
III.1.2	Variance from promised delivery date (direct access telephony)		
(i)	Time line distribution of orders delivered after promised date	y	Public interest, readily understandable metric which allows direct comparison.

III.1.3	Proportion of orders completed on or before the date promised to the customer (indirect access telephony)		
(i)	Proportion of orders completed on or before the date promised	y	Public interest, readily understandable metric which allows direct comparison.
III.1.4	Variance from promised delivery date (indirect access telephony)		
(i)	Timeline distribution of orders delivered after promised date	y	Public interest, readily understandable metric which allows direct comparison.
III.1.5	Proportion of orders completed on or before the date promised to the customer (leased lines)		
(i)	Proportion of orders completed on or before the date promised	y	Public interest, readily understandable metric which allows direct comparison.
III.1.6	Variance from promised delivery date (leased lines)		
(i)	Timeline distribution of orders delivered after promised date	y	Public interest, readily understandable metric which allows direct comparison.
<i>Fault Management</i>			
III.2.1	Customer reported faults per 100 direct access telephony lines		
(i)	Customer reported faults per 100 lines	y	Public interest, readily understandable metric which allows direct comparison.
III.2.2	Customer reported faults per 100 registered indirect customers		
(i)	Customer reported faults per 100 registered indirect customers	y	Public interest, readily understandable metric which allows direct comparison.
III.2.3	Fault Restoration by Target Time		
(i)	Percentage of faults cleared within target time	y	Public interest, readily understandable metric which allows direct comparison.
III.2.4	Variance from Target Repair Time		
(i)	Distribution of actual repair times for fault reports outstanding after the target time	y	Public interest, readily understandable metric which allows direct comparison.
III.2.5	Response to Fault Reports (leased lines)		
(i)	Percentage of faults responded to within target time	y	Public interest, readily understandable metric which allows direct comparison.
III.2.6	Variance in Response Time (leased lines)		
(i)	Distribution of actual response times for fault reports outstanding after the target time	y	Public interest, readily understandable metric which allows direct comparison.

<i>Billing</i>			
III.3.1	Billing Accuracy		
(i)	Number of billing accuracy complaints per 1000 bills issued	n	Information for internal use of ODTR.
<i>Complaints Handling</i>			
III.4.1	Call Statistics for Complaints Handling Line		
(i)	Total number of calls to the complaints line	n	Information for internal use of ODTR
(ii)	Mean time to answer for the period	n	Information for internal use of ODTR
(iii)	Mean holding time	n	Information for internal use of ODTR

Supplemental Performance Parameters Applicable to the SMP Operator			
<i>Performance towards OLOs</i>			
IV.1.1	Number of Registered Complaints	n	Information for ODTR use in monitoring fair competition.
IV.1.2	Number of Registered Complaints Resolved within 20 working days	n	Information for ODTR use in monitoring fair competition.
IV.1.3	Number of Registered Complaints Requiring Dispute Resolution	n	Information for ODTR use in monitoring fair competition.
IV.1.4	Proportion of orders completed on or before the date promised to the customer (by carrier service)	n	Information for ODTR use in monitoring fair competition.
IV.1.5	Variance from promised delivery date (by carrier service)	n	Information for ODTR use in monitoring fair competition.
IV.1.6	Response to Fault Reports (by carrier service)	n	Information for ODTR use in monitoring fair competition.
IV.1.7	Variance in Response Time (by carrier service)	n	Information for ODTR use in monitoring fair competition.
IV.1.8	Availability of leased lines		
(i) or (ii)	Availability of leased lines	n	Information for ODTR use in monitoring fair competition.

IV.3.1	Call Statistics for Directory Enquiries		
(i)	Total number of calls to DQ	y	Public interest
(ii)	Mean time to answer for the period	y	Public interest
(iii)	Mean holding time	n	Information for ODTR monitoring of USO performance.
(iv)	Total number of telephone number look-ups performed	n	Information for ODTR monitoring of USO performance.
(v)	Number of unsuccessful look-ups	n	Information for ODTR monitoring of USO performance.
(vi)	Failure rate for DQ look-ups	n	Information for ODTR monitoring of USO performance. This will not be published because accuracy of information may be affected by a number of sources, not just TÉ.
(vii)	Average number of look-ups per DQ call	n	Information for ODTR monitoring of USO performance.
IV.4.1	Availability (i.e. in working order) of card and coin operated public pay phones		
(i)	Average installed base of public payphones	y	Public interest
(ii)	Proportion of payphones in working order	y	Public interest
<i>Disconnection for non-payment (residential customers with exchange lines from the operator)</i>			
IV.5.1¹¹	Disconnection for non-payment of bills		
(i)	Gross disconnection rate per 1000 lines	n	Information for internal use of ODTR.
(ii)	Net disconnection rate per 1000 lines	n	Information for internal use of ODTR .

¹¹ Formerly II.2.1

7. THE MEASUREMENT PROGRAMME

7.1 Determining the Parameters

The Director is greatly encouraged by the commitment of the operators, both eircom and the OLOs to reporting on the quality of service they provide. She appreciates the comments regarding the industry's "ownership" of the programme and concurs that in order to make the programme workable, the industry has to both own the process and be involved in determining how parameters are to be measured. Therefore, the director proposes to establish an industry forum to provide for such input.

The ODTR will develop the terms of reference of the industry forum, facilitate the process of precisely defining the parameters and publish the resulting performance statistics. In the start up period the ODTR will chair and administer the forum. After one year the position will be reviewed to determine whether the forum should be administered by the industry. The ODTR will continue to facilitate the publication of performance statistics if desirable.

The Director has already proposed that the parameters be divided into two tranches (see Section 6.4):

- Tranche 1 is a set of parameters which the operators should already be collecting for their own purposes and which, with some limited work by the industry on refinement of terminology and methods of measurement, could be readily collected as part of the programme
- Tranche 2 is a further set of parameters which the Director feels require more detailed study and refinement by the industry, so that they can be included in later collection exercises.

