

# BROADCASTING COMMISSION

More Choices, Better Access and Higher Quality

## QUARTERLY MONITORING & COMPLIANCE REPORT

APRIL-JUNE 2008

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# INTRODUCTION

Four hundred and twenty-nine (429) contacts were recorded for the period under review. Of this number, forty-two (42) resulted in investigations of licensed cable, radio or television operators. This level of investigations represents an increase of forty percent (40%) when compared to the corresponding reporting period in the previous year, and also an increase of thirty-five (35%) when compared to the previous quarter, January to March 2008.

As a result of the investigations conducted during the quarter, one (1) Notice of breach was issued and two (2) recommendations for suspension of licence were prepared, both of which related to subscriber television (STV) licensees. The licensees were invited to meet with the Chairman of the Broadcasting Commission in order to avert any further disciplinary actions against them.

# PROGRAMMING STANDARDS COMPLIANCE

During the period under review, the Commission received sixteen (16) complaints relating to the transmission of problematic content. This represents an increase of fourteen percent (14%) when compared to the corresponding period in 2007.

**Table 1** details the complaints received relating to programming standards between April and June 2008, and the nature of the investigations conducted by the Commission. **Figure 1** illustrates the trend in programming standards complaints received in similar reporting periods since 2005.

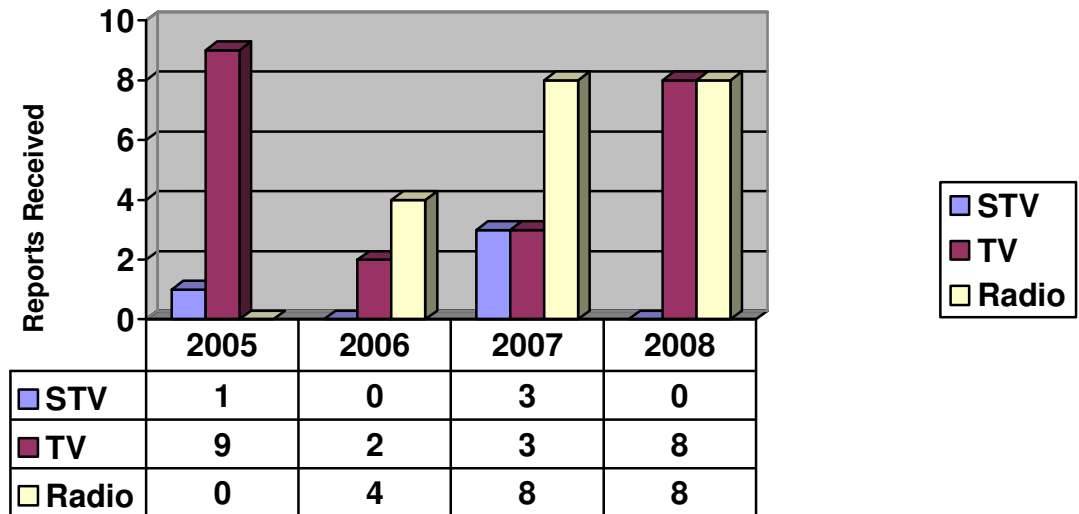
**Table 1**  
**Content Standards Reports: April- June 2008**

	Alleged transmission sub judice comments	Sexually suggestive language /lyrics	Disturbing footage male patient	Problematic Language /lyrics	Transmission of derogatory remarks	Profane Language	Graphic visual content	<i><b>TOTAL</b></i>
CVM Television Limited (Hot 102)					1			<b>1</b>
CVM Television Ltd		1					2	<b>3</b>
RJR Communications Group–FAME FM				1				<b>1</b>
Grove Broadcasting Company Limited (ZIP 103 FM)	1	2						<b>3</b>
RJR Communications Group– Television Jamaica			1	2		3		<b>6</b>
Radio Jamaica Limited (HITZ 92FM)								
Radio Jamaica Limited (Nationwide News Network)				1				<b>1</b>
Mustard Seed Communities (Roots FM)		1						<b>1</b>
<b>TOTAL</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>16*</b>

***\*Complaints listed above include allegations that may not have necessarily resulted in findings of breach***

Figure 1

Content Standards Reports Trends for Quarters: April-June 2005 to April -June 2008



# TECHNICAL COMPLIANCE

## Technical Monitoring

The facilities of all subscriber television operators are inspected annually to determine their compliance with the technical standards set out in law.

