

BEFORE THE PUBLIC UTILITIES COMMISSION

ORDER NO 2 /2019

In the matter of a complaint by Mr. Ramon Gaskin and PUC on its own motion against the Guyana Telephone & Telegraph Company Ltd on the Billing Format used by the company.

PRESENT:

Public Utilities Commission:

Ms. Dela Britton	-	Chairman
Mr. Rajendra Bisessar	-	Commissioner
Dr. Leyland Lucas	-	Commissioner
Ms. Verlyn Klass	-	Commissioner

In attendance:

Mr. Vidiahar I. Persaud	-	Secretary /Legal Officer
Mr. Moorsalene Sankar	-	Financial Analyst I
Ms. Destra Bourne	-	Complaints' Manager
Ms. Yogwattie Sookram	-	Financial Analyst II

Guyana Telephone & Telegraph Co. Ltd.

Mr. Mark Reynolds	Vice President, Legal and Regulatory Affairs
Dr. Delreo Newman	Director, International Regulatory, Government and Legal Affairs
Orson Ferguson	Vice President – Customer Experience
Kadeem Davis	Legal Officer
Stacey Lesley	Manager – Customer Experience and Loyalty

Guyana Consumer Association

Mr. Patrick Dial	-	President
Dr. Yog Mahadeo	-	Advisor

Complainant

Mr. Ramon Gaskin - Complainant

On 28th day of June 2019, the Commission received a complaint from Mr. Ramon Gaskin (hereinafter referred to as the complainant), a resident of 75 Dennis Street, Campbellville, Georgetown. Mr. Gaskin is a landline customer of the Guyana Telephone and Telegraph Inc (GT&T).

The complainant stated that the format of his tax invoice for the month of May 2019, had been unilaterally changed by GT&T without prior notification and as a consequence the change resulted in the exclusion of the substantive billing information which had been contained in previous bills. He alleged that upon an enquiry with GT&T, he was informed that the information omitted could be viewed online. The complainant, further in his complaint stated that he had no access to online facilities and that GT&T was in effect forcing him to seek such facilities. He also noted that he was not aware of the PUC approving this change of billing format.

The complaint was forwarded to GT&T and by response which was dated 5th July 2019, the company informed the Commission that with effect from May 2019, a new billing format was posted to customers in and out of Georgetown area. The company noted that customers who were desirous of viewing details of their bill(s) could access same online and listed the procedures for the online retrieval of information. GT&T's response was forwarded to Mr. Gaskin on July 11th, 2019.

Mr. Gaskin responded to GT&T's letter on the 25th July 2019. The gist of his response was that his complaint was not adequately addressed as the company had merely repeated itself regarding the online retrieval of bills.

The Commission after reviewing the complaint by Mr. Gaskin and GT&T's response thereon and taking into consideration that many consumers may be similarly aggrieved, determined that in accordance with the Public Utilities Commission Act, No. 10 of 1999, such a situation warranted a public hearing. Therefore, and on behalf of the complainant entered into a public hearing which

was held on 12th September 2019 at 10:30 hrs. at the Ballet Room of Cara Lodge, Quamina Street, Georgetown.

The issues to be considered by the Commission were (1) whether GT&T acted unreasonably in unilaterally changing the format of its tax invoice for landline consumers to a partial or paperless billing without adequate notice or consensus from consumers, (2) whether the change in the billing format would result in grave inconvenience to consumers and consequently increase costs in accessing information which were contained in the previous billing format, and (3) any other matters which may touch and concern the issues surrounding the paperless billing.

At the hearing, in addressing the Commission, the complainant reiterated the substance of his complaint.

In response, GT&T stated that the decision to change the billing format was premised upon Section 51 of the Public Utility Commission's Act No. 10 of 1999, which provides for the company's obligation to bill. The section states as follows:

“Every public utility shall supply every consumer every month, or at such other intervals as may be agreed to by the Commission or provided for in a licence or any written law in relation to any consumer or class of consumers, a bill showing the sum payable by the consumer on account of any service provided by the public utility during the preceding month, or other relevant period as may be agreed to by the Commission, or for such other intervals and periods as may be prescribed in its licence”

The Company noted that section 51 does not expressly prescribe a method of invoicing. The company posited that in changing the format of its billing it took into consideration international best practices and the fact that the new billing regime better serves the consumers' interests since it offers consumers the flexibility of choice in the verification of their accounts. It noted that customers who may be desirous of querying the details of any aspect of their account(s) may utilize GT&T's "My Account" free of charge. Further, the company in its response stated that consumers have the option of calling GT&T's telephone number 0448, in order to engage with an operator who would detail the invoice. This is a free service provided by the company.

GT&T did however concede that it did not inform consumers of its intent to change the billing format nor did it allow for a period of discussion amongst relevant stakeholders. The company then issued an un-qualified apology to the complainant and all consumers who may have been affected by its unilateral actions.

In response to a query from the Commission, GT&T stated and agreed that as stipulated in the PUC's Order 2 of 2017, consumers may retrieve a copy of their bill ('hard-copy') from any GT&T's office at a cost of three hundred dollars (\$300).