A number of operators proposed that a trial run of the programme take place, so that the mechanics of collection and publication could be refined. At the same time they cautioned the Director on allowing the SMP operator to take control of such a trial and tailor the parameters so that:

- they are defined to the sole satisfaction of the SMP operator
- they are suited only to the systems and processes of the SMP operator.

The Director is sympathetic to these views and proposes that a trial run takes place with the SMP operator, using tranche 1 parameters. However, she believes that the industry forum's work on defining these parameters should remove the risk of these parameters becoming inappropriately defined in line with the requirements of the SMP operator. Furthermore, any other operators can participate in the trial run if they wish. The Director's proposals are timetabled in Table 7. The timetable has been prepared having regard to comments from the operators on the times of year in which suitable resources will be available to provide data and auditing of output.

7.2 Auditing the Results

The Director has proposed a twin-track audit process. Once the ODTR has produced a draft report, based on the data provided by the operators, the operators will be able to confirm the information pertaining to them prior to publication. The Director appreciates the comments

on the timetable for such an audit process and has included these in the determination of Table 7.

A second audit process will be used where the Director wishes to be assured that an operator has provided accurate and bona fide information as part of the programme. The Director may issue a direction to an operator to arrange for an independent audit of the performance data of that operator in order to verify the accuracy of the information concerned. The Director does not intend to require such audits as a matter of routine but, when there are specific circumstances warranting such audits, for example, when:

- an operator demonstrates a significant increase in performance since the last reporting period, for which the operator cannot provide a plausible explanation
- the operator's figures are significantly at odds with the experiences reported by other parties (e.g. the operator consistently fails to deal with complaints within 20 days prompting a barrage of letters to the ODTR, yet claims to have dealt with 99% of complaints within 20 days in its response to the programme)
- a third party makes a specific request for an external audit, such that suitable grounds are provided by the third party so that the Director is minded to undertake this course of action.

7.3 Misrepresentation of the Information

The twin-track audit process set out in, inter alia, paragraph 7.2 and Table 7, gives operators ample opportunities to ensure that both input data and data published are accurate. If, exceptionally, an operator considers that there is a material error in a published report; and that that error will prejudice its reputation in the market, that operator may make written representations to that effect to the Director during the currency of the relevant report. The Director shall consider such representations and shall investigate the position. If satisfied that there has been such a material and prejudicial error, the Director may direct that a correction be published to a comparable level of publication prominence. The nature, content and timing of any such correction shall be at the Director's discretion. If satisfied that the error is attributable to inaccurate operator input data, the Director may have recourse to, inter alia, her powers under Licence Condition 4.

8. PUBLICATION OF INFORMATION

8.1 Mechanisms

No strong views were expressed on the mechanism for publication. One respondent felt that publication of results in the national press might oversimplify the presentation of the results. The Director has noted this comment and will endeavour to ensure the fair reporting of the results when they are published. It is likely that the press would be notified of the publication of the data and guidance on presentation could be provided at that time.

8.2 Editorial

The Director proposed a short introduction for the published results. Respondents generally agreed with the proposed content of:

- *geographic coverage* : the coverage of each operator will vary, with some being locally focussed, whilst others have regional, national or international coverage. Therefore factors which affect one operator as a result of geography may have different impacts on other operators. For example, a local failure may have a major impact on the performance of a local service provider, but only a minor impact on a few customers of an international network operator.
- *the size of the operator* : operators reporting in the publication will vary markedly in size from the large well established operators, to new market entrants which are significantly smaller. The impact of one-off equipment failures on smaller, newer operators may be larger than similar failures in larger, established operators.
- *market focus* : many different types of customers exist in the market from individual households through small and medium sized business to large corporate enterprises. Different operators may target all or just some of these customers. Consequently the levels of service offered to different customer types may also vary. The statistics published have an emphasis on the operator's ability to keep its promises to customers, rather than a direct comparison of performance, which would be misleading.
- *working week* : different operators have different working weeks (e.g. 0800-1800 Monday - Friday or 0900-1730 Monday - Saturday). Statistics are presented such that they represent the operators performance in terms of the working days taken to achieve a goal.
- *commitments to customers* : the indices which have been published mainly deal with an operators ability to meet its commitments to customers. It should be noted that:
 - target times for the completion of a task may differ for each operator
 - measurement of the target time for a task and the actual time may be in elapsed or working time, dependent on the operator's method of quotation.

It is the Director's intention to keep the introduction as brief as possible and refer back to it from annotations to the graphs, so that the definitions of what is presented (e.g. working hours) are readily accessible to the reader.

8.3 Timing

In the consultation paper the Director proposed that eircom provide the first set of information under the scheme in March 2000, with the first publication at the end of June 2000. OLOs would be expected to provide data from September 2000, for publication at the end of 2000.

Some respondents highlighted that the timing may be affected by the Christmas and summer holidays, when key staff may not be available to approve data for publication. In addition, eircom stated that it would not be in a position to meet the “highly ambitious timetable”, and recommended introduction of the programme on a phased basis.

Further, a number of OLOs requested that the Director consider a trial run for the programme so that any operational and data gathering / system issues could be ironed out, prior to the expansion of the programme to a large number of operators.

The Director considers that:

- a trial run would be advantageous to ensure that the procedures of the operators and the ODTR are sufficient to ensure:
 - efficient collection of data
 - provision of data to the ODTR in a timely manner
 - timely auditing and subsequent publication of results
- such a trial run should be based on parameters agreed following consideration by all of the operators, rather than by the SMP operator itself
- OLOs are encouraged to take part in such a trial so that the results of the SMP operator can be compared and the layout / structure of any unpublished report can be tested
- the burden on operators of collecting Tranche 2 information shall be delayed, such that they have sufficient time to implement any required changes in their systems and procedures
- the data collection and reporting timetable should be structured so as to avoid the requirement for operators to provide data over the Christmas period and the August holiday season
- operators shall be required to provide data to the ODTR on a quarterly basis in a suitable format before publication deadlines are pending. Such data shall be provided within 4 weeks of the end of the relevant quarter.
- publication shall take place on a six monthly basis.

