

QUALITY OF SERVICE AND CONSUMER PROTECTION ISSUES IN REGULATION

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SABIEDRISKO PAKALPOJUMU REGULĒŠANAS KOMISIJA

MONITORING OF SERVICE QUALITY



MONITORING OF SERVICES QUALITY (1)

Quality of services (QoS) according to ITU- T Recommendation E.800

**Totality of characteristics of a
telecommunications service that bear on
its ability to satisfy stated and implied
needs of the user of the service**



MONITORING OF SERVICES QUALITY (2)

Main services to be controlled

- **National voice telephony calls in fixed networks (“On Net” and “Off Net”)**
- **National voice telephony calls in mobile networks (“On Net” and “Off Net”)**
- **Internet access**
- **TV program transmission in public networks**
- **Leased lines**



MONITORING OF SERVICES QUALITY (3)

Main principles of QoS monitoring

- 1. Setting titles of QoS parameters (Key Performance Indicators) – the task for NRA. The ETSI documents may be used for titles setting**

ETSI EG 202 057

ETSI EG 202 009

ETSI EG 201 769



MONITORING OF SERVICES QUALITY (4)

Main principles of QoS monitoring

2. Setting values of QoS parameters (QoS targets):

- values are set by operator
- values are set by NRA for operator with USO
- values are set by NRA as an exception to prevent the QoS level decreasing



MONITORING OF SERVICES QUALITY (5)

Main principles of QoS monitoring

3. QoS targets publishing:

- targets published by operator**
- targets published by NRA**
- mix of mentioned above**



MONITORING OF SERVICES QUALITY (6)

Main principles of QoS monitoring

4. QoS measurements:

- measurements provided by NRA**
- measurements provided by operator**
- measurements provided by third party**
- mix of mentioned above**



MONITORING OF SERVICES QUALITY (7)

Main principles of QoS monitoring

5. The results comparison with targets and publishing the report:

- report is published by NRA**
- report is published by operator**
- mix of mentioned above**



CONSUMERS' RIGHTS AND INTERESTS PROTECTION



THREE ASPECTS OF CONSUMERS' RIGHTS PROTECTION

- 1. Transparency and publication of information**
- 2. Contracts requirements**
- 3. Complaining procedures and processes**



TRANSPARENCY AND PUBLICATION OF INFORMATION



TRANSPARENCY AND PUBLICATION OF INFORMATION (1)

**There are three main subjects to be
published by undertakings:**

- **Tariff information**
- **Information about quality of services**
- **Information about access to emergency services**



TRANSPARENCY AND PUBLICATION OF INFORMATION (2)

1. NRA has to be able to oblige undertakings to publish transparent, comparable, adequate and up-to-date information on applicable prices and tariffs, on any charges due on termination of a contract. Such information shall be published in a clear, comprehensive and easily accessible form.



TRANSPARENCY AND PUBLICATION OF INFORMATION (3)

2. NRA have to be able to oblige undertakings to *inter alia*:

a) provide applicable tariff information to subscribers regarding any number or service subject to particular pricing conditions; with the respect to individual categories of services, NRA may require such information to be provided immediately prior to connecting the call;



TRANSPARENCY AND PUBLICATION OF INFORMATION (4)

- b) inform subscribers of any change to access to emergency service or caller location information;**
- c) inform end-users on the quality of services;**
- d) regularly inform disabled subscribers of details of products and services designed for them.**



CONTRACTS



CONTRACTS (1)

According the Directives 2002/22/EC and 2009/136/EC the contract shall specify at least:

- a) The identity and address of undertaking;**
- b) The services provided, including in particular,**



CONTRACTS (2)

- **whether or not the access to emergency services and caller location information is being provided,**
- **information on any other conditions limiting access to and/or use services and applications, where such conditions are permitted under national law,**
- **the minimum service quality levels offered i.e. quality of service parameters as defined by NRA,**



CONTRACTS (3)

- **the information on any procedures put in place by the undertaking to measure and shape traffic so as to avoid filling or overfilling a network link, and information on how those procedures could impact on service quality,**
- **customer support service provided, as well as the means of contacting these services,**
- **any restrictions on the use some types of TE**



CONTRACTS (4)

- c) The subscriber's options as to whether or not to include his or her personal data in a directory, and the data concerned;**
- d) Details of prices and tariffs, payment methods offered and differences in costs due to payment method;**
- e) Any compensation and the refund arrangements which apply in contracted service quality levels are not met;**



CONTRACTS (5)

f) The duration of the contract and the conditions for the renewal and termination of services and of the contract including:

- any minimum usage or duration required to benefit from promotional terms,**
- any charges due on termination of the contract including any cost recovery with respect to TE,**
- any charges related to number portability**



CONTRACTS (6)

g) The means of initiating procedures for the settlement of disputes;

h) The type of action that might be taken by undertaking in reaction to security or integrity incidents or threats and vulnerabilities.