There were two (2) inspections for the period under review. Table 2 lists the subscriber television licensees inspected and their respective areas of technical non-compliance.

*Table 2*  
*Technical Monitoring: April - June 2008*

	LICENSEE INSPECTED	NON-COMPLIANCE DETECTED	REMEDIAL ACTION TAKEN		STATUS
			Adequate	Inadequate	
<b>1.</b>	Silly Video Network Cable Limited	<b>Regulations:</b> 17 (1) (f), 17 (1) (h), 17 (4) (b), 17 (4) (d), 17 (4) (e)			Breach letter sent to licensee.
<b>2.</b>	CTL Limited	<b>Regulations:</b> 15 (b), 16 (1), 17(4) (b), 17(1) (h), 17 (1) (f)			Breach letter sent to licensee.

## Technical complaints

**A total of seventeen (17) complaints were received about the technical quality of licensees' transmissions for the period under review.**

Approximately eighty-three percent (83%) or fourteen (14) of the complaints received related to poor audio and video signals and the remaining seventeen percent (17%) related to allegations of frequent breakdowns. The total figure represents an increase in complaints of forty-two percent (42%) when compared to the corresponding period in 2007. This total also represents an increase of forty-two percent (42%) when compared to the previous quarter January to March 2008.

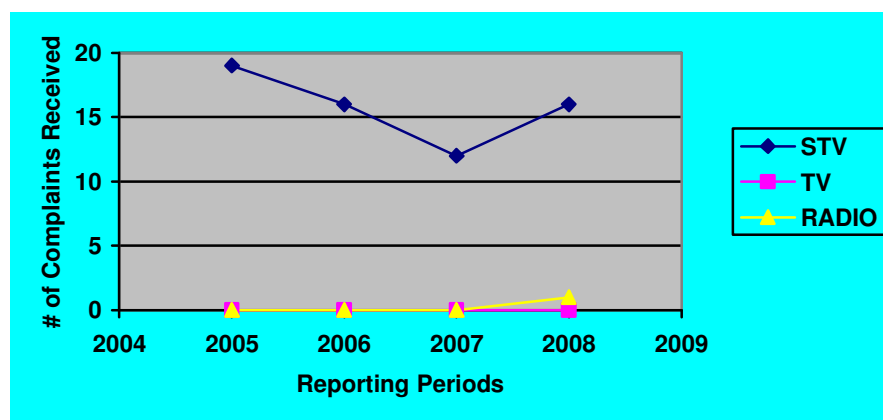
Table 3 details the nature of the investigations conducted, while Figure 2 illustrates the trend in technical complaints received in similar reporting periods since 2005

**Table 3**  
**Technical Standards Reports: April -June 2008**

	Poor audio and video signals	Interference	Frequent breakdowns	Loss of Service	<b>TOTAL</b>
Columbus Communications (FLOW)	6				<b>6</b>
Kommerical Suite-( Mega Jamz )		1			<b>1</b>
North Eastern	2				<b>2</b>
St. Thomas Cable	1				<b>1</b>
Cornwall Communications	1				<b>1</b>
Oliver's Electronics				1	<b>1</b>
Wilson's Electronics	1				<b>1</b>
General Satellite Network Limited	1				<b>1</b>
Mega International Company Ja Ltd	2				<b>2</b>
Starcom Cablevision				1	<b>1</b>
<b>TOTAL</b>	<b>14</b>	<b>1</b>		<b>2</b>	<b>17*</b>