Consequently, the Director proposes that the programme should run according to the timetable shown in Table 7 and Figure 2

Table 7 : Timetable for Launch of Performance Measurement Programme

Milestone	Date	Comments
Publication of this decision paper	31/01/00	
First meeting of committee to approve tranche 1 parameters and mechanics of the programme	29/02/00	
Tranche 1 parameters agreed, mechanics agreed	30/04/00	
Commence review of Tranche 2 parameters by committee	1/05/00	
Trial Run		
SMP operators puts internal procedures in place for collection of Tranche 1 data. Optional for other operators	By 31/05/00	
Trial Run collection quarter begins for SMP operators. Optional for other operators	1/06/00	For tranche 1 parameters only
Tranche 2 parameters agreed by committee	31/07/00	
Trial Run collection quarter ends for SMP operator (and others if appropriate)	31/08/00	
SMP operator delivers data to ODTR	30/09/00	
Internal adjustments by all operators for Tranche 2 Parameters	31/10/00	
Review of results of trial run data collection by ODTR and industry and internal procedures amended as appropriate	31/12/00	
Live Run		
First live run data collection quarter begins: SMP operator and for all other operators	1/01/01	Tranche 1 and Tranche 2 data
First live run data collection quarter ends	31/03/01	
First live run data submitted to ODTR by all operators	By 30/04/01	
Review of first live run data collection by ODTR and industry.	31/05/01	
Publication of first live run data by ODTR	30/06/01	Based on three month data only. Subsequent publication will be based on six months data collection
Second live run data collection quarter begins	01/04/01	

Second live run data collection quarter ends	30/06/01	
Second live run data submitted to ODTR by all operators	By 31/07/01	
Review of second live run data collection by ODTR and industry.	31/08/01	
Publication by ODTR of first and second live run data	30/09/01	

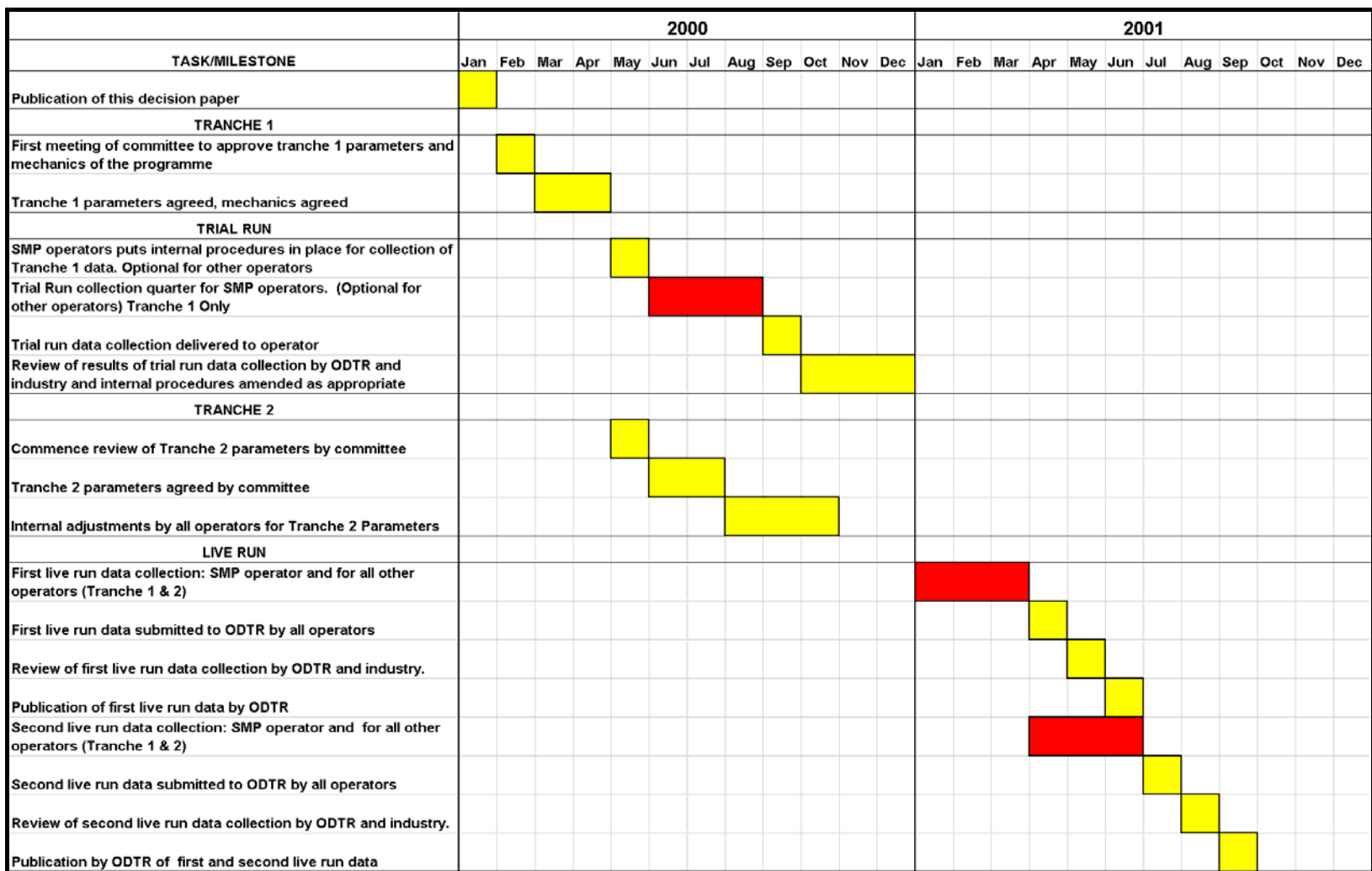


Figure 2: Timeplan for launch of Performance Measurement Programme

9. CONCLUSIONS

The Director has reviewed the responses to the consultation and is satisfied that there is ample reason to proceed with a programme for the measurement of licensed operator performance, including sufficient industry consensus. In summary, this report sets out:

