

Fair Trading Commission

Decision on Standards of Service

for

The Barbados Light & Power Company Limited

No. FTC/UR/2006 - 2

Date: February 28, 2006

TABLE OF CONTENTS

SEC	SECTION 1. INTRODUCTION				
	BACKGROUND	3			
2.	Legislative Framework	3			
3.	CONSULTATION PROCESS	5			
SEC	CTION 2. THE DETERMINATION	6			
4.	POLICY DECISION	6			
5.	GUARANTEED STANDARDS OF SERVICE FOR THE BARBADOS LIGHT & POWER				
	Company Limited	7			
5.1	DEFINITIONS AND SPECIFIC EXEMPTIONS	9			
6.	OVERALL STANDARDS OF SERVICE	13			
6.1	DEFINITIONS AND SPECIFIC EXEMPTIONS	15			
7.	GENERAL EXEMPTIONS	16			
8.	OTHER EXEMPTIONS AND CONDITIONS *	17			
9.	REASONS FOR DECISION	18			
10.	MONITORING OF STANDARDS	23			
11.	PUBLIC EDUCATION	24			
12.	IMPLEMENTATION AND REVIEW	25			

SECTION 1. INTRODUCTION

1. BACKGROUND

This document sets out the Fair Trading Commission's "the Commission" conclusions on the determination and establishment of standards of service for The Barbados Light & Power Company Limited (BL&P) the sole entity responsible for the generation, transmission and distribution of electricity in Barbados.

Section 3(1) of the Utilities Regulation Act, CAP. 282 provides for the determination of Standards of Service by the Commission. In discharging this responsibility the Commission has sought to be transparent in its decision making processes and as such has consulted with service providers, representatives of consumer interest groups and other interested parties as mandated by the Fair Trading Commission Act, CAP. 326B.

The Standards of Service will be implemented on June 1, 2006.

2. LEGISLATIVE FRAMEWORK

The functions of the Fair Trading Commission encompass the important aspect of the setting of standards. Section 3(1) of the Utilities Regulation Act, CAP. 282 and section 3 of the Fair Trading Commission Act CAP.326B, state that the Commission shall in relation to the service provider:-

- (a) determine the standards of service applicable;
- (b) monitor the standards of service supplied to ensure compliance; and
- (c) carry out periodic reviews of the rates and principles for setting rates and standards of service.

The Commission has an obligation to consult with interested parties in making determinations of rates and standards of service. Section 4(4) of the Fair Trading Act CAP 326B specifically sets this out:-

The Commission shall, in performing its functions under subsection (3) (a), (b), (d) and (f) consult with service providers, representatives of consumer interest groups and other parties that have an interest in the matter before it.

Section 4 of the Utilities Regulation Act, CAP. 282 notes that in determining standards of service the Commission shall have regard to:-

- (a) the rates being charged by the service provider for supplying a utility service;
- (b) ensuring that consumers are provided with universal access to the service supplied by the service provider;
- (c) the national environmental policy; and
- (*d*) such other matters as the Commission may consider appropriate.

Rule 63 of the Utilities Regulation (Procedural) Rules 2003, S.I. 2003 No. 104 states that Standards of Service may include issues such as:-

- (*a*) *Universality of service;*
- (b) The provision of new services;
- (c) The extension of services to new customers;
- (d) The maximum response time permitted for responding to customer complaints; and
- *(e) Standards related to service quality which are specific to each sector.*

The Commission therefore has responsibility for determining and monitoring standards of service offered and carrying out periodic reviews of the standards of service for utilities under its jurisdiction.

3. CONSULTATION PROCESS

The consultation process was initiated with the issuance of the consultation paper on Standards of Service for Electricity on September 13, 2004. Subsequent to the issuance of the consultation paper three consultation forums were held where interested parties were given the opportunity to make oral submissions. Both written and oral forms of consultation were utilized to facilitate feedback from a wide cross section of society.

The Commission thanks all those persons who responded to the consultation paper or took part in the consultation forums.

SECTION 2. THE DETERMINATION

4. POLICY DECISION

Having considered all responses, analysed the existing and publicly-available information on electricity Standards of Service, and compare standards from extraregional jurisdictions the Commission believes that:

- The establishment of guaranteed and overall standards for the electricity sector are appropriate;
- Compensatory payments should be made for not achieving guaranteed standards; and
- The BL&P should be required to make public its compensation policy for damage caused by poor electricity service.

