

BROADCASTING COMMISSION

More Choices, Better Access and Higher Quality

QUARTERLY MONITORING & COMPLIANCE REPORT

OCTOBER- DECEMBER 2007

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INTRODUCTION

A total of thirty-seven (37) complaints were received from members of the public during the period. This total represents an increase of nineteen percent (19%) when compared to the corresponding reporting period in the previous year, and a twenty-three percent (23%) increase when compared to the previous quarter July-September, 2007.

The Commission conducted technical inspections on only three (3) subscriber television (STV) licensee's facilities during the current reporting period. The number of field visits was lower than projected as a number of licensees still had not recovered from the effects of the August 19 Hurricane Dean, which negatively affected both broadcast and cable distribution infrastructure, particularly in the South of the island.

The period also saw an increase in the number of customer service complaints received. Significantly, fifty percent (50%) of the complaints related to the new island-wide STV licensee Columbus Communications Jamaica Limited (operating as *Flow*). In response to these concerns, officers of the Commission met with senior management of *Flow* to discuss measures to be taken to address customer concerns, particularly lack of information and difficulty making contact with the provider by telephone to report concerns and complaints.

PROGRAMMING STANDARDS COMPLIANCE

During the period under review, the Commission received fifteen (15) complaints relating to the transmission of problematic content. This total represents a major increase of Two Hundred and Seventy-Five Percent (275%) when compared to the corresponding period in 2006.

Table 1 details the complaints received about programming standards between July and September, and the nature of the investigations conducted by the Commission, while **Figure 1** illustrates the trend in programming standards investigation received in similar reporting periods since 2004.

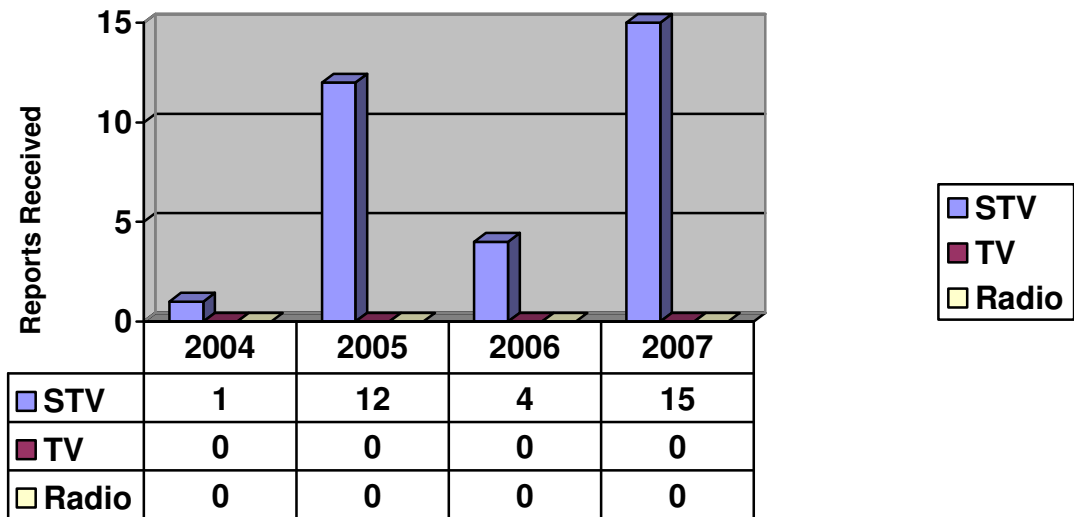
Table 1
Content Standards Reports: October to December 2007

LICENSEES	NATURE OF COMPLAINTS RECEIVED					TOTAL
	Problematic Sexual Content	Problematic Language	Unencrypted Adult Material	Violent Content	Number of advertisements aired	
CVM Television Limited (CVM TV)	1					1
Grove Broadcasting Company Limited (IRIE FM)		1				1
Grove Broadcasting Company Limited (ZIP FM)		4				4
Radio Jamaica Limited (FAME FM)		2		2		4
Television Jamaica Limited (TVJ)	1	2				3
Radio Jamaica Limited (HITZ 92FM)		1				1
Radio Jamaica Limited(RJR 94)		1				1
TOTAL						15*

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

Figure 1

Content Standards Reports Trends: October-December 2004 - 2007



TECHNICAL COMPLIANCE

Technical Monitoring

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

Only three (3) subscriber television licensee's facilities were inspected during the period as the Commission permitted those who were still recovering from damage done on August 19, by Hurricane Dean an opportunity to make necessary repairs.

The following is the list of the subscriber television licensees inspected and their respective areas of technical and/ or operational non-compliance.