- the principles on which such a programme will be based
- that a quantitative measurement of performance is required, with industry support for a survey of customer's perceptions to be held over for future analysis when the market has sufficiently matured
- a set of mandatory reporting requirements
- a set of parameters that suitably sized operators will report on
- a set of parameters on which the SMP operator will report
- incorporation of carrier services and interconnect services into the SMP operator's reporting requirements
- outline descriptions of each parameter for agreement with the industry in terms of:
 - detailed definitions
 - data collection methods
- a staged introduction of the programme to incorporate the industry's concern to ensure comparability and to keep the burdens on the SMP operator and OLOs to a minimum
- rules for publication of the results
- a timetable for the introduction of the programme as defined above.

As stated earlier the ODTR intends to establish an industry forum to agree detailed publication criteria for performance indicators in accordance with the parameters and the timetable contained in this Document. Licensed operators will be notified of the terms of reference for this industry forum together with an agenda and date for the first meeting which will be convened before the end of February 2000.

Appendix I: Acronyms used in Consultation Paper

CLI	Calling line identity
CPE	Customer premises equipment
DQ	Directory enquiries
ETR	ETSI Technical Report
ETSI	European Telecommunications Standards Institute
EU	European Union
FNF	Fault not found
ISDN	Integrated services digital network
NRA	National regulatory authority
NTP	Network terminating point
ODTR	Office of the Director of Telecommunications Regulation
OLO	Other licensed operator
O&M	Operations and maintenance
PSTN	Public switched telephone network
RWT	Right when tested
SMP	Significant market power
TÉ	Telecom Éireann
USO	Universal service obligation

APPENDIX II: Performance Parameters Applicable to All General Licensees

Complaints

II.1.1	Number of Registered Complaints
Purpose	The Director wishes all Licensees to record the number of complaints made by customers. This information should be provided so that the Director can gauge customer satisfaction with the Licensee and the Licensee's own ability to deal with complaints.
Applicable Services	The data shall be presented separately for: <ul style="list-style-type: none"> • direct access telephony • indirect access telephony • public card or coin payphones • all other services combined (excluding mobile and non-telephony services).
Applicable Segments¹²	
(a)	Residential customers
(b)	Business ¹³ customers
Information Provided¹⁴	
(i)	Total number of registered complaints by category ¹⁵
(ii)	Average population of lines in reporting period <i>for direct access customers in the applicable segment</i>
(iii)	Average number of indirect customers in the reporting period <i>for the indirect access service in the applicable segment</i>

¹² Data shall be presented separately for each segment, except for payphones.

¹³ Excluding OLOs as a Business Customer of the SMP operator.

¹⁴ By the operator.

¹⁵ One category = one service class and one customer segment combination, thus there are 7 possible categories, as payphones is not segmented by customer type.

Calculation¹⁶	
(i)	Total Number of Complaints = Sum of all complaints from each category
(ii)	Number of Complaints (by category) = as reported
(iii)	Number of Complaints per 100 lines (by customer segment) = [Total number of registered complaints by category] x 100 / [Average population of lines in reporting period]
(iv)	Number of Complaints per 100 indirect customers (by customer segment) = [Total number of registered complaints by category] x 100 / [Average number of indirect customers in the reporting period]
Definitions	
1)	Complaint is defined as one which is formally “registered” ¹⁷ as the result of oral or written communication between the parties, whether the complainant is a user or other member of the public.
2)	A Line is a circuit or part thereof which is capable of supporting one speech or data path between CPE and a local exchange.
3)	The average population is taken to be the total at the start of the reporting period plus the total at the end of the reporting period divided by two.
4)	Indirect customers - Indirect customers refers to the purchasing entity that is registered as owning the CLIs enabled for the Indirect Access Service. As such, one Indirect customer may own many CLIs.
Notes:	
<p>A complaint should not be confused with a query (a request for information) or with a fault report (when a customer is reporting a service or equipment failure, etc..) The inclusion of the complaint is independent of whether or not the complaint is deemed to be justified by the operator. The definitions include those events where a customer has a complaint which is satisfactorily resolved at the first point of contact. Operators must notify the ODTR, in advance of data collection, which complaint channels, e.g. written, telephone, personal visit, will be included and which will not be included for the purposes of this measure. Explicit reasons for exclusion must be provided by the operator and accepted by the ODTR.</p> <p>Operators must notify the ODTR of any channels that are subsequently included. A single received complaint which involves several service issues requiring different time frames to resolve shall nonetheless be counted as one complaint; it shall not be deemed to be resolved until all the individual issues are themselves resolved. Bill Accuracy complaints covered in parameter III.3.1, should also be included in this measure. A complaint about how a fault has been handled counts as a complaint, although the original fault report does not count as a complaint.</p>	

¹⁶ To be made by the ODTR.

¹⁷ More definitive description will be required.

II.1.2 Number of Registered Complaints Resolved within 20 working days	
Purpose	The Director wishes all Licensees to record the number of complaints resolved within 20 working days of registration.
Applicable Services	The data shall be presented separately for: <ul style="list-style-type: none"> • direct access telephony • indirect access telephony • public card or coin payphones • all other services combined.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Total number of registered complaints resolved within 20 working days by category, within the reporting period
Calculation	
(i)	Number of registered complaints resolved within 20 working days
(ii)	Proportion of Complaints which are resolved within 20 days (by category) = [Total number of registered complaints resolved within 20 working days by category] / [Total number of complaints by category] (<i>from II.1.1</i>)
Definitions	
1)	Resolved shall be deemed to mean to the customer's satisfaction, such that no further communication on the issue is made between the parties. If the complaint has resulted in litigation then for the purposes of the programme the complaint is considered closed.
2)	Each operator shall provide its definition of working days to the ODTR.

