

LIME's RESPONSE TO
TELECOMMUNICATIONS REGULATORY COMMISSION
VIRGIN ISLANDS

CONSULTATION DOCUMENT
on

PROCEDURES FOR INVESTIGATION OF COMPLAINTS
BY CONSUMERS, FACILITATION OF RELIEF AND RESOLUTION OF
RELATED DISPUTES

Reference Number: C/3/2010
June 10th, 2010

LIME

Landline | Internet | Mobile | Entertainment

By e-mail to: consultations@trc.vg

0

LIME'S Response to TRC on
Procedures for Investigation of Complaints By Consumers, Facilitation of Relief and Resolution of Related Disputes
July 8, 2010

Introduction

LIME responds to the Telecommunications Regulatory Commission (TRC) on the consultation titled *'Procedures for Investigation of Complaints By Consumers, Facilitation of Relief and Resolution of Related Disputes'* (the Consultation) published on June 10, 2010.

LIME agrees with the TRC that every licensee must have a procedure for investigating and resolving customer complaints and that where a customer is dissatisfied with the resolution of the complaint that the customer should have the right of appeal to the TRC.

LIME's further comments on the consultation are as follows:

Rights of a Respondent:

In this regard, LIME directs the attention of the TRC to paragraph 12 (2) of the consultation which states that:

12 (2) If, prior to approaching the Commission, a complainant has not filed a complaint with the respondent, the Commission shall provide the respondent with an opportunity to offer amicable solution to resolve the complaint. A respondent shall be given five business days, save for exceptional circumstances, to propose such a solution.

Where a complainant has not filed a complaint with LIME (the respondent) but goes directly to the TRC, the TRC should refer such customers to the respondent as the first point of resolution and should not itself accept such a complaint for handling. Indeed all such complaints should be deemed inappropriate and classified under paragraph 9, since the respondent would have had

no opportunity to resolve the matter and the appellate role of the TRC would not have been triggered.

Without prejudice to deeming such complaints inappropriate, where a complainant is referred to LIME under the proposed paragraph 12 (2), it would be the first time that the Company would be aware that the customer has a complaint, so it would be a new complaint. The relevant timeframe then is not five (5) days as proposed in section 12 (2) but rather no more than twenty (20) business days as contained in paragraph 6 (1) which states that:

6(1) A licensee shall investigate and resolve a complaint within twenty business days of receipt of the complaint, except where objective reasons make such resolution impossible to investigate and resolve within that time frame.

Finally, on this matter, the regulation at paragraph 4(1) requires that:

4(1) In the first instance the consumer shall file his complaint with a respondent.

Duties of Licensees:

Paragraph 17 (1)(b) states that Licensees shall:

17(1) (b) keep records of complaints for at least three (3) years from the date of resolution of the complaint.

LIME believes this requirement to be excessive and proposes that records of complaints should be kept for at least one (1) year.

Typographical Errors

The following typographical errors are brought to the TRC's attention:

- At paragraph 9(1)(a) , section 80 should be amended to be section 8.
- At paragraph 16(1)(a) , section 90 should be amended to be section 9.

Concluding Remarks

LIME thanks the TRC for providing the Company with an opportunity to comment on the consultation.

Please send any communication in relation to this consultation to:

Mr. Sean Auguste

Desk: 1 284 852 8710

E-mail: sean.auguste@time4lime.com

END DOCUMENT