The following sections set out the guaranteed and overall standards which will be effective from June 1, 2006. This will allow for the Commission to advise the public and for the BL&P to sensitise its customers and prepare its staff for the administration of the Standards of Service.

The Guaranteed Standards require that the BL&P makes a compensatory payment to each individual customer who is affected by the company's failure to meet the defined targets.

The Overall Standards are designed to reflect the performance of the company on the whole and are not defined by the service which an individual customer receives. There is no compensation to customers for failure to meet these standards.

The standards also include details of exemptions. Exemptions refer to situations where the Commission considers that failure to meet the standard is outside the control of the BL&P.

5. GUARANTEED STANDARDS OF SERVICE FOR THE BARBADOS LIGHT & POWER COMPANY LIMITED

The Commission has made the following determination on the Guaranteed Standards of the BL&P. The standards are first presented in summarised form followed by a more detailed explanation of definitions and applicable exemptions. In all cases target times refer to the period (hour/day) between the receipt of the service call from the affected customers and completion of the relevant task.

The Power Quality Standard has been included with the guaranteed standards since the company may be required to compensate customers for equipment damaged as a result of the failure to meet this standard.

Standard	Description	Target	Compensatory Payments
GES 1	Restore supply after fault on customer's service (single customer)	Within 12 hours	 \$45.00 (Domestic) \$90.00 (General Service) \$215.0 Secondary Voltage Power/Large Power (SVP/LP)
			\$45.00 for each additional 24 hours.(Domestic) \$90.00 for each additional 24 hours (General Service) \$215.00 for each additional 24 hours (SVP/LP)
GES2	Restore supply after fault on the distribution system (multiple customers)	Within 12 hours	\$45.00 (Domestic) \$90.00 (General Service) \$215.00 (SVP/LP)
			\$45.00 for each additional 24 hours (Domestic) \$90.00 for each additional 24 hours (General Service) \$215.00 for each additional 24 hours (SVP/LP))
GES3	Investigation of voltage complaints	Visit within 3 working days , correct within 3 months	\$45.00 (Domestic) \$90.00 (General Service) \$215.00 (SVP/LP).
GES4	Provide a simple service connection (connection point within 30 m)	Within 12 working days	Refund of installation fee
GES5	Provide cost estimate for complex connection requiring a service visit	Within 3 months	\$45.00 (Domestic) \$90.00 (General Service.) \$215.00 (SVP/LP)
GES6	Connect or transfer of service to an existing installation	Within 2 working days	\$45.00 (Domestic) \$90.00(General Service.) \$215.00 (SVP/LP)
GES7	Reconnection of service on settling the bill after disconnection at the meter	Within 2 Working days	Refund of reconnection fee
GES8	Response to billing complaints	Provide assessment within 15 working days for those complaints which the Company deems require a service visit.	\$45.00 (Domestic) \$90.00 (General Service). \$215.00 (SVP/LP)

Power Quality Standard

This will be set at +/- 6% of nominal voltage. The Company may be required to pay compensation for damage to equipment if electricity is outside this range. The decision on whether the Company is liable will be made in accordance with the Company's policies and procedures for handling claims for damage to customer equipment.

Working Days

Working Days include Monday to Friday only and exclude public holidays. In measuring the response time for targets expressed in terms of working days, the day that the complaint is made is not counted.

5.1 DEFINITIONS AND SPECIFIC EXEMPTIONS

GES1 - Restore supply after a fault on the customer's service

Specific Exemption: Fault on customer's equipment eg: socket base, load ends, underground cable.

Definition – Supply is to be restored within 12 hours of it being reported to the Company. This includes problems /defects at the metering point, broken or defective service wires, low or high voltage conditions arising from service connections, which cause the interruption of supply to a single customer.

GES2 - Restore supply after fault on the electrical distribution system (multiple customers)

Definition - Supply should be restored within 12 hours of being reported.

Specific Exemptions:

 Where it would not have been reasonable for the BL&P to know that the customer's supply had been lost or that it had not been restored since loss occurred. • Where the outage is due to a fault on an underground cable and the prevailing conditions are such that it is not practical for the company to be able to locate, excavate and repair the fault within the stipulated time frame.

GES3 - Investigation of voltage complaint

Definition – The BL&P is required to visit within 3 working days and complete its investigation, correct and notify the customer within 3 months.