II.1.3 Number of Registered Complaints Requiring Dispute Resolution	
Purpose	The Director wishes all Licensees to record the number of complaints that require third party dispute resolution, whether by the ODTR or other.
Applicable Services	The data shall be presented separately for: <ul style="list-style-type: none"> • direct access telephony • indirect access telephony • public card or coin payphones • all other services combined.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Total number of registered complaints requiring dispute resolution by category
Calculation	
(i)	Number of registered complaints requiring dispute resolution by category
(ii)	Proportion of Complaints which require dispute resolution (by category) = [Total number of registered complaints requiring dispute resolution by category] / [Total number of complaints by category] (<i>from II.1.1</i>)
Definitions	
1)	Dispute resolution refers to any procedure that involves third party intervention to resolve a dispute. This procedure should be lodged with the ODTR.

APPENDIX III: Parameters Applicable to Category 'B' and 'S' Licensees

Service Provision

III.1.1	Proportion of orders completed on or before the date promised to the customer (direct access telephony)
Purpose	This measure determines how well a Licensed Operator keeps its commitments to install direct access basic telephony services by a committed or contracted date.
Applicable Services	The data shall be presented for direct access telephony customers, PSTN, ISDN BRA and ISDN PRA combined.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Total orders completed on or before the date confirmed/contracted with the customer during the period (by category)
(ii)	All orders completed during the period (by category)
Calculation	
(i)	Proportion of orders completed on or before the date promised = [Total orders completed on or before the date confirmed/contracted with the customer during the period] x 100/ [All orders completed during the period] (by category)
Definitions	
1)	An order is defined as a commitment made to a customer to provide a product or service.
2)	Completion is defined as the point when all items are available for use by the customer as confirmed by the operator and the point from when the customer will be billed.
Notes:	
	A single order may include installation of multiple lines etc. at multiple sites. All orders where the dates are changed at the request of the customer will not be counted as a missed commitment unless the subsequent rescheduled date is missed. Notes on the order are required to reflect the precise reason for the reschedule. All orders where the dates are changed as a result of no access to the customer's premises at the time of the scheduled or rescheduled appointment will not be counted as a missed commitment unless the subsequent rescheduled date is missed. Notes on the order are required to reflect the precise reason for the reschedule. The measure refers to the date confirmed or contracted with the customer. In practice these terms both refer to the date committed to deliver the service to the customer.
Exclusions:	
	All orders for cessation of service. All orders which are cancelled by the customer before the installation is completed. All orders which only require the delivery of hardware through the post and receipt is not subsequently confirmed with the customer.

III.1.2 Variance from promised delivery date (direct access telephony)	
Purpose	This measure demonstrates the spread of late deliveries after the promised date.
Applicable Services	The data shall be presented for direct access telephony customers, both PSTN and ISDN combined.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Customer orders completed by agreed delivery date plus x days (by category) To be provided in ranges x is <=0 days, 1 day, 5 days, 20 days and > 20 days
Calculation	
(i)	For all remaining orders which are delivered subsequent to the due date: [Customer orders completed by agreed delivery date plus x days] X 100/ [Total number of orders completed] (by category) To be presented in ranges x is <=0 days, 1 day, 5 days, 20 days and > 20 days

III.1.3	Proportion of orders completed on or before the date promised to the customer (indirect access telephony)
Purpose	This measure determines how well a Licensed Operator keeps its commitments to install indirect basic telephony services by a committed or contracted date.
Applicable Services	The data shall be presented for indirect access telephony customers.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Total orders completed on or before the date confirmed/contracted with the customer during the period (by category)
(ii)	All orders completed during the period (by category)
Calculation	
	Proportion of orders completed on or before the promised date = [Total orders completed on or before the date confirmed/contracted with the customer during the period] x 100/ [All orders completed during the period]
Definitions	
1)	An order shall be deemed to be fulfilled when it is completed as defined in the contract between the parties.
<p>Notes: A single order may include enabling services of multiple calling line identities (CLIs)/Authorisation Codes etc. at multiple sites. Where the dates are changed at the request of the customer they will not be counted as missed unless the subsequent rescheduled date is missed. All orders where the dates are changed as a result of no access to the customer's premises will not be counted as missed unless the subsequent rescheduled date is missed.</p> <p>Exclusions: All orders for cessation of service. All orders which are cancelled or postponed by the customer before the installation is completed. All orders which only require the delivery of hardware through the post and receipt is not subsequently confirmed with the customer. All orders with an unacceptable credit rating prior to provision. All orders awaiting further information from the customer. Service provision will be deemed to have commenced on receipt of outstanding data. Administration additions or alterations. For the purposes of recording changes to existing services, the following are excluded: spelling amendments, changes of address/name requests.</p>	

III.1.4	Variance from promised delivery date (indirect access telephony)
Purpose	This measure demonstrates the spread of late deliveries after the promised date.
Applicable Services	The data shall be presented for indirect access telephony customers.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	[Customer orders completed by agreed delivery date plus x days] (by category) To be provided in ranges x is <=0 days, 1 day, 5 days, 20 days and > 20 days
Calculation	
(i)	For all remaining orders which are delivered subsequent to the due date: [Customer orders completed by agreed delivery date plus x days] X 100/ [Total number of orders completed] (by category) To be presented in ranges x is <=0 days, 1 day, 5 days, 20 days and > 20 days

III.1.5 Proportion of orders completed on or before the date promised to the customer (leased lines)	
Purpose	This measure determines how well a Licensed Operator keeps its commitments to install digital leased line services by a committed or contracted date.
Applicable Services	The data shall be presented separately for analogue and digital leased lines.
Applicable Segments	
(a)	Business customers
Information Provided	
(i)	Total orders completed on or before the date confirmed/contracted with the customer during the period (by category)
(ii)	All orders completed during the period (by category)
Calculation	
(i)	Proportion of orders completed on or before the date promised = [Total orders completed on or before the date confirmed/contracted with the customer during the period] x 100/ [All orders completed during the period] (by category)
Notes: As for Direct Access Telephony. A leased line service is deemed to be completed when it is accepted by the customer as such. Should the customer not be available to accept the service on the contracted delivery date then the delivery will be back-dated to the completion date, should the customer subsequently accept the service at a mutually agreed time.	