Table 2
Technical Monitoring: October-December 2007

	LICENSEE INSPECTED	NON-COMPLIANCE DETECTED	REMEDIAL ACTION TAKEN		STATUS
			Adequate	Inadequate	
1.	Mars Cable Vision Ltd.	Regulations: 17 (1) (d), 17 (1)(f) 17(4)(b), 17(4)(d), 17(4)(e), 17(1)(h)		✓	Awaiting response on remedial action taken . Response due by end of March 2008
2.	Cabletron Network Systems Ltd.	Regulations: 15 (a), 17 (4) (b), 17(4)(d), 17(1) (h)			Awaiting response on remedial action taken. Response due by May 2008
3.	Total Cable Ltd.	Regulations: 17(1) (f), 17(4)(b), 17(4)(e), 17(1)(h). System not addressable			Awaiting response on remedial action taken. Response due March 2008.

A total of twelve (12) complaints were received concerning the technical quality of licensees' transmission for the period under review.

Approximately eighty-three percent (83%) of the complaints received related to poor audio and video signals and the remaining seventeen percent (17%) related to allegations of frequent breakdowns. This figure represents a noticeable reduction of forty percent (40%) when compared to the corresponding period in 2006, but an increase of twenty percent (20%) when compared to the previous quarter July-September 2007.

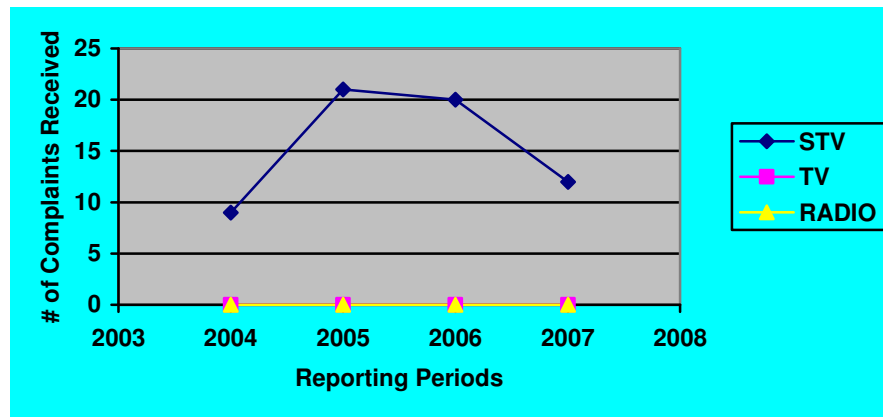
Table 2 details the nature of the investigations conducted, while Figure 2 illustrates the trend in technical complaints received in similar reporting periods since 2004.

Table 3
Technical Standards Reports: October -December 2007

LICENSEES		NATURE OF COMPLAINTS RECEIVED			
		Poor audio and video signals	Frequent breakdowns	Interference	TOTAL
Columbus Communications Limited (FLOW)		3	1		4
Combined Communications Limited		1			1
Jamaica Amalgamated Cable systems		1	1		2
Jamaica Cablevision Limited		1			1
Mega International		1			1
Omni Cable		1			1
Stars Cable		1			1
Wilson's Electronics Limited		1			1
TOTAL					12*

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

Figure 2
Technical Standards Reports Trend: October-December 2004-2007



CUSTOMER SERVICE COMPLIANCE

Ten (10) reports of customer service problems were received for the period under review. Of the total complaints received, fifty percent (50%) were related to CCJL. The total figure represents a sixty-six percent (66%) increase when compared to the corresponding period in 2006 and twenty-five percent (25%) increase when compared to the previous quarter, July-September 2007.