*\* Complaints listed above include allegations that may not have necessarily resulted in findings of breach*

Figure 2  
Technical Standards Reports Trend for Quarters: April-June 2005 to April-June 2008





# CUSTOMER SERVICE COMPLIANCE

Nine (9) reports of customer service problems were received for the period under review. This total represents an increase of fifty percent (50%) when compared to the corresponding period in 2007. There was an increase of twenty-nine percent (29%) when compared to the previous quarter, January to March 2008

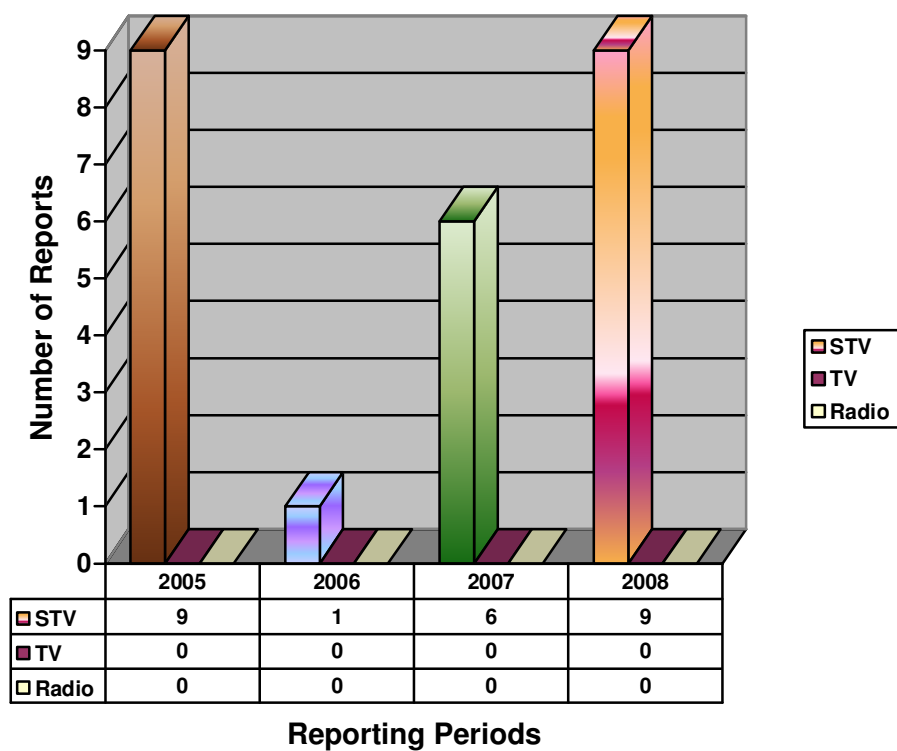
**Table 4** details the nature of the investigations conducted by the Commission, while **Figure 3** illustrates the trend in customer service complaints received for similar reporting periods since 2005.

**Table 4**  
**Customer Service Complaints: April - June 2008**

LICENSEES	NATURE OF COMPLAINTS RECEIVED								TOTAL
	Inaccurate Billing	Transmitting illegal content	Customer A/c not updated	Denying Access to channels	Increased subscribers Fees	Bills quoted in U.S. Dollars	Unwarranted Disconnection	Dissatisfied with installation	
Columbus Communications (FLOW)	1	1	1		1	1	2	1	8
Omni Cable Services				1					1
<b>TOTAL</b>									<b>9*</b>

*\*Complaints listed above include allegations that may not have necessarily resulted in findings of breach*

**Figure 3**  
**Customer Service Complaints Reports Trends for Quarters: April-June 2005 to April-June 2008.**



# COMPLAINTS RESOLVED

Except for matters that fall outside the Commission's mandate, all reports of possible breaches of licence are investigated. As soon as investigations are completed, the complainants and the relevant licensees are notified of the outcome, and the Commission considers the matter resolved. Forty-nine (49) investigations were resolved between April and June 2008.