Specific exemptions:

- Problems arising due to:
 - a significant increase in a customer's electricity demand where the Company has not been properly notified,
 - the inappropriate use of equipment (eg. Welding equipment, large motors) on a service not designed for such loads;
 - due to defects in the customer's installation in respect of grounding, wiring overload, unbalance , harmonics , or transient voltages.
- Delays, which may occur due to difficulties in obtaining the required permissions from property owners or the Town & Country Development Planning Office to carry out work.

GES4 - Provide a simple service connection (connection point within 30 metres)

Definition – The BL&P is required to connect all new services which are within 30 metres of an existing circuit within 12 working days, after signing the contract for connection and the presenting of a valid certificate of inspection from Government Electrical Engineering Department (GEED) by the customer.

GES5 - Provide a cost estimate for complex connection requiring a service visit

Definition – The BL&P is required to provide a cost estimate for providing a new or altered supply within 3 months of receipt of a customer request. The cost estimate includes provision for installation of equipment and changes to the distribution system. Specific Exemptions:

- Where the customer fails to provide information required to determine the estimated Costs.
- Delays which may occur due to difficulties in obtaining required permissions from property owners or the Town & Country Planning Development Planning Office to carry out work.

GES6 - Connect or Transfer of a service to an existing installation

Definition – The BL&P is required to connect a service or transfer an electricity account where there is a meter already installed on the premises, no more than 2 working days after the customer has signed the contract with the company.

Specific Exemption: If the service is disconnected for more than 6 months and/or requires a valid certificate of inspection before it can be connected.

GES7- Reconnection of Service on settling the bill after disconnection at the meter

Definition – The BL&P is required to restore service to a customer within 2 working days after the bill, including the reconnection fee, has been settled by the customer.

GES8 - Response to billing complaints

Definition – The BL&P should normally respond to customer billing complaints within two working days. In situations where the BL&P considers that a service visit is necessary in order to resolve the complaint, the assessment must be made within 15 working days.

Compensatory Payments Claim Procedure: The Company will make readily available at their offices and electronically, forms which are required to be filled in and submitted by a customer wishing to make a claim. Customer claims must be submitted within 3 months of the event giving rise to the claim and the BL&P must accept or deny the claim within 2 months. If the Company accepts the claim the company shall indicate explicitly how this claim will be paid. Compensatory

payments will generally be made as credits on the customer's next bill after the claim has been accepted. If the claim is denied the Company must inform the customer on what basis the decision was made. The customer has the right to make a complaint to the Commission if he/she considers that he/she has been wrongfully denied compensation.

6. OVERALL STANDARDS OF SERVICE

The Commission has made the following determination on the Overall Standards of the BL&P. The standards are presented in the table in summarised form with a more detailed explanation of definitions and applicable exemptions below. The Commission has also included reliability indices that will be used to further monitor the performance of the Company.

Standard	Description	Target	
OES1	Frequency of meter reading	100% of customers' meters	
		to be read every two	
		months	
OES2	Response to Complaint high/low	95 % of complaints to be	
	voltage	responded to in 5 working	
		days	
OES3	Prior notice of outages	95% of customers to be	
		notified of planned outages	
		48 hours before	
OES4	Reconnection after payment of	90 % of customers to be	
	overdue amount	reconnected by the end of	
		next working day.	
OES5	Response to Written Claims related to	100 % of customers to	
	Standards of Service	receive acknowledgement	
		of receipt of claim within	
		10 working days	

Overall Standards of Service

System Reliability Indicator Indices

The Commission will require that the Barbados Light & Power adopt the following indices.

System Average Interruption Duration Index (SAIDI)

This index indicates the total duration of interruption for the average customer during a predefined period of time (e.g. monthly) and is measured in customer hours of interruption.

> SAIDI = <u>Total Customer Hours Interruptions</u> Total Number of Customers Served

System Average Interruption Frequency Index (SAIFI)

This indicates how often the average customer experiences a sustained interruption over a predefined period of time (e.g. monthly)

> SAIFI = <u>Total Customer Interruptions</u> Total Number of Customers Served

<u>Customer Average Interruption Duration Index (CAIDI)</u> This represents the average time to restore service.

> CAIDI= <u>SAIDI</u> SAIFI

<u>Total Customer Hours of Interruption</u>
 Total Number of Customer Interruptions

By collecting and comparing these indices on a monthly basis, the Commission will be able to determine whether there has been an improvement or deterioration in the standard of production and distribution of electricity in Barbados.

There have been no set targets for these indices but it is expected that the Company will strive to improve the level of performance. The Company will follow the IEEE standard 1366(2003) for determining System Reliability.