III.1.6 Variance from promised delivery date (leased lines)	
Purpose	This measure demonstrates the spread of late deliveries after the promised date.
Applicable Services	The data shall be presented separately for analogue and digital leased lines.
Applicable Segments	
(a)	Business customers
Information Provided	
(i)	Customer orders completed by agreed delivery date plus x days (by category) To be provided in ranges x is <=0 days, 1 day, 5 days, 20 days and > 20 days
Calculation	
(i)	For all remaining orders which are delivered subsequent to the due date: [Customer orders completed by agreed delivery date plus x days] X 100/ [Total number of orders completed] (by category) To be presented in ranges x is <=0 days, 1 day, 5 days, 20 days and > 20 days

Fault Management

III.2.1 Customer reported faults per 100 direct access telephony lines	
Purpose	This is a measure of the reliability of the service, in terms of its affect on customers connected.
Applicable Services	The data shall be presented for direct access telephony customers, both PSTN and ISDN combined.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Total Customer Reported Faults received in period (by category)
Calculation	
(i)	Customer reported faults per 100 lines = [Total Customer Reported Faults received in period] x 100/ [Average population of lines during the period] (from II.1.1)
Definitions	
1)	A Customer Reported Fault is defined as a customer report of the inability of an item to perform a required function resulting in an impaired service excluding that inability due to preventative maintenance.
2)	Customer Education - Fault reports may be considered to be resolved by customer education if the trouble resolution is related to the operation of a product or service.
3)	Subsequent Fault Report: - A subsequent fault report is a report taken against the same customer line, with the same fault conditions, as the existing report while there is an existing fault report already in existence.
4)	Repeated Fault Report: - A repeated fault report is a fault report received on a customers direct line within a designated time period, as defined by the operator, from closure of an earlier report of a fault against the same customer line The time period is usually 30 to 90 days.
<p>Notes: Fault Not Found (FNF) and Right When Tested (RWT) are to be included. Repeated Fault Reports (as defined above) are to be included. If the customer reports that one or more lines of a multi-line (e.g. ISDN PRA) connection have faults, then this is counted in the numerator of the calculation as one single fault received, regardless of the number of lines affected. If the Customer reports a fault on an ISDN BRA connection then that counts as a single fault report regardless of the number of lines affected, on a base of 2 direct lines.</p> <p>Exclusions: Faults in all equipment beyond the Network Termination Point (NTP). The Network Termination Point is defined as the service presentation point where the operator's domain of responsibility terminates. Faults in customer-owned/rented premises equipment. Fault reports due to customer provided power. Fault reports that are resolved by customer education relating to the operation of a product or service. Subsequent fault reports.</p>	

III.2.2 Customer reported faults per 100 indirect customers	
Purpose	This is a measure of the reliability of the service, in terms of its affect on customers connected.
Applicable Services	The data shall be presented for indirect access telephony customers.
Applicable Segments	<p>(a) Residential customers where</p> <p>(i) Faults are reported against the service as a whole</p> <p>(ii) Customer-reported faults are found within that part of the network and CPE under the direct control of the operator</p> <p>(b) Business customers where</p> <p>i) Faults are reported against the service as a whole</p> <p>(ii) Customer-reported faults are found within that part of the network and CPE under the direct control of the operator</p>
Information Provided	(i) Total Customer Reported Faults receive in period
Calculation	(i) $\text{Customer reported faults per 100 registered indirect customers} = \frac{[\text{Total Customer Reported Faults received in period}] \times 100}{[\text{Average population of enabled indirect access service customers}]}$ (from II.1.1)
<p>Notes: Indirect access customers is defined as described in III.1.1</p> <p>Inclusions: (<i>Reported</i>) Fault Not Found (FNF) and Right When Tested (RWT). Repeated Fault Reports¹⁸. Where the operator providing the indirect service owns and maintains Customer Premises Equipment (CPE) or has a contract to maintain CPE, faults attributable to the CPE shall be included.</p> <p>Exclusions: Faults at the customer-owned CPE, that is maintained under contract to an agent other than the Licensee. Fault reports due to customer provided power. Fault reports that are resolved by customer education relating to the operation of a product or service. Subsequent fault reports.</p>	

¹⁸ See definition in III.2.1 Definitions (4).