**Table 5** shows the categories of complaints resolved, while **Table 6** details the bases on which the Commission was able to close the investigations.

*Table 5*  
Resolution of Complaints by Category

	Complaints Resolved (including those brought forward from the previous quarter)
Subscriber Television	40
Broadcast Television	5
Broadcast Radio	4
<b>Total</b>	<b>49</b>

*Table 6*

Resolution of Complaints by Category

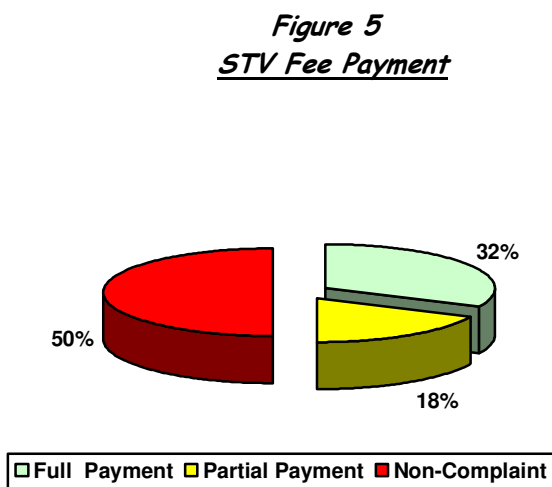
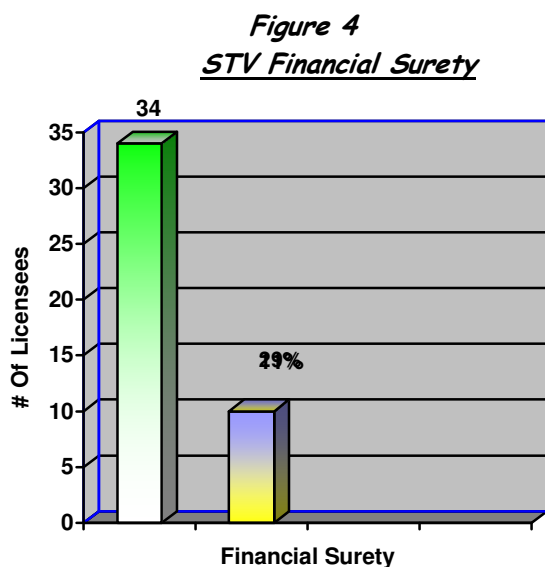
CATEGORIES	TOTAL
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<b>Resolved to complainant's satisfaction</b>	<b>21</b>
Subscriber Television	1
Broadcast Television	
<b>Commission investigation complete</b>	<b>1</b>
Broadcast Radio	4
Broadcast Television	–
Subscriber Television	
<b>No response from complainant</b>	<b>4</b>
Subscriber Television	
<b>No evidence of breach of content standards</b>	<b>2</b>
Broadcast Television	2
Broadcast Radio	1
Subscriber Television	
<b>No further remedial action required for breach committed</b>	<b>–</b>
Broadcast Radio	1
Broadcast Television	
<b>Outside Commission Mandate</b>	<b>3</b>
Subscriber Television	
<b>Complied with required remedial action for breach of licence</b>	<b>2</b>
Broadcast Radio	2
Subscriber Television	
<b>Complainants no longer subscribe to licensees</b>	<b>4</b>
Subscriber Television	
<b>Complaint withdrawn by complainant</b>	<b>1</b>
Subscriber Television	
<b>Total</b>	<b>49</b>

## FINANCIAL COMPLIANCE

STV operators are required to pay an annual licence fee of five percent (5%) of their gross subscription income. In addition, since 2006 STV licensees are required to submit a financial surety for Commission use in cases of chronic default in payment.

**Figures 4 and 5** illustrate cable operators' compliance with these obligations.



Of the thirty-four (34) eligible licensees, only ten (10), or twenty-nine percent (29%), have complied with this requirement and submitted the financial surety.