6.1 DEFINITIONS AND SPECIFIC EXEMPTIONS

OES1 - Frequency of meter reading

Definition - The BL&P is expected to read all meters at least once every two months.

Specific Exemptions: Situations where, owing to restrictions on access to the premises, the meter is inaccessible to the meter reader e.g. presence of dogs or fencing.

OES2 - Response to Voltage Complaints

Definition - This standard relates to GES 3, 95% of voltage complaints should be investigated within 5 working days.

Specific exemption - Delays which may occur due to difficulties in obtaining required permissions from property owners or the Town & Country Planning Development Planning Office to carry out work.

OES3 - Prior notice of Planned Outages

Definition – The BL&P is required to inform 95% customers by written notice at least 48 hours before any planned interruption which is expected to exceed 3 hours.

OES4 - Reconnection after payment of overdue amount

Definition - This relates to standard GES7, 90% of customers should be reconnected by the end of the following working day after the bill is settled.

OES5 - Response to written claims for breach of Standard of Service

Definition – 100 % of written complaints to the BL&P should be acknowledged by the Company within 10 working days.

7. GENERAL EXEMPTIONS

In certain conditions the BL&P may be unable to meet the standards due to circumstances outside the control of the Company. Under these conditions, the requirement to pay compensation for not meeting the Guaranteed Standard shall be waived. Below is a list of circumstances where such exemptions shall be applied.

- Acts of God;
- Riot;
- Civil commotion;
- Strikes, lockouts, and other industrial disturbances;
- Acts of terrorism;
- Wars;
- Blockades;
- Insurrections;
- Epidemics;
- Landslides;
- Hurricanes;
- Lightning;
- Earthquake;
- Storms;
- Floods;
- Trade restrictions;
- Inability to obtain any requisite Government permits;
- Breakdown of machinery or equipment or any other force or cause of similar nature not within the control of the Company and which by the exercise of diligence it is unable to avoid, prevent or mitigate;

8. OTHER EXEMPTIONS AND CONDITIONS

The Commission is cognisant that other circumstances may exist from time to time which might impede the Company's ability to meet the prescribed standards of service. In such circumstances, where a customer is dissatisfied with the Company's application of an exemption, that customer may seek the Commission's guidance. Thereafter, the Commission may authorise the Company's action or require the Company to honour the claim. Situations which might fall into this category may include but are not limited to the following:

- Inability to gain access to premises or the Company's facilities where needed;
- Where the customer's installation does not meet the Company's requirements for installation or is considered unfit for service. (The Company's installation requirements are published in its Information and Requirements booklet and on its website);
- Where the customer or his/her agent fails to fulfill his/her obligations;
- Where there are legal constraints that may prevent the Company from meeting the Standard;
- Where the customer informs the Company that he/she does not want further action to be taken on a matter;
- Where the customer requests the Company to take action at a later date than required by the standard;
- Where the Company reasonably considers that the customer's request or complaint is frivolous or vexatious;
- Where an offence has been committed through interference with the Company's metering equipment; and
- Where the customer's electricity account remains unpaid after the Company has given the customer notice of its intention to disconnect his/her supply for non-payment.

9. **REASONS FOR DECISION**

In determining the standards for the BL&P the Commission took into consideration the proposed standards submitted by the Company, these were later issued in the consultation paper. The Commission was of the view that since any standards developed would need to be achievable for the Company, their position regarding what is technically possible given their resources was critical to the decision. Other pertinent aspects considered were the degree of effort needed from the Company in meeting the stated targets, customer needs and the standards in place in other Caribbean and international jurisdictions.

General Comparisons of International Practices.

Although only a few jurisdictions, most notably the UK, have introduced a system of compensation to customers for non compliance with standards, many jurisdictions have standards of service programmes that are essential to regulation of the utility. In the United States for example performance indices and response time by electric utilities form an essential part of Performance Based Ratemaking schemes.

In South Africa there is a list of minimum standards which must be adhered to in order for the Company to have their operating license renewed in the following year. In Queensland Australia customers are offered rebates on the bill for breaches related to prior notice of outages and delays in reconnection after outages. In addition, if the customer suffers more than an agreed minimum number of outages in a region in a given year he is entitled to a partial rebate.