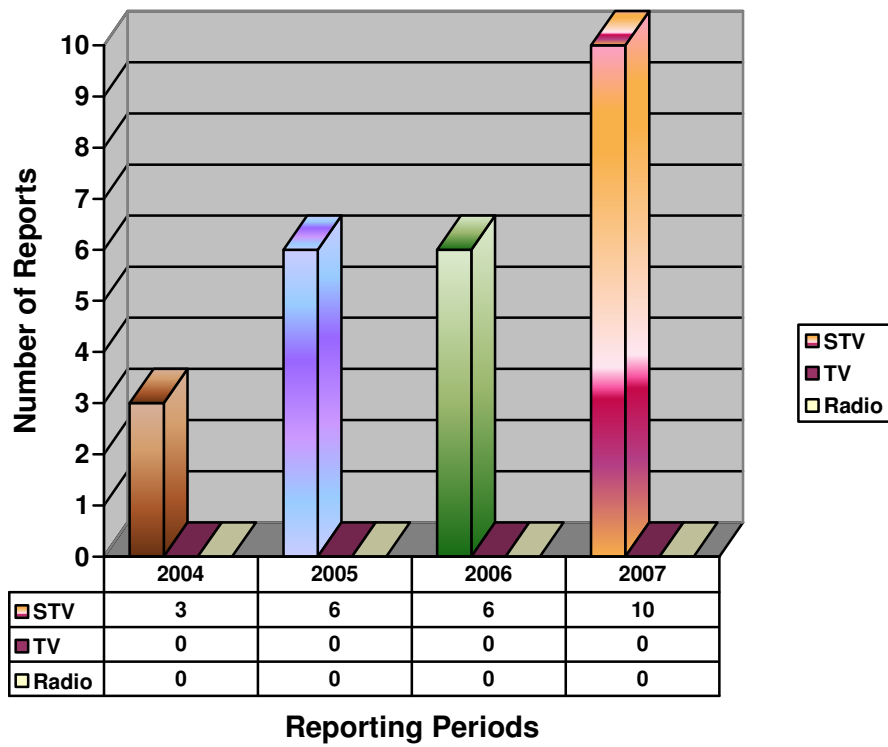
Table 3 details the nature of the investigations conducted by the Commission, while **Figure 3** illustrates the trend in customer service complaints received for similar reporting periods since 2004.

Table 4
Customer Service Complaints: October-December 2007

LICENSEES	NATURE OF COMPLAINTS RECEIVED						
	Inaccurate Billing	Non Provision of service	Inability to Contact Licensee	Increased subscribers fees	Not advised of change of ownership	No compensation for poor service	Unlicensed provision of service
							TOTAL
Columbus Communications Jamaica Limited (FLOW)	2			1	1		1
Allied Cablevision Limited			1				1
Cornwall Communications Ltd							1
Mega International Ltd.		1					1
Starcom Cablevision Limited						2	2
TOTAL							*10

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

Figure 3
Customer Service Complaints Reports Trends: October-December 2004-2007



COMPLAINTS RESOLVED

Except for matters that fall outside of the Commission's mandate, all reports of possible breaches 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. Twenty-five (25) investigations were resolved between October and December 2007.

Table 4 shows the categories of complaints resolved, while **Table 5** details the bases on which the Commission was able to close investigations.

Table 5
Resolution of Complaints by Category

	Complaints Resolved (including those brought forward from the previous quarter)
Subscriber Television	16
Broadcast Television	-
Broadcast Radio	9
Total	25

Table 6
Resolution of Complaints by Category

CATEGORIES	TOTAL
Resolved to complainant's satisfaction	
Subscriber Television	12
Broadcast Radio	1
Commission investigation complete	1
Subscriber Television	
New investigation to be pursued	
Subscriber Television	3
No evidence of breach of content standards	
Broadcast Television	1
Broadcast Radio	4
No further remedial action required for breach committed	
Broadcast Radio	-
Complaint withdrawn by complainants	-
Subscriber Television	3
Complied with required remedial action for breach of licence	
Broadcast Radio	
Total	25

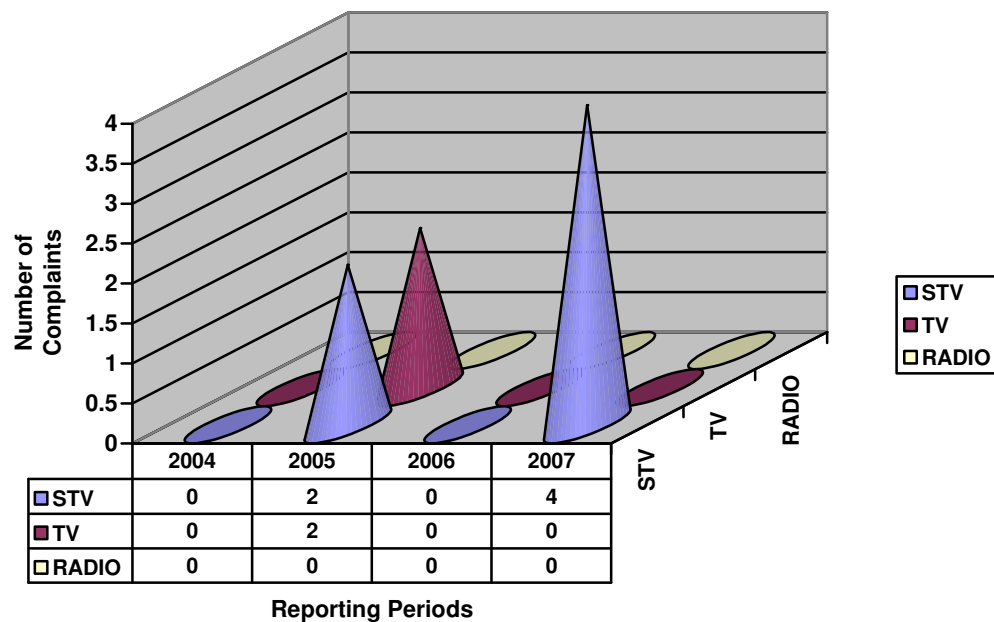
BREACHES

A total of four (4) notices of breach were issued during the reporting period. This represents a major increase of one hundred (100%) when compared to the corresponding period in 2006, and a reduction of fifty percent (50%) when compared to the previous quarter of July- September 2007.