GT&T indicated that the option on the platform which allows consumers in its current billing format to '*Register here to view your detailed bills : <https://mygtt.co.gy>,*' automatically registers users to receive their bills electronically.

The Guyana Consumers Association (GCA) in its presentation noted that in order for consumers to check the details of their account they would be required to access same online. It opined that many consumers do not possess the necessary electronic facilities and questioned whether consumers would be required to purchase another service in order to avail themselves of access to their accounts. This the GCA stated would incur monetary costs and inconvenience. Further, the consumer would be saddled with the \$300 payment to retrieve a copy of bills, transportation to GT&T facilities, and data cost incurred in downloading details of the requisite billing information.

Several consumers who were in attendance voiced concerns regarding some aspects of the company's operations.

We have sought to highlight some concerns in the Order namely:

- i. The refusal of GT&T Fogarty's Branch to collect payments resulting in disconnection of service. GT&T countered that the refusal would have stemmed from the fact that there was no outstanding balance on the consumer's account.
- ii. In order to satisfy anti-money laundering and other identifying policy protocols utility bills are often used as a form of proof of address for banking purposes. As such, the

issue was raised as to what will be the resulting effects the paperless billing regime would have on the banking public.

- iii. Whilst fiber to the home or 'Blaze' was not the focus of this hearing, one consumer indicated that he registered for the service, but technical difficulties prevented him from enjoying same. He was nonetheless disconnected the following month. His attempt to reconnect proved futile as he was informed that he was required to pay for the months from the time of signing up for the service to the date of reconnection. This is premised on the terms and agreements of the contract with GT&T for the Blaze service. The company indicated that they are currently reviewing its terms and agreements for such services.
- iv. An enquiry was made whether GT&T could add the feature of call blocking to the Blaze services.
- v. An argument was made for the voluntary registration for paperless bills.
- vi. A query was made as to the receipt of bills for non-existent services.
- vii. A request was made for GT&T to consider the implementation of a subscriber activated call-blocking feature on their GPON voice service, since there was a cited experience of calls being billed, though not allegedly made.
- viii. Invited comment was made regarding the benefits to paperless facilities, alluding to environmental impact and convenience.

DECISION

The Commission believes that the spirit and intent of the section 51, while not explicitly enumerating the salient information to be included in an invoice, must however conform with commercially accepted practices. The Commission is of the view that an invoice which conforms with commercial practices should include the following: (this list is not intended to be exhaustive) date of the invoice; the name of the company issuing the invoice; the name and address of the payee; the billing period for which the consumer is invoiced; the charges for the consumer; an itemized breakdown of all charges on the invoice; the total amount due, owing and payable, including taxes and the amount which was paid for in the preceding months or billing period.

The Commission is cognizant that the technology and the way in which business is conducted is constantly evolving. The Commission at all times seeks to adhere to the oft quoted adage that Regulation must not seek to stifle innovation and in this regard, it will commend GT&T for its efforts to advance a green economy.

However, the Commission frowns on the Company and records its concern that the company sought to introduce the paperless facility and the company by its own admission failed to provide prior notification and failed to launch an effective educational campaign for the benefit of the public. At no time did the company seek to notify the Commission of its intention to embark upon a paperless regime.

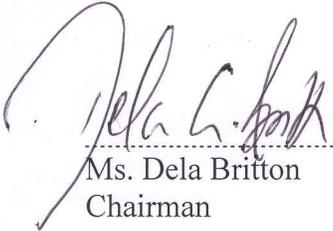
In light of the foregoing and after careful consideration, the Commission hereby orders that with effect from November 1, 2019:

1. **That unless notified otherwise by consumers**, GT&T shall dispatch to all business and residential consumers, paper bills which shall include the detailed Calling Party Pay call tables and overseas call details.
2. That all consumers who had received the new billing format issued from May 2019 be notified in their bills issued in November 2019, of the choice to opt out of paperless billing and such choice should be with immediate effect upon indication from the consumer.
3. The option to cancel online billings and resume paper billings should be clearly stated by GT&T on any of their online portals.
4. That the company shall ensure that its billing platform from which such paperless billings are accessed is uptime and experiences minimal latency. Should the platform fail during any billing period or cycle, the company is required to inform all paperless consumers and dispatch bills in hard copy to each consumer.
5. Any consumer who had received the new billing format with effect from May, 2019 to date, and is desirous of receiving their detailed tax invoice, is to be issued same free of charge for each billing period as requested by the consumer.
6. That as directed by Order 2 of 2017, which Order remains extant, all consumers who are desirous of a bill copy (i.e. to perhaps replace a lost/damaged bill and who were previously

issued with a hard copy of their bill) are required to pay or may pay a charge of \$300 for a 'Special bill, Bill Copy, (Charge per Bill)'.

7. Public notices should be prominently placed via the print and on-line media, and Short Messaging Service (SMS) notifying consumers of the new billing format and the choice to remain with paper billings.

Dated this 11th day of October, 2019


Ms. Dela Britton
Chairman


Rajendra Bisessar
Commissioner


Verlyn Klass
Commissioner


Dr. Leyland Lucas
Commissioner

