

Mr Gumani Malebusha
ICASA
Private Bag x10002
SANDTON
2146

Date:
24 February 2014

Enquiries: Shakila Ramluggan
Tel +27 11 800 5456/2190

Via email: gmalebusha@icasa.org.za
Cc: pmompe@icasa.org.za

**ELECTRONIC COMMUNICATIONS ACT 36 OF 2005
DRAFT REVISED END-USER AND SUBSCRIBER
SERVICE CHARTER REGULATIONS 2014 PUBLISHED FOR GENERAL COMMENT (GenN 30
in GG 37251 of 22 January 2014) (p3)**

We thank you for granting us an opportunity to comment on the above and attach hereto our comments marked (annexure A).

We trust that our input will be received as value-adding to the overall process.

Yours sincerely



Neo Tsholanku
GENERAL MANAGER (LEGAL AND COMPLIANCE)

**END-USER AND SUBSCRIBER
SERVICE CHARTER
REGULATIONS**

COMMENTS BY ESKOM

DATE

24 February 2014

**COMMENTS BY ESKOM ON THE
END-USER AND SUBSCRIBER
SERVICE CHARTER
REGULATIONS**

**PUBLISHED FOR GENERAL COMMENT IN THE GOVERNMENT
GAZETTE No. 37251 – NOTICE 30 OF 2014**

1. INTRODUCTION

Eskom is the holder of a PECN Licence Exemption and the communication network pertaining thereto is used to provide all communications services related to Eskom's electricity supply industry (including generation, transmission, distribution and system operations).

2. GENERAL COMMENTS

In the light of the said exemption, it is accepted that these regulations do not apply to Eskom.

However, Eskom notes that the charter does not make specific arrangements for essential services during national disasters and would recommend that in the final regulations, this is provided for.

3. SPECIFIC COMMENTS

Comments on specific sections of the regulations:

4.4 Average time to clear faults

For faults which take longer than 3 days to clear, there should be mandatory reporting or escalation.

4.5 Connectivity failure rate for fixed wireless, fixed wireline, mobile, internet and broadband services

- a. Average call drop rate and average call retention ratio should add up to 100% (currently these are indicated as respectively 3% and 96%).
- b. There should also be metrics for the time to deliver SMSs to avoid lengthy delayed deliveries.
- c. Call setup success ratio and call block rate should add up to 100% (currently these are indicated as respectively 20% and 98%)
- d. The latency parameter should be a single value. It should be either “not more than 150 ms” or “not more than 200 ms”.

7.2 Billing

It should be clearly stated whether the itemised billing is to be provided at no charge to all customers or not. If there is to be a charge, it should be indicated whether the customer may opt out to avoid the additional expense. It is not clear whether itemised billing will be regulated and we suggest that such clarity is provided.

7.2 Metering and billing credibility

The requirement that not more than 1% of bills can be disputed is very strict. It is also open to abuse as service providers cannot bill or recover anything from users until the disputes are settled. The number of disputes received is not entirely under the control of the operator. We hence suggest that these requirements are reviewed and a more appropriate disputation figure provided.

4. CONCLUSION

Eskom would like to extend its appreciation to the ICASA for the opportunity to influence these regulations. We trust that our comments have been constructive and that they are of assistance in finalising the regulations. In the event that further clarification or information is required, Eskom would be more than happy to provide same.