III.2.3 Fault Restoration by Target Time	
Purpose	To demonstrate the operator's performance in restoring service within the published target time.
Applicable Services	The data shall be presented separately for: <ul style="list-style-type: none"> • direct access telephony • indirect access telephony
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Total fault reports cleared by target time during the period
(ii)	Total fault reports cleared during the period
Calculation	
(i)	Percentage of faults cleared within target time = [Total fault reports cleared by target time during the period] x 100/ [Total fault reports cleared during the period]
Definitions	
1)	Clearance is defined as being when all items are available for use by the customer as confirmed by the operator. In determining the clearance time for a fault, no distinction should be made between outage time due to any operator and outage time due to non-acceptance of clearance by a customer.
2)	Target time is the quoted fault clearance time or times offered by the operator for specified maintenance packages. (It may be different for each operator). Where an appointment at the customer premises is required, and a specific appointment is made with the customer then the Target time can be extended past that published only if the customer is unable to attend prior to the target time.
<p>Notes: All operators must state in advance of data collection:</p> <ul style="list-style-type: none"> • whether they give appointments in respect of fault and whether they can re-calibrate target times accordingly • their objective time for clearing faults • the items to which this objective time applies (e.g. lines, apparatus, facilities) • how clearance and objective times are to be measured (e.g. if objective time is 10 hours, when does the measurement commence, is the basis of measurement actual or working hours, what is the definition of working hours). <p>Delays attributable solely to the customer in providing access to premises may be discounted from the service restoration time, provided that adequate supporting notes are available to an auditor on an individual basis. As with appointments, this can only be invoked where access to the customer's premises was required.</p>	

III.2.4	Variance from Target Repair Time
Purpose	This measure demonstrates the spread of late repairs after the promised time.
Applicable Services	The data shall be presented separately for: <ul style="list-style-type: none"> • direct access telephony • indirect access telephony
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Customer fault reports completed by target time in the period plus x hours (by category) To be provided in ranges x = 1 hour, 4 hours, 8 hours, 24 hours and > 24 hours
Calculation	
(i)	For all outstanding fault reports after the target time: $\frac{[\text{Customer fault reports completed by target time in the period plus } x \text{ hours}] \times 100}{[\text{Total number of fault reports}]}$ (by category) To be presented in ranges x = 1 hour, 4 hours, 8 hours, 24 hours and > 24 hours

III.2.5 Response to Fault Reports (leased lines)	
Purpose	To demonstrate the operator's performance in responding adequately to a fault report within the target time promised to customers.
Applicable Services	The data shall be presented separately for analogue and digital leased lines.
Applicable Segments	
(a)	Business customers
Information Provided	
(i)	Fault reports responded to by target time during the period (by category)
(ii)	Total fault reports responded to during the period (by category)
Calculation	
(i)	Percentage of faults responded to within target time = [Fault reports responded to by target time during the period] x 100/ [Total fault reports responded to during the period] (by category)
Definitions	
1)	A response by the operator is defined as when the operator begins to "fix" a fault. This step will take place after initial diagnostics have determined the location and nature of any fault. The time concerned will be determined in working hours from the time at which the fault is reported. The operator shall inform the ODTR of the applicable working hours for this service.

III.2.6 Variance in Response Time (leased lines)	
Purpose	This measure demonstrates the spread of late responses to faults after the promised time.
Applicable Services	The data shall be presented separately for analogue and digital leased lines.
Applicable Segments	
(a)	Business customers
Information Provided	
(i)	Customer fault reports responded to by target time in the period plus x hours (by category) To be provided in ranges x = 1 hour, 2 hours, 4 hours, 8 hours and > 8 hours
Calculation	
(i)	For all outstanding fault reports after the target time: [Customer fault reports responded to by target time in the period plus x hours] X 100/ [Total number of fault reports] (by category) To be presented in ranges x = 1 hour, 2 hours, 4 hours, 8 hours and > 8 hours

Billing

III.3.1 Billing Accuracy	
Purpose	This measure will be used to ensure that operators are providing customers with accurate bills.
Applicable Services	The data shall be presented separately for: <ul style="list-style-type: none"> • direct access telephony • indirect access telephony • leased lines.
Applicable Segments	
(a)	Residential customers
(b)	Business customers
Information Provided	
(i)	Number of complaints about the accuracy of bills by category
(ii)	Number of bills issued by category
Calculation	
(i)	Number of billing accuracy complaints per 1000 bills issued = [Number of complaints about the accuracy of bills] X 1000 / [Number of bills issued] by category
Definitions	
1)	A complaint about the accuracy of a bill is not just limited to a complaint over the amount of a bill, but can include the format, information about the address of the recipient etc. See II.1.1 for the definition of a complaint.
2)	Number of bills issued is shall include all first bills to the customer but not repeat bills and reminders. Final statements or initial statements of accounts (for old and new customers respectively) shall be included.
Notes: The measure is intended to address the accuracy of information contained within the bill, it is not designed to identify problems with the process of billing. The inclusion of the complaint is independent of whether or not the complaint is deemed to be justified by the operator. Complaints about accuracy in respect of credit notes, cheques, final demands etc. should be included.	

Complaints Handling

III.4.1 Call Statistics for Complaints Handling Line	
Purpose	To measure the ease with which customers are able to make complaints and to ensure that the complaints statistics of the operator are not affected by the customer's ability to make contact with the operator.
Applicable Services	These statistics shall relate to the telephone line(s) which are used for the logging of complaints from customers and members of the public.
Applicable Segments	
(a)	All
Information Provided	
(i)	Total number of calls to the complaints line
(ii)	Mean time to answer ¹⁹ for the period
(iii)	Mean holding time
Calculation	Information (i), (ii) and (iii) shall be used as reported.
Definitions	
1)	Time to answer is the time that a caller is left waiting for a customer service agent, from the point where ringing tone is provided to the caller.
2)	Holding time is the time consumed by the customer service agent in completing the transaction with the caller, after the call has been answered.

¹⁹ Excluding calls which remain unanswered before abandoning.

APPENDIX IV: Supplemental Performance Parameters Applicable to the SMP Operator

Performance towards OLOs

The following table shows which measures for business customers shall be measured separately for OLOs and reported on by the SMP operator. The report shall cover all services designated as “carrier services” by the Director, plus interconnect circuits between the OLOs and the SMP operator.