Of the breaches committed, there was one (1) instance where an STV operator was found in breach for failing to maintain its system at the required technical standards, as detected during Commission inspections of their facilities. In one (1) other instance it was determined that a licensee was illegally providing cable service outside of its licensed area; one (1) subscriber television operator failed to provide requested information; and one (1) STV operator failed to encrypt adult programming.

Figure 4 illustrates the trend in total breaches committed, by service, for similar reporting periods since 2004. The lists overleaf detail the breaches determined by the Commission during the current reporting period.

Figure 4
Trend in Total Breaches -October-December 2004 - 2007



BREACHES COMMITTED BY SUBSCRIBER TELEVISION LICENSEES

Cornwall Communication Limited

DATE OF BREACH:	07-Dec-07
NATURE OF BREACH:	Alleged illegal stv operation/Licensee directed to cease operation
COMMISSION DECISION:	Licensee given deadline to withdraw
REMEDIAL ACTION REQD:	
STATUS:	Open

COLUMBUS Communication Limited

DATE OF BREACH:	08-Oct-07
NATURE OF BREACH:	Failure to maintain technical standards – Inspection of licensee system
COMMISSION DECISION:	Licensee in breach of licence
REMEDIAL ACTION REQD:	Licensee directed to implement corrective measures
STATUS:	CLOSED

Date of Breach	5-Nov-07
Nature of Breach	Failure to provide requested information
Commission Decision	Licensee of breach of licence
Status	CLOSED

Entertainment Systems Limited

DATE OF BREACH:	31-Oct-07
NATURE OF BREACH:	Non-encryption of adult programming
COMMISSION DECISION:	Licensee to apologize
REMEDIAL ACTION REQD:	Licensee directed to apologize
STATUS:	<u>CLOSED</u>

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 on payment.

Figures 5 and 6 illustrate cable operators' compliance with these obligations.

Figure 5
STV Financial Surety

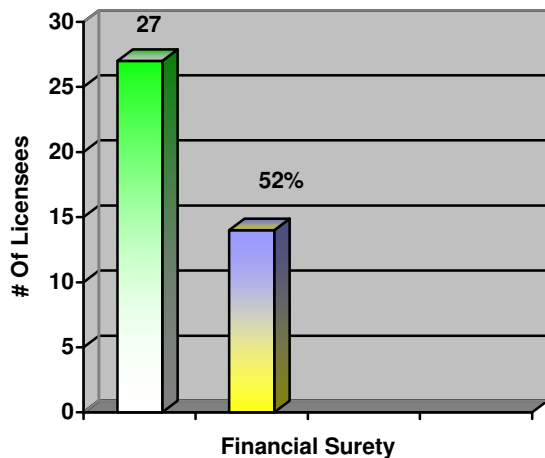
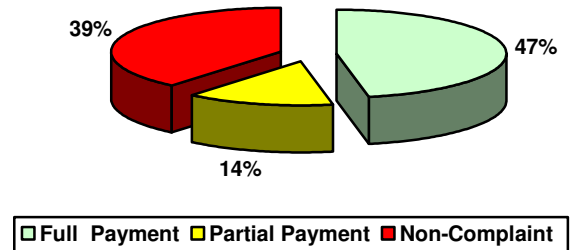


Figure 6
STV Fee Payment



Of the twenty-seven (27) eligible licensees, only fourteen (14), or fifty-two percent (52%), have complied with this requirement and submitted the financial surety..

In relation to licence fees due during the period, twenty-two (22) licensees paid in full; six (6) licensees made partial payments and eighteen (18) were totally non-compliant. This performance compares negatively to the previous quarter of July-September 2007, when the Commission recorded payments from twenty-three (23) licensees in full; seven (7) licensees making partial payment and seventeen (17) licensees who were non-compliant.

Table 7
STV Licensees Financial Compliance
Quarter ended September 30, 2007

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

Table 7 Cont'd
STV Licensees Financial Compliance
for quarter ended September 30, 2007

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