The Commission considered other systems in place for ensuring standards of service for utilities but was of the view that a system of guaranteed and overall standards similar to that which obtains in Britain, Trinidad and Jamaica was most appropriate for Barbados. The Commission will however monitor the standards programme over the next two years to determine if aspects of the system employed by other countries could be used in Barbados. In the section below, the Commission has provided the rationale for the adoption of all standards which differ from those proposed during the Commission's consultation process.

GES1 and GES2 Restore Supply Due to Faults (single and multiple) on Distribution Line

This standard was reduced from 16 hours to 12 hours as a result of submissions made during the consultation. Analysis of the information submitted by the BL&P showed that in 2004 92.2 % of restoration to single customers due to faults occurred in less than 8 hours and 95.5 % of restoration to multiple customers in less than 8 hours. In addition, Trinidad has a similar standard of 12 hours.

GES3 - Voltage Complaint

This standard was reduced from 6 months to 3 months based on recommendations in the consultation. During discussions with the BL&P it was recognised that the instances where 6 months were required usually occurred when there was difficulty in securing permission of access to premises and make the necessary assessment. The Commission considered that the inclusion of the exemption to cover these circumstances was the best option.

Table 1Comparison of Standard in International Jurisdictions

Service Description	Barbados	Jamaica ¹	Trinidad & Tobago ²	Hong Kong ³	United ⁴ Kingdom
Response to Service calls after forced outages	12 hours	None	12 hours	2 hours	18 hours
Connection of supply within 30 metres	12 working days	4 working days	3 working days	Next Day	30 working days
Connection of supply 30 to 250 metres	N/A	10-30 Working days	5-20 working days	None	30 working days
Billing punctuality. Time for first bill to be mailed after connection	None	30 working days	65 working days	None	30 working days
Reconnection after payment of overdue amounts	2 working days	2 Working days	24 hours	Same day	Same day
Response to emergencies	None	6 hours	N/A	21 minutes	3 hours
Notice of Supply interruption	48 hours	None	3 days notice	7 days notice	5 days notice

GES6 Reconnection

The Commission has added a standard for reconnection after payment of overdue amounts. A standard for this is included by both OUR in Jamaica and RIC in Trinidad and Tobago. Two working days is proposed which is similar to that used in Jamaica. In an effort to encourage the Company to aim for reconnection on the same day or next day as obtains in Hong Kong, U.S.A and Britain, the Commission has implemented an overall standard of 1 working day to be achieved in at least 90 % of the cases.

¹ Office of Utility Regulation, JPS Guaranteed Standards of Service 2004-2009, presented at 3rd OOCUR Workshop, May 29-31, 2005, Barbados.

² Regulated Industries Commission, Approved Quality of Service Standards for the Electricity Transmission and Distribution Sector, April 2004

www.ric.org.tt/home/legal/legal_notice_no_64_of_2004.pdf

³ Hong Kong Electric Company Ltd , Customer Service, Service Standards,,

http://www.hec.com.hk/hec/customer/service_3.htm

⁴ Reference Office of Gas & Energy Markets OFGEM, Competitive Energy Markets, Standards of service, http://www.dti.gov.uk/energy/inform/energy_indicators/ind08.pdf

OES1 Meter Reading

The increase in the target from 90% to 100% in this standard was considered appropriate due to the concerns raised by respondents during the Consultation. It is recognized that customers can be placed at a significant disadvantage if their meters are not read regularly; especially if an over estimated bill coincides with a month that has a high fuel adjustment charge. It is suggested that the statistics in regard to meter reading be monitored closely with a view to converting the once every two month reading closer to 100%. The Commission therefore recommends that the overall standard be set at 100% rather than 90%. A monthly reading would be ideal but may not be feasible based on manpower requirements from the Company. This standard was not converted to a guaranteed standard since there are circumstances which are outside the Company's control that may lead to a meter not being read on schedule.

GES8 and OES5 Response to Customer complaints

The Commission as well as respondents at the consultation considered that in most cases the Company was capable of providing responses to customer complaints if not on the spot very soon after. It was however recognized that responses to oral complaints and investigation times for these was difficult to track. The Commission has decided to limit the complaints to those dealing specifically with billing. The BL&P is expected to respond promptly to billing complaints, normally within two working days. However, on the occasions where BL&P determines that a visit is required to investigate the complaint, a target of 15 working days is set for an assessment, to be made. This assessment will be considered to be completed on the Company's first visit to the customer's premises and it is expected that the customer would be advised of the assessment either at that visit, if they are at the premises at the time or as soon as possible after that. This standard takes into consideration the time needed to schedule appointments and possible manpower resource constraints. In addition the Commission has included an overall standard of 10 working days, with a target of 100%, for acknowledgement of written claims related to service.