CONTRACTS (7)

The important note 1:

1. Member states shall insure that contracts concluded between consumers and undertakings providing electronic communications services do not mandate an initial period that exceeds 24 months. Undertakers have to offer users the possibility to subscribe to a contract with the maximum duration of 12 months.



CONTRACTS (8)

The important note 2:

2. Subscribers have a right to withdraw from their contract without penalty upon notice of modification to the contractual condition proposed by the undertakings.



CONTRACTS (9)

Additional requirements to be included in contracts according to Latvian regulations

- The possibility to contact customer support service 24 hours a day free of charge
- The information about 3rd parties services to be included in the bill (if applicable)
- The definitions of quality of service parameters defined by NRA



CONTRACTS (10)

The quality of service parameters to be included in contracts defined by NRA (1)

- **Voice telephony service in public fixed network:**
 - **the minimum level of speech quality according the ITU-T Rec. P.862 (PESQ 5 points system),**
 - **the level of fault repair time to be compensated by undertaking if exceeded.**

Note: “On Net” only



CONTRACTS (11)

The quality of service parameters to be included in contracts defined by NRA (2)

- **Voice telephony service in public mobile network:**
 - **the minimum level of speech quality according the ITU-T Rec. P.862 (PESQ 5 points system),**
 - **the maximum SMS delivering time.**

Note: “On Net” only



CONTRACTS (12)

The quality of service parameters to be included in contracts defined by NRA (3)

- **Internet access service:**
 - the guaranteed download and upload speed between NTP and National Internet Exchange Point
 - the availability of service (%),
 - the level of fault repair time to be compensated by undertaking if exceeded.



CONTRACTS (13)

The quality of service parameters to be included in contracts defined by NRA (4)

- **TV program transmission in public networks:**
 - the minimum quality level of picture (5 point quality scale),
 - the level of fault repair time to be compensated by undertaking if exceeded.



COMPLAINING PROCEDURES AND PROCESSES



CONSUMERS COMPLAINTS (1)

Member States shall ensure that transparent, non-discriminatory, simple and inexpensive out-of-court procedures are available for dealing with unresolved disputes between consumers and undertakings relating to the contractual conditions and/or performance of contracts concerning the supply of networks and/or services.



CONSUMERS COMPLAINTS (2)

Two levels system to solve consumers problems with undertakings

Level 1. The problem may be solved by undertaker

The consumer asks the undertaking to solve the problem. If the consumer is not satisfied with undertakings solution (answer) he/she may send a complaint to NRA



CONSUMERS COMPLAINTS (3)

Level 2. The problem may be solved by NRA (1)

The consumer describes the problem and sends the description to NRA with the copy of contract. The NRA examine the situation:

- a) asks the undertaking their opinion about the problem,
- b) compares the contract requirements with the national regulation,
- c) together with undertaking representative makes technical measurements in in the place where the service is provided if necessary.



CONSUMERS COMPLAINTS (4)

Level 2. The problem may be solved by NRA (2)

- After the examination the NRA conclusion will be sent to both sides.
- If one of sides is not satisfied by NRA conclusion it may ask to start the formal dispute to be solved by NRA.
- The NRA decision concerning dispute resolution is mandatory for both sides as an out-of-court resolution.



ONE IMPORTANT ADDITIONAL REQUIREMENT

The new paragraph is in force in the law “On Electronic Communications” after the 8th of June 2011. The main idea of this paragraph is:

The customer has a choice in case the Regulator made a conclusion the Quality of Service parameters values do not meet the contract requirements:

- To ask for the compensation according to the contract requirements as it was before**

or

- To terminate a contract without penalties**



CONCLUSIONS (1)

- **Quality of services and consumers protection issues are essential tasks for the National Regulatory Authorities and the importance of these issues increases every year**
- **Consumers have to have a possibility to compare the level of service quality provided by different undertakers**



CONCLUSIONS (2)

- **It is very important and very difficult to train consumers to read the contract before signing**
- **If the NRA started to monitor quality of service never stop this monitoring because the level of quality will go down very fast**



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