



26 October 2023

Mr. Carlton Smith
Chief Executive Officer
Utilities Regulations and Competition Authority
Frederick House, Frederick Street
Nassau, Bahamas

Dear Mr. Smith:

Re: Standard for Power Quality and Reliability in Electric Power Systems, Consultation Document, ES 06/2023

The Bahamas Telecommunication Company (“BTC”) has reviewed the Utilities Regulations and Competition Authority’s (“URCA”) Electricity Sector (“ES”) Consultation Document *Standard for Power Quality and Reliability in Electric Power Systems, ES 06/2023*, issued 27 September 2023 (the “ES QoS CD”). Due to the importance of power quality and reliability to BTC’s day-to-day operations, it herein offers its comments on the ES QoS CD.

As URCA is aware, power is a critical input for Electronic Communications Sector (“ECS”) service providers such as BTC. To provide high quality and reliable ECS services to customers throughout The Bahamas, ECS service providers in turn require high quality and reliable power from ES service providers. Consequently, any regulatory measures URCA proposes to take to better promote and ensure improved power quality and reliability in The Bahamas are strongly supported by BTC.

As URCA is also aware, ECS service providers are subject to several sets of regulations that deal with ECS quality of service (“QoS”) related matters. These include the ECS Consumer Protection Regulations (“CPR”),¹ which cover customer complaints handling requirements, QoS standards, compliance monitoring and reporting requirements, among other things. As well, there are the QoS Regulations for ECS networks and services,² which include minimum required standards for fixed, mobile and Internet networks and services, along with related reporting, investigation, enforcement and penalty measures, among other things. URCA also very recently launched a consultation process to introduce new ECS Outage Reporting and Mitigation Regulations (the “ECS Outage Regulations”)³ that introduce proposed new outage notification requirements, outage mitigation and remedy obligations, compliance requirements and sanctions for any compliance failures.

In sum, the existing and proposed ECS QoS regulatory framework is extensive in scope and detailed in its application. In marked contrast, URCA’s proposed ES QoS approach is much narrower in scope and far more light handed, despite longstanding serious concerns with power quality and reliability in The Bahamas.

¹ Consumer Protection Regulations, ECS 19/2013, issued 30 December 2013 and updated 07 February 2014. These regulations are current under review by URCA in ECS 10/2023, issued 18 September 2023.

² Quality of Service Regulations for Electronic Communications Networks and Services in The Bahamas, Regulations, ECS 42/2016, issued 22 December 2016.

³ Draft Outage Reporting and Mitigation Regulations for the Electronic Communications Sector in The Bahamas, Consultation Document, ECS 12/2023, issued 02 October 2023.

In preparation for the current ECS Outage Regulations consultation, URCA requested information on ECS service providers' unplanned outages during the first trimester of this year, including their date, time to repair, location, services affected, and reason or root cause. The data provided in response by BTC showed that the vast majority of BTC's unplanned outages were due to commercial power failures or, in other words, ES service provide outages.⁴

More recently, URCA undertook an investigation into several service interruptions of ECS services to assess whether BTC took all reasonably practicable steps to prevent the outages and to restore the affected networks within the shortest possible time.⁵ In response, BTC provided detailed information relating to each of the outages under investigation.⁶ As BTC indicated in that response, the root cause of five of the eight outages under investigation were associated with ES service provider QoS issues, including electricity surges, low voltage or low-quality power.

Ongoing power quality and reliability issues such as those noted create significant challenges for BTC to deliver high quality and reliable ECS services to its customers. ECS service providers have had to bear the burden of installing and maintaining backup and redundant electricity supplies for all its network sites and facilities. The cost of doing so has been and is astronomical and adds significantly to the cost of ECS services in The Bahamas. Providing quality and reliable power throughout the country should rightfully be the obligation of ES service providers. To that end, the Government, including URCA, should provide the means and incentives for ES service providers to meet this goal.

The ES QoS CD sets out a variety proposed indices to measure high-level power quality and system interruption/availability. BTC supports the collection and monitoring of this information. However, BTC considers that the proposed ES QoS regulations should go much further and, moreover, better reflect in a symmetrical manner those applied to ECS service providers. Namely there should be outage reporting requirements applied to ES service providers together with associated mitigation and remedy provisions. Moreover, while there are sanctions contemplated for ECS service providers, inexplicably, none are proposed for ES service providers in the ES QoS CD. There is no reason to delay the introduction of outage reporting and mitigation regulations for ES services providers. The high-level power quality and system interruption/availability indices proposed in the ES-CD are useful but will not begin to address or mitigate electricity QoS issues that have a devastating effect on all Bahamians.

BTC considers that a more symmetric QoS regulatory regime should apply to both ES and ECS service providers, and that this symmetry be achieved in a timely fashion given the importance and dependencies of power quality and reliability throughout The Bahamas.

Your sincerely,

Kenyan A. Jarvis

for

Nicole M. Watkins
Director Legal, Regulatory & Carrier Services
& Company Secretary

⁴ BTC submission dated 26 April 2023, Re: Request for Information in support of URCA's Review of the Quality of Service Framework and establishment of Outage Reporting Regulations for the Electronic Communications Sector

⁵ URCA letter dated 15 September 2023, Re: Re: BTC Network Outages – Investigation.

⁶ BTC Letter dated 29 September 2023, Re: BTC Network Outages – Investigation.