Table 8 : Performance Measures for Services Provided by the SMP operator to OLOs

	Equivalent parameter for Business Customers	
Reference	Reference	Title
IV.1.1	II.1.1	Number of Registered Complaints
IV.1.2	II.1.2	Number of Registered Complaints Resolved within 20 working days
IV.1.3	II.1.3	Number of Registered Complaints Requiring Dispute Resolution
IV.1.4	III.1.5	Proportion of orders completed on or before the date promised to the customer (carrier services ²⁰ plus interconnect circuits)
IV.1.5	III.1.6	Variance from promised delivery date (carrier services plus interconnect circuits)
IV.1.6	III.2.5	Response to Fault Reports (carrier services plus interconnect circuits)
IV.1.7	III.2.6	Variance in Response Time (carrier services plus interconnect circuits)

In addition, the following two measures are required for services provided by a leased line operator with SMP.

²⁰ Segmented by each “carrier service” within the portfolio of the SMP operator.

IV.1.8 Availability of leased lines	
Purpose	To ensure that the SMP operator is providing adequate performance for this critical service.
Applicable Services	All digital leased lines (non-interconnect) Interconnect circuits (applicable to OLOs only)
Applicable Segments	(a) Business customers (b) OLOs
Information Provided	<i>Either</i> (i) Average of the availability calculated for each circuit (by category) <i>or</i> (ii) Total out of service time for all circuits (by category) [in hours] (iii) Average number of circuits in-service during the period (by category)
Calculation	<i>Either</i> (i) <i>or</i> Availability of leased lines = information as provided (by category) (ii) Availability of leased lines = [Total out of service time for all circuits] / ([Average number of circuits in-service] X 2190 ²¹)
Definitions	1) Availability is defined as [Total number of hours out of service / total number of hours in a reporting period] 2) Out of service time is the time when a circuit has a fault registered against it by a customer and is not useable by that customer. 3) Average number of circuits in-service is defined as the number of circuits in service at the start of a reporting period, plus the number in service at the end of a period divided by two. 4) A circuit is defined as a single dedicated connection between two customer sites.
Notes	Calculation (i) is preferred.

²¹ Number of hours in a quarter of a year, 2196 in a leap year.

Directory Enquiries Services

IV.3.1 Call Statistics for DQ	
Purpose	To measure the responsiveness of the SMP operator's Directory Enquiries Service
Applicable Services	Directory Enquiries
Applicable Segments	
(a)	All
Information Provided	
(i)	Total number of calls to DQ
(ii)	Mean time to answer for the period
(iii)	Mean holding time
(iv)	Total number of look-ups performed
(v)	Number of unsuccessful look-ups
Calculation	
	Information shall be used as reported as (i) to (v) plus:
(vi)	Failure rate for DQ look-ups = [Number of unsuccessful look-ups] X 100 / [Total number of look-ups performed]
(vii)	Average number of look-ups per DQ call = [Total number of look-ups performed] / [Total number of calls to DQ]
Definitions	
1)	A look-up is defined as a search for a telephone number after the minimum required information for such a look-up has been provided by the caller.
2)	An unsuccessful look-up is one where the DQ agent is unable to find a number for the caller, based on the minimum set of required information provided.

Public Payphones

IV.4.1	Availability (i.e. in working order) of card and coin operated public pay phones²²
Purpose	To ensure that the SMP operator is providing a public card and coin operated payphone service of adequate quality. The measure of quality shall be the availability of the payphones.
Applicable Services	Public card and coin operated payphones
Applicable Segments	
(a)	All
Information Provided	
(i)	Average number of coin or card operated public payphones in-service during the reporting period
(ii)	Proportion of payphones in working order, based on representative surveys and inspections made by the SMP operator.
Calculation	
	Information shall be used as reported for (i) and (ii).
Definitions	
1)	The average number shall be that at the beginning of the reporting period, plus that at the end of the reporting period divided by two.
2)	A public payphone means either coin or card operated telephones and excludes: <ul style="list-style-type: none"> • courtesy telephones, including public telephones which provide only outgoing calls. • public telephones provided by companies other than the SMP operator, such as hotel rooms, businesses who rent pay phones from the SMP operator and offer these to public at their own rates etc. <p>Only public pay phones wholly owned and operated by service providers are to be included in this definition.</p>
Notes	
	The SMP operator shall seek approval from the ODTR for the methodology and procedures for its surveys of public payphone availability, before beginning to collect data for this measure.

²² As ETR 138.

Disconnection for non-payment

IV.5.1 (formerly II.2.1) Disconnection for non-payment of bills	
Purpose	To determine how successful an operator is in avoiding disconnection of residential subscribers from the PSTN for non-payment of bills
Applicable Services	direct access telephony
Applicable Segments	
(a)	Residential customers
Information Provided	
(i)	Total number of lines disconnected in the reporting period
(ii)	Total number of re-connections which resulted from disconnection in a previous reporting period ²³
Calculation	
(i)	Gross Disconnection Rate per 1000 lines = $[\text{Total number of lines disconnected in the reporting period}] \times 1000 / [\text{Average population of lines in reporting period}]$ <i>from II.1.1</i>
(ii)	Net Disconnection Rate per 1000 lines = $([\text{Total number of lines disconnected in the reporting period}] - [\text{Total number of re-connections which resulted from disconnection in a previous reporting period}]) \times 1000 / [\text{Average population of lines in reporting period}]$ <i>from II.1.1</i>
Definitions	
1)	<p>A disconnection for non-payment is an action taken by the operator to prevent the customer from making out-going and receiving any in-coming calls where the operator considers the customer has failed to pay sums due for the telephony service provided.</p> <p>Disconnection also include cases where the customer can only make or receive calls to the operator or emergency services.</p>
2)	<p>Other cessations such as where the customer for example:</p> <ul style="list-style-type: none"> • moves house • dies • changes telephony company • or any other customer-initiated cessation. <p>Barring of out-going calls at the request of the customer does not constitute a disconnection of service</p>

²³ The SMP operator shall determine the number of reporting periods over which records are kept and inform the ODTR for audit purposes.