Compensatory Payments

During the consultation process the BL&P did not submit any recommendations for compensatory payments. In setting compensatory payments the Commission took into account the average monthly bills of customers. The Commission was of the opinion that the level of compensation should bear some relation to this. The domestic compensatory payment was set at a level which is approximately 50% of the average monthly domestic bill and the general service compensatory payment at about 68% for the average monthly bill for general service (business) customers.

	2003/\$	2004/\$
Domestic	91.99	100.83
General Service	138.81	146.46
Small Voltage Power	2,429.79	2,626.47
Large Power	36,782.90	63,593.92

 Table 2 Average Monthly Bills by Customer Class

It was also recognised that commercial and industrial customers who stand to lose their economic livelihood from lack of access to electricity should have a higher level of compensation than residential users. The Commission also considered the levels of compensatory payments implemented by the Office of Utility Regulation (OUR) in Jamaica. The Jamaica Public Service Company is obliged to pay \$1,000 JAM (approx. \$32.00 BDS) for domestic customers for breaches of guaranteed standards which are close to the average monthly domestic bill. There is a fee of \$8,400 (approx. \$262.00 BDS) compensation in place for commercial and industrial customers.

The Commission took into account the difference between the average monthly bills for domestic, commercial classes and industrial classes in determining the scheme of compensatory payments. Accordingly the compensation for general service customers should be less than that for the industrial sector. However, the compensatory payment was set higher than that suggested for the residential customers due to the loss of business which may occur if power is lost. As a result, the compensation payments were set as follows:

\$45.00 (Domestic)\$90.00 (General Service)\$215.00 (Secondary Voltage Power and Large Power)

10. MONITORING OF STANDARDS

The BL&P is required to submit monthly reports of the reliability indicator indices:

CAIDI (Customer Average Interruption Duration Index)SAIDI (System Average Interruption Duration Index)SAIFI (System Average Interruption Frequency Index)

In addition the Company should provide the average value of each index over the entire year at the end of each year.

The BL&P is required to submit quarterly regulatory reports. These reports shall include information on:

- The number of breaches under each Guaranteed Standard category;
- The level of compliance, as a percentage, of each Overall Standard category (OES1 to OES5); and
- Details of any extenuating circumstances that would have prevented the Company from achieving the targets of the overall standards.

The BL&P is required to submit annual reports. These reports shall include information on:

- The number of customers eligible for compensation during the previous financial year (except for GES2);
- The total amount of eligible compensation ; (except for GES2);
- The number of customers actually receiving compensation; and
- The amount of compensation actually paid.

The Commission reserves the right to conduct independent investigations that seek to determine the extent to which the service provider is meeting the standards of service.

It is expected that where an Overall Standard is not met the service provider will offer an explanation to the Commission. Where the service provider continually fails to meet an overall standard, to the point where service is severely hampered, and it appears that the service provider has not made a reasonable effort to rectify the breach, section 43 of the Fair Trading Commission Act, CAP. 326B and sections 31 and 38 of the Utilities Regulation Act, CAP. 282 may be invoked on issuing of the appropriate Order as required by these acts. Both Acts make provisions for the imposition of penalties when the service provider is deemed not to be in compliance with prescribed standards of service.

11. PUBLIC EDUCATION

The service provider shall make available to its customers a detailed list of the approved Guaranteed and Overall Standards of Service. This list shall include information on the service category, target times, and compensatory payment where applicable. The Company's fault reporting process is to be made known to the public and the appropriate contact numbers included. The service provider shall also widely publicize the means via which compensation for breaches may be sought.

Before implementation the Commission will seek to further educate the public as to their rights and responsibilities as they relate to these newly developed standards. The Commission will make public the yearly statistics related to the Company's performance in attaining Guaranteed and Overall Standards.

12. Implementation and Review

The Standards of Service for the BL&P as herein outlined will become effective on June 1, 2006. These standards are subject to the official Commission review every two years, at which time amendments to the standards, target times or compensatory payments may be made.

Dated this 28th day of February 2006.

Original signed by:

Vivian Ann Gittens Deputy Chairman

Original signed by:

Floyd Phillips Commissioner Original signed by:

Michael Thompson Commissioner

Original signed by:

Delisle Weekes Commissioner

Original signed by:

Desiree Cherebin Commissioner

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