In relation to licence fees due during the period, fourteen (14) licensees paid in full; eight (8) licensees made partial payments and twenty-two (22) were totally non-compliant. There was a slight increase in the number of full payments recorded when compared to the previous quarter Jan-Mar 2008 when the Commission recorded thirteen (13) payments.

**Table 7**  
**STV Licensees Financial Compliance**  
**For quarter ended June 30, 2008**

	LICENSEES	FINANCIAL SURETY	FEES		
		STATUS	Paid in Full	Partial Payment	Non-Compliant
1	Abacus Communications Ltd.	Non- Compliant			✓
2	Allied Cablevision Co. Ltd.	Non- Compliant			✓
3	Astra Technology Ltd.	Non- Compliant			✓
4	Beason Communications Ltd.	Non- Compliant			✓
5	Cable One Jamaica Ltd.	Not Applicable		✓	
6	Cable Home Entertainment Co. Ltd.	Non- Compliant			✓
7	Cabletron Network Systems Ltd.	Non- Compliant			✓
8	Central Communication Services Ltd.	Not Applicable			✓
9	Columbus Communications - FLOW	Compliant	✓		
10	Combined Communications Ltd.	Compliant			✓
11	Communicable Ltd.	Non- Compliant	✓		
12	Cornwall Communications Ltd.	Compliant		✓	
13	CTL Limited	Non- Compliant			✓
14	First Choice Cable	Not Applicable	✓		
15	General Satellite Network Company Ltd.	Compliant	✓		
16	Guthrie's Communications Ltd	Not Applicable			✓
17	Inntech Communications Ltd.	Non- Compliant	✓		
18	Jamaica Amalgamated Cable Systems	Non- Compliant			✓
19	Jamaica Cablevision Ltd.	Compliant			✓
20	Linscom Network Limited	Non- Compliant	✓		
21	Logic One Limited	Compliant	✓		
22	Marimaxx Communications Ltd.	Non- Compliant			✓
23	Mars Cable Vision Ltd.	Non- Compliant		✓	
24	Mega International Co. Ja. Ltd.	Non- Compliant			✓
25	Mikes Electronics & Cable Network Ltd.	Non- Compliant		✓	

**STV Licensees Financial Compliance**  
**For Quarter ended June 30, 2008**

	<b>LICENSEES</b>	<b>FINANCIAL SURETY</b>	<b>FEES</b>		
		<b>STATUS</b>	<b>Paid in Full</b>	<b>Partial Payment</b>	<b>Non-Compliant</b>
26	Mile Gully Cable Ltd	Non- Compliant	✓		
27	Modern Re-Broadcasting Co. Ltd.	Not Applicable	✓		
28	North Eastern Satellite Limited	Compliant	✓		
29	Odyssey Cable Vision Limited	Compliant		✓	
30	Oliver Electronics Engineering Ltd.	Compliant		✓	
31	Omni Cable Services Limited	Non- Compliant			✓
32	QES 46 Limited	Non- Compliant			✓
33	Santastic Cable Systems Ltd.	Not Applicable	✓		
34	Silly Video Cable Network Limited	Non- Compliant			✓
35	Starcom Cablevision Ltd.	Non- Compliant			✓
36	Stars Cable Company Ltd.	Non- Compliant		✓	
37	St. Thomas Cable Network Limited	Non- Compliant			✓
38	Summit Satellite Systems Limited	Not Applicable			✓
39	Telstar Cable Limited	Compliant	✓		
40	Unique Vision Cable Co. Ltd.	Not Applicable		✓	
41	Venus Cable Services	Not Applicable	✓		
42	Westar Communications Limited	Not Applicable			✓
43	Wilson's Electronics Limited	Non- Compliant	✓		
44	Wilson Enterprises Limited	Non- Compliant			✓

