



**Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission**

Public Inquiry Report

Mandatory Standards for Quality of
Service (Customer Service)

3 JULY 2021

This Public Inquiry Paper was prepared in fulfilment of subsections 55(1), (3) and (4), and sections 58 and 61 of the Communications and Multimedia Act 1998 [Act 588].

TABLE OF CONTENTS

SECTION 1: INTRODUCTION.....4

SECTION 2: NEW MANDATORY STANDARDS ON CUSTOMER SERVICE.....6

SECTION 3: STANDARDS FOR QUALITY OF SERVICE (CUSTOMER SERVICE)11

SECTION 4: REPORTING TIMELINE AND INTERPRETATION OF THE STANDARDS.....53

SECTION 5: WAY FORWARD58

ABBREVIATIONS AND GLOSSARY

ASN GW	Access Service Network Gateway
BAS	Broadband Access Service
CMA	Communications and Multimedia Act 1998
Commission	Malaysian Communications and Multimedia Commission
CPE	Customer Premises Equipment
IVRS	Interactive Voice Response System
MME	Mobile Management Entity
MS	Mandatory Standards
MSC	Mobile Switching Centre
MSQoS	Mandatory Standards for Quality of Service
Public Inquiry	The Public Inquiry on the Proposal for New Mandatory Standards for Quality of Service (Customer Service)
Public Inquiry Paper	The Public Inquiry Paper on the Proposal for New Mandatory Standards for Quality of Service (Customer Service)
Public Inquiry Report	The Public Inquiry Report on the Proposal for New Mandatory Standards for Quality of Service (Customer Service)
PCS	Public Cellular Service
QoS	Quality of Service
SMS	Short Messaging Service
SGSN	Serving GPRS Support Node
Wired BAS	Wired Broadband Access Service
Wireless BAS	Wireless Broadband Access Service

SECTION 1: INTRODUCTION

1.1 Public Inquiry Exercise

In the Public Inquiry ("PI) document on the new Mandatory Standards for Quality of Service (MSQoS) on Customer Service issued on 8 April 2021, the PI document outlines the review and new proposed standards for the following scope of customer service:

- a. Complaints Management;
- b. Customer Service Response;
- c. Service Fulfilment; and
- d. Notification/Information

This is in line with the aim to achieve the national policy objectives for the communications and multimedia industry as enshrined in the Communications and Multimedia Act 1998 (CMA 1998) which is:

- a. to regulate for the long-term benefit of the end user; and
- b. to promote a high level of consumer confidence in service delivery from the industry

The Malaysian Communications and Multimedia Commission ("The Commission") has invited feedback from industries, members of the public and interested parties on the questions and issues raised in the PI document. The PI document specifically sought comments through nineteen (19) questions.

The PI was closed at 12 noon on Friday, 4 June 2021.

1.2 Submission Received

By the end of the PI period at 12 noon on 4 June 2021, the Commission received sixteen (16) written submissions from the following parties:

No	Submitting Parties	Documents Received
1.	Allo Technology Sdn Bhd ("Allo")	4 pages
2.	Celcom Axiata Berhad ("Celcom")	23 pages
3.	Digi Telecommunications Sdn Bhd ("Digi")	14 pages

No	Submitting Parties	Documents Received
4.	Maxis Broadband Sdn Bhd ("Maxis")	21 pages
5.	Measat Broadcast Network Systems Sdn Bhd ("Astro")	17 pages
6.	MyISP Dot Com Sdn Bhd ("Myisp")	4 pages
7.	Net2One Sdn Bhd ("Net2One")	4 pages
8.	Opensignal Ltd ("Opensignal")	6 pages
9.	Redtone Engineering & Network Services Sdn Bhd ("Redtone")	16 pages
10.	Telekom Malaysia Berhad ("TM")	22 pages
11.	TT dotcom Sdn Bhd ("TIME")	14 pages
12.	Tune Talk Sdn Bhd ("Tune Talk")	1 page
13.	U Mobile Sdn Bhd("U Mobile")	5 pages
14.	XOX Com Sdn Bhd	14 pages
15.	YTL Broadband Sdn Bhd ("YTLB")	5 pages
16.	YTL Communications Sdn Bhd ("YTLC")	7 pages

Two (2) submissions were submitted after the deadline and as such, were not considered by the Commission.

As stipulated under Section 65 of the CMA 1998, the Commission now presents this PI Report within the 30 days' requirement from the closing date of submissions.

The Commission has considered the aforementioned sixteen (16) submissions. A summary of the submitted comments/suggestions are outlined in Section 2 of this PI Report.

1.3 Structure of the PI Report

The PI Report is structured based on the PI Paper with the sixteen (16) questions in the PI paper together with the summary of comments received. Following the summary is the Commission's final views in response to the questions and comments give, outlined in the sections below:

Section 2: New Mandatory Standards on Customer Service

Section 3: Standards for Quality of Service (Customer Service)

Section 4: Reporting Timeline and Interpretation of the Standards

Section 5: Way Forward

SECTION 2: NEW MANDATORY STANDARDS ON CUSTOMER SERVICE

Question 1

Do you agree with the Commission's proposal to develop a new Mandatory Standards for Quality of Service (Customer Service) that will streamline customer service standards for PCS, Wireless BAS and Wired BAS into a single instrument?

2.1 Summary of submissions received:

Majority of the respondents (Celcom, Digi, Maxis, Myisp, Astro, Net2One, RedTone, TIME, TM, U Mobile, YTLB and YTLC) agreed with the Commission's proposal to develop a new Mandatory Standards for Quality of Service (Customer Service) that will streamline customer service standards for PCS, Wireless BAS and Wired BAS into a single instrument.

XOX provided no further feedback on the development of a new mandatory standard for Quality of Service (Customer Service). However, for the purpose of streamlining Customer Service Standards for PCS, Wireless BAS and Wired BAS into a single instrument, XOX opined that standardisation of standards will need to be emphasised. Hence, clarification is required on the calculation of the standards for a service provider that offers more than 1 type of service under MSQoS.

No feedback from Allo, Opensignal and Tune Talk.

2.2 Commission's Final View:

The Commission acknowledges that majority of the service providers have agreed to streamline customer service standards for PCS, Wireless BAS and Wired BAS into a single instrument.

With regards to XOX's feedback, the calculation of the standards shall combine the PCS, Wireless BAS and Wired BAS services if the service provider provides one or all the three (3) services. A guideline will be provided to set out the reporting templates, such as examples of calculation and other relevant information for reference.

The Commission's final view is to issue a new MSQoS for Customer Service.

Question 2

What are your views on the Commission's proposal to rephrase the indicator of the existing standards to create a common language understandable by both the customer and the service provider?

2.3 Summary of submissions received:

Majority of the respondents agreed with the Commission's proposal to rephrase the indicator of the existing standards to create a common language understandable by both the customer and the service provider.

Celcom has agreed with the proposal to rephrase the term to be more consumer-friendly. However, Celcom suggested that the Commission may want to consider adopting 'response time for operator service' as a replacement, as the term is also consistent with the term used worldwide.

Astro proposed for the Commission to change the "Promptness of Answering Calls to Customer Hotline" to "Call Centre Agent Response Time" because most of the service providers like Astro have different types of response resolution which are the Interactive Voice Response ("IVR") and Call Agent Response. This would create better clarity on the measurement for the standards.

No feedback from Allo, Myisp and Tune Talk.

2.4 Commission's Final View

The Commission finds that majority of respondents have agreed on the proposal to rephrase the indicator of the existing standards. The Commission has also considered Celcom's input to adopt 'response time for operator service' as a replacement so the term is also consistent with the term used worldwide.

The Commission's final view is to rephrase the indicators of the existing standards as proposed and for "Call Center response time" to be rephrased to "Response Time for Operator Service".

Question 3

The Commission seeks views on the proposals of new requirement(s) where service providers are required to declare the MSQoS standards and self-report their key achievements of the standards for public view.

2.5 Summary of submissions received:

Maxis disagreed because of any good or bad performance will invite unnecessary comments from the public; any submission to the Commission is confidential, and thus should not be made public; and every service provider has a different product construct, thus publishing any such report will create misconceptions amongst customers assessing the publication.

According to Astro, any self-reporting would lead to finger-pointing which is unhelpful to consumers and could also potentially result in reputational damage to the brand as consumers might misinterpret the report as different service providers are offering different product structures.

RedTone was not agreeable on the proposal to declare the MSQoS standards and self-report of key achievements of the standards for public view as the submission to the Commission is confidential. RedTone also highlighted that every service provider has a different product construct. As such, publishing such report will create misconception and preconception of service comparison which will invite superfluous comments from the public.

TM also disagreed with the proposal as it will invite unnecessary comments from the public and TM may have different product construct against other service providers, so self-reporting will create a misconception by the public.

TIME opined that declaring the results to the public may invite unnecessary comments from the public which could come from various angles and perspectives. The MSQoS submission to the Commission is confidential in nature and should not be made available to the public. Furthermore, similar to other feedback, TIME also felt that each service provider has a different product construct and publishing such report could create misconceptions to the public.

U Mobile disagreed with the proposal to self-report for public view due to reasons stated below:

- a) It may invite unnecessary comments from public.
- b) Submission to the Commission is confidential and should not be made public.
- c) Every telco has a different product construct - reports are likely to be misconstrued by the public.

Furthermore, YTLB and YTLC also disagreed and stated that the information on QoS parameters is sent to the Commission for regulatory compliance purposes which it is confidential information and it is vital for Service Providers to maintain the confidentiality of their key achievements. The public may not interpret the information published in the same way as the Commission.

Meanwhile, Celcom viewed that a report from a regulatory body or an independent body is more trusted by the public than the report published by the service providers. Celcom also shared that a few regulators in other jurisdictions published the service providers' QoS performance on their website or in a report. Celcom recommended for MSQoS self-declaration report to be excluded from MSQoS.

Digi has viewed that any form of reporting of achievements by service providers in the quarterly MSQoS submissions, if required to be made public, to be managed by the Commission and made public on their website. This is because all reporting is received by the Commission and thus can be a single point of contact on the consolidation of reports. Also, the Commission is accepted as a trusted authority in the industry and receives the general public's confidence. Digi also proposed the service provider to submit data to be aggregated at Industry level prior to being reported.

XOX proposed for the Commission to publish and declare only the MSQoS Standards via the Commission's channels. To provide transparency to consumer and promote fair competition, XOX also proposed for Service Providers to provide a link to the Commission's declaration of MSQoS Standard.

Net2One opined that the current practice should be maintained, where service providers declare the achievements of the standards to the Commission and then the Commission to decide whether to publish the standards achieved by the Industry in any public domain.

Opensignal supports the proposed new requirement(s) where service providers are required to declare the MSQoS standards. Under the current process, mobile network operators are incentivised to report the maximum

speed that their networks are technically capable of delivering to the Commission. It is therefore unsurprising that many will do this by self-reporting data that reflects speed tests run under optimised conditions, rather than reporting what their subscribers are actually receiving. Opensignal's view is that this does a significant disservice to Malaysian mobile consumers, urged the Commission to reconsider this approach.

No feedback from Allo, MySIP and Tune Talk.

2.6 Commission's Final View

The Commission takes note of the concerns raised and the respondents' views that self-reporting will create misconceptions amongst customers assessing the results and will invite potentially misconstrued comments from the public.

The purpose of this new requirement is to encourage service providers to be transparent and for the consumer to make informed choices. It is also hoped that this will spur service providers to improve their services to be competitive and ensure high quality of service to consumers.

Furthermore, the Commission notes the respondents' view that a report from a regulatory body or an independent body is more trusted by the public than a report published by the service providers and quoted several regulators in other jurisdictions that has published the service providers' quality of service performance on their website or in a report.

The Commission notes the comments from Opensignal which is relevant to MSQoS on network performance standards where the Commission and service providers perform the network testing.

The Commission wishes to highlight that the Commission had previously published the MSQoS Performance (2003-2005). However, the report was later discontinued. In this regard, there is no provision in the MSQoS stating that the report is confidential and should not be made available to the public.

The Commission's final view is that the Commission will publish the MSQoS standards and service providers' key achievements of the standards for public view. Nevertheless, the Commission may impose the requirement for service providers to declare the MSQoS standards and self-report their key achievements of the standards for public view in the next MSQoS review.

SECTION 3: STANDARDS FOR QUALITY OF SERVICE (CUSTOMER SERVICE)

A. COMPLAINT MANAGEMENT

I. Billing Related Complaint

Question 4

The Commission seeks views on the proposals to measure the standards on billing related complaints to be enhanced to a maximum of **0.5%** per quarterly reporting period.

3.1 Summary of submissions receive:

Myisp agreed with the Commission on the proposed new standard for complaints management.

Maxis disagreed with the Commission's proposal to set the standards at 0.5% because a higher threshold is required to allow for market-based services to be introduced to customers, and with possibly reduced retail rates, it need not be compounded by high regulatory cost as a consequence of stringent MSQoS standards. Maxis instead recommended for the standards to be set at 0.8% with exclusions for the several type of cases; content subscriptions, failure of online top-up due to 3rd party system issues, non-receipt of TAC from banks, other aggregators and any fraudulent/scam, cases that require longer investigation time.

YTLB disagreed with the Commission's proposal and seek to maintain the present QoS standard at 1.0% per quarterly reporting period, especially since YTLB has a very small customer base and not much room for averaging.

Allo proposed to maintain 1% due to complaints such as bill not being received due to the factor that customers have not used active emails or did not check in the spam mail.

Celcom has viewed that the current 1% standard for this indicator is already stringent and challenging for the service provider to meet and propose for the current standard of 1% to be retained.

Digi seeks to maintain the current standard in order to gauge the performance and results achieved. The on-going 3G sunset is a possible factor that may increase complaints by users, therefore consideration should be given on the proposal. Digi proposed for the current standards of maximum of 1.0% per quarterly reporting period be maintained for 2021 – 2022 and a review is proposed at end 2022 on the proposed changes in the Standard, if required.

Astro and YTLC proposed for the Commission to maintain the current percentage of billing related complaints being not more than 1.0% per quarterly reporting period due to the combination of three (3) services PCS, Wireless BAS and Wired BAS. Additionally, YTLC viewed that it would be challenging to meet the proposed standard based on the large customer base and change of customer's usage pattern in which they would require service providers to downgrade the plan and etc.

Net2One also opined that the current standard should be maintained.

RedTone proposed to follow the clause for Non Billing – i.e. measuring the billing related complaint per subscription and viewed that there are service providers that has minimal retail/household subscribers and the percentage may not be best way to measure for small subscriber-based service provider.

TIME proposed a marginal increment ie 10% improvement from the current standard should there be a need to review this standard further.

TM proposed to maintain the current standards due to the sustaining efforts which are already in place since the Determination came into force in 2016 and also highlighted on the benchmarking analysis by Ofcom.

U Mobile opined that the Commission should consider increasing the indicator to cater for the Customer Service report which now comprises three (3) services (PCS, Wireless BAS and Wired BAS). Additionally, U Mobile would like to highlight that the report will now cover a significantly larger customer base, which will inevitably invite more potential complaints.

XOX opined that measurement on billing complaints should not be focusing on the amount of complaints, but billing accuracy or customer service satisfaction. Hence, XOX proposed for the requirements on billing complaints to be maintained to 1.0% or consideration to be given on measurements based on billing accuracy / customer service satisfaction.

No feedback from Opensignal and Tune Talk.

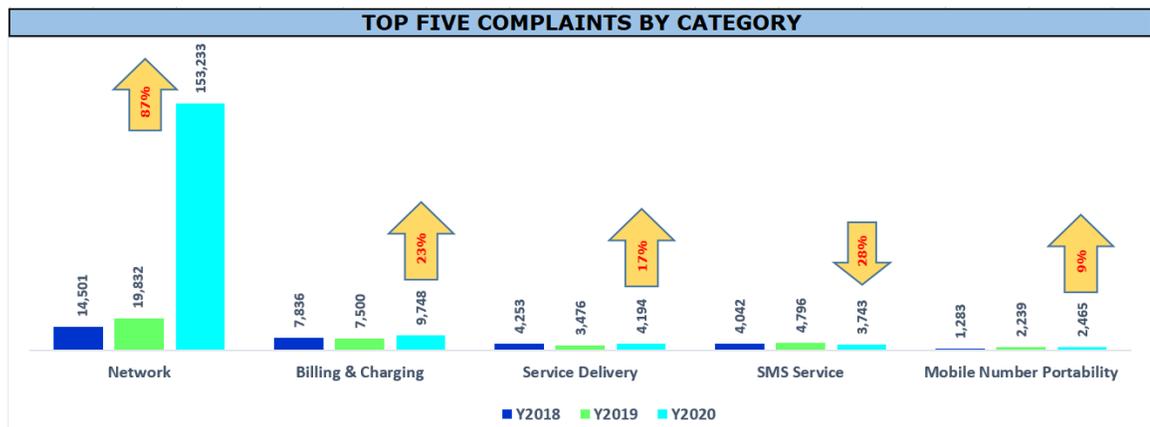
3.2 Commission’s Final View

The Commission takes note that majority of respondents disagreed with the proposal to the lower percentage and proposed to maintain the existing standard for billing related complaints.

Billing performance means the integrity and reliability of the billing system as shown in billing accuracy and timeliness in resolving billing complaint. It is an important component of customer service’s parameter to assess the service providers’ billing system and process. Service providers are required to take reasonable steps to ensure that the charging mechanism used in connection with any of its network services are accurate and reliable in all material aspects. This is also a Standard License Condition for all licenses under the CMA 1998.

Recognising the importance of minimising billing issues, this standard for billing related complaints has been established.

Based on the overall complaints statistic received from Aduan MCMC, ‘billing and charging’ is the second top most complaint in 2020 with 9,748 complaints, a 23% increasing trend compared to 2019. The chart below shows the top five (5) complaints and the trend of total complaints received for the past three (3) years.



Source: MCMC Industry Performance Report

Based on the compliance trend of service providers for PCS, Wireless BAS and Wired BAS from 2017 to 2019, majority of the service providers’ billing complaints are well below the existing standards of 1% per quarter. Thus, the Commission has proposed stricter standards by setting the billing-related complaints lower to not more than 0.5% per quarterly reporting period. This is to ensure that service providers place high emphasis on its billing accuracy

and the integrity of its charging mechanism.

The Commission's final view is to maintain the proposed standard for billing-related complaints to a maximum of 0.5% per quarterly reporting period.

II. Non Billing Related Complaint

Question 5

The Commission seeks views on the proposals to measure the standards on non-billing related complaints to be enhanced to a maximum of **5.0 per 1,000 subscriptions** for quarterly reporting period.

3.3 Summary of submissions received:

Myisp agreed with the proposed standards on non-billing related complaints to be enhanced to a maximum of 5.0 per 1,000 subscriptions for the quarterly reporting period.

TIME has no objections but requested the Commission to carry out a review on the current separation of billing and non-billing related complaints; suggest a single standard billing complaint measurement, to factor in the validity of the complaints in the complaint measurement. TIME also recommended that non-billing complaints be further refined to only include items that fall within the standards of QOS and the objectives of CMA under subsection 3(1) and (2) as per the following categories:

- a) Dispute on terms and conditions
- b) Misrepresentation of service
- c) Network speed, latency, and interruption/outage
- d) Sales practice
- e) Unfair practice

Maxis disagreed with the Commission's proposal and suggested in retaining the current standards because it is a challenge to meet a higher standard due to their large customer base and usage behavior.

YTLB also disagreed with the Commission's proposal and seeks to maintain the present QoS standards at 6 per 1000 subscriptions per quarterly reporting period. The present standard is already stringent, especially when YTLB has a very small customer base and not much room for averaging.

Celcom proposed to retain the existing standard and the following exclusion to be included; network facility damaged by a third party i.e. vandalism, theft, power outage, etc., fault due to other services providers, damage to network facilities due to force majeure and accessibility problem at external host/provider.

Similar to the response to Question 4, Digi sought to maintain the current standards for a period of time in order to gauge the performance and results achieved. The on-going 3G sunset is a possible factor that may increase complaints by users, therefore consideration should be given on the proposal. Digi proposed for the current standards of maximum of 6.0 per 1,000 complaints per quarterly reporting period be maintained for 2021 – 2022 and a review is proposed at the end 2022 on the proposed changes in the standards, if required.

Astro and YTLB also sought to maintain the present quantity at 6 per 1000 subscriptions per quarterly reporting period because the report would be based on a combination of PCS, Wireless BAS and Wired BAS.

Net2One opined that the current standards should be maintained.

RedTone proposed to increase the maximum number of non-billing related complaints per 1000 subscriptions since it will include all services (subscriptions) and to include exclusion i.e. third party fault that interrupts services such as fibre cut, third party network outages and natural disasters.

TM proposed to maintain the current standards due to the sustaining efforts which are already in place since the determination came into force in 2016 and also highlighted on the benchmarking analysis by Ofcom and IMDA (Singapore).

U Mobile opined that the Commission should consider increasing the indicator to cater for the Customer Service report which now comprises of three (3) services (PCS, Wireless BAS and Wired BAS). Additionally, U Mobile highlighted that the report will now cover a significantly larger customer base, which will inevitably invite more potential complaints and there has been a change of customer behaviour due to the COVID-19 pandemic.

XOX sought for further clarification on the reasoning behind the 1.0 decrease of measurement for non-billing related complaints. The purpose of re-evaluation of MSQoS standard is to improve and safeguard consumers' interests. While XOX understood the need to capture consumer complaints to evaluate service provider's complaint management process, XOX did not perceive how a decrease of complaints from 6.0 to 5.0 per 1,000 customers will help in improving and safeguarding consumers' interests. XOX proposed for the requirements on non-billing complaints to be maintained to 6.0 per 1,000 subscriptions or replaced by measurements on customer service satisfaction.

No feedback from Allo, Opensignal and Tune Talk.

3.4 Commission's Final View

The Commission notes that majority of the respondents request to maintain the existing standards because the new standards would be based on a combination of PCS, Wireless BAS and Wired BAS and cover larger customer base.

The Commission notes that some respondents proposed to maintain the current standard for a period of time in order to gauge the performance and results achieved. The existing standards has been determined since 2016. Based on the compliance trend of service providers for PCS, Wireless BAS and Wired BAS from 2017 to 2019, most service providers managed to reduce the overall number of non-billing complaints below the existing standards.

The statistic of complaints received by the Commission shows that majority of complaints are non-billing matters which comprised of more than 94% of complaints relating to Telecommunication services (88% on network complaints). The Commission proposes to improve the standards on non-billing related complaints to ensure that service providers continuously strive to improve their services to customers.

The Commission's final view is to maintain the proposed standards of non-billing related complaints to a maximum of 5.0 per 1000 subscriptions for quarterly reporting period.

B. CUSTOMER SERVICE RESPONSE

I. Customer Complaint Resolution Time

Question 6

The Commission seeks views on the proposals to measure the resolution timeline of:

- a) 80% of complaints are to be closed within 3 business days and 95% of complaints are to be closed within 10 business days for billing related complaints for quarterly reporting period.
- b) 70% of complaints are to be closed within 3 business days and 90% of complaints are to be closed within 10 business days for non-billing related complaints for quarterly reporting period

3.5 Summary of submissions received:

All respondents has welcomed the proposal of the two (2) tiers standards to facilitate in the complaint monitoring and management.

Celcom, RedTone, U Mobile and XOX proposed the Commission to retain the existing standards and agreed for two (2) tiers only as follows:

- a) Not less than 60.0% must be resolved within 3 business days; and
- b) Not less than 95.0% must be resolved within 15 business days

Meanwhile, Digi, Maxis and TIME and TM suggested to maintain one standard for both billing and non-billing complaints as follows:

- a) 70.0% must be resolved within 3 business days; and
- b) 90.0% must be resolved within 10 business days.

Most respondents also proposed to include exclusions for the complaint resolution for billing and non-billing as they are mainly due to customer behavior, other 3rd party dependency or miscellaneous incidents.

Digi also noted that some types of cases would require a longer duration to

rectify, especially if it involves external parties such as landlords, access by building management and building owners, local council approvals etc.

Allo disagreed and proposed to maintain 95% closed within 15 days due to engagement with external party for voice disputes.

YTLB and YTLC also disagreed as they are already challenged with the high standards under the current MSQoS as well as the bars raised from time to time, especially with a very small customer base and not much room for averaging.

Astro viewed that any changes to the standards should be aligned with the requirements of the General Consumer Code ("GCC"), in particular the revised drafted GCC 2020, which is under review.

Net2One opined that the current standards should be maintained. Resolution of complaints are normally an elaborative and time-consuming process where apart from constant communication with the complainants to gather information on the nature of the complaints, the time taken for necessary internal trouble shootings and approvals also must be factored in.

No feedback from Myisp, Opensignal and Tune Talk.

3.6 Commission's Final View

The Commission notes mixed responses where some respondents' requests to retain the existing standard parameter while others suggest to maintain one standard to be separately measured for billing and non-billing complaints based on the proposed standards.

The Commission also notes that most respondents proposed to include exclusions for the complaint resolution. The existing standard has provided the exclusion for unresolved complaints to be excluded from the computation.

The Commission's final view is to rephrase the standards to Customer Complaints Resolution Time and for a single standard that will be separately measured for Billing related complaints and Non Billing related complaints as follows:

Billing related complaints:

- a) 70.0% must be resolved within 3 business days; and
- b) 90.0% must be resolved within 10 business days.

Non Billing related complaints:

- a) 70.0% must be resolved within 3 business days; and
- b) 90.0% must be resolved within 10 business days.

Question 7

What are your views on the Commission's proposal to add new indicator(s) for network complaints related to poor or no coverage and the requirement for the service provider to provide its improvement plans including timelines to the complainant?

3.7 Summary of submissions received

Allo opined that this is more relevant to cellular. They are of the view that home broadband service quality are normally fixed based on customers' consent for any improvement to the connectivity.

XOX agreed with the proposal to add new indicators for network complaints relating to poor or no coverage and the requirements for the service provider to provide its improvement plans including timelines to the complainant. However, limitation of standards specifically for MVNO should be spelled due to MVNO's network dependency towards the network partner.

Maxis, Astro, Net2One, YTLB and YTLC disagreed with the Commission's proposal for the additional new requirements.

Maxis also disagreed with the Commission's proposal to add the new indicator(s) for network complaints related to poor or no coverage and the requirements to provide improvement plans to be part of the mandatory standard. Network complaint resolution/improvement plans will require longer time to resolve as it needs proper rectification plan which may include radio planning, site acquisition, and etc. Maxis instead proposed for complaints that require network improvement plans to be escalated and addressed separately at another platform within the Commission.

Astro opined that they are a service provider that has no access to the network and is heavily dependent on their respective broadband service providers for the network performance as a reseller. For example, issues related to port availability and demand list are beyond Astro's capability and therefore this new proposed indicator is not feasible for Astro. Additionally, Astro viewed that there are other initiatives such as JENDELA, championed by the Commission which aims is to address the rising needs and demands for better quality fixed and mobile broadband coverage, and such network availability coverage or connectivity issues are currently being addressed by the Commission