# BREACHES OF LICENCE

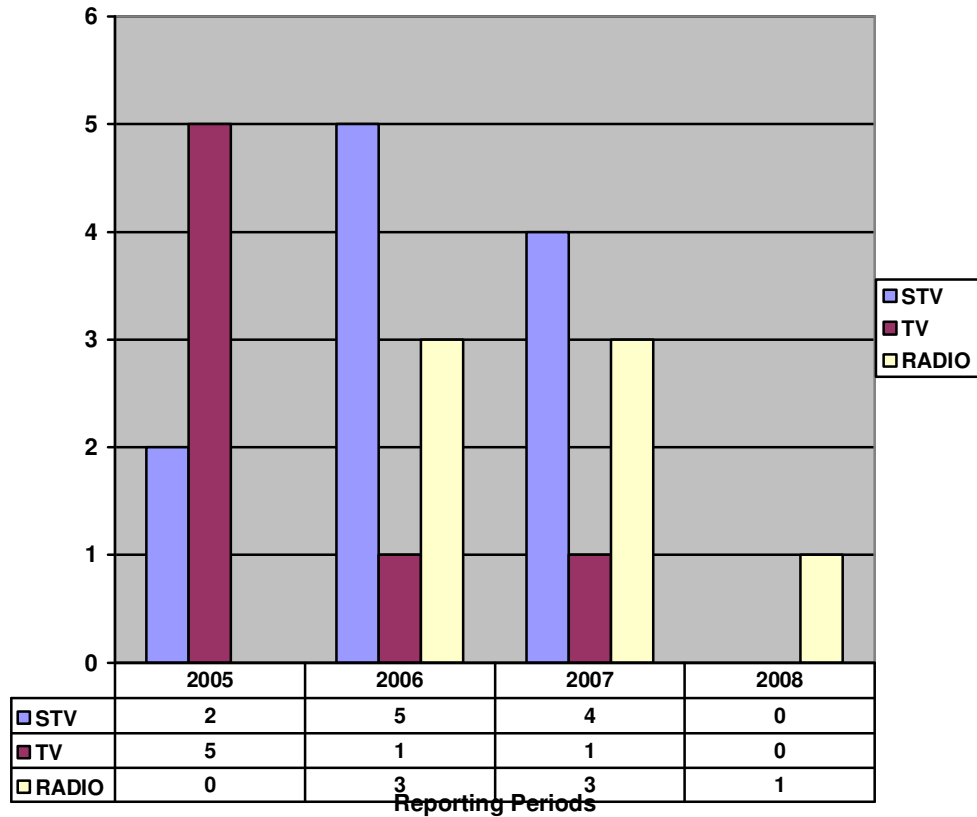
One (1) notice of breach of licence was issued to a broadcast radio licensee for the transmission of verbal expletives during the reporting period. This represents a significant decrease of eighty-eight percent (88%) when compared to the corresponding period in 2007, and a significant decrease of ninety-five (95%) when compared to the previous quarter of January to March 2008.

**Figure 6** illustrates the trend in total breaches committed, by service, for similar reporting periods since 2005. The list overleaf detail the breach determined by the Commission during the current reporting period.



*Figure 6*

*Trend in Total Breaches for Quarters: April-June 2005 to April-June 2008*



## **BREACH COMMITTED BY BROADCAST RADIO LICENSEE**

### **GROVE BROADCASTING COMPANY LIMITED (IRIE FM)**

<b>DATE OF BREACH:</b>	<b>24-Apr-08</b>
<b>COMPLAINT NUMBER;</b>	<b>08/03/10/1014-001</b>
<b>NATURE OF COMPLAINT:</b>	<b>Transmission of verbal expletives</b>
<b>NATURE OF BREACH:</b>	<b>Transmission of material containing verbal expletives</b>
<b>COMMISSION DECISION:</b>	<b>Licensee in breach</b>
<b>REMEDIAL ACTION:</b>	<b>Licensee directed to apologize, apology aired, internal measures implemented and disciplinary action taken</b>
<b>STATUS:</b>	<b>Complied with required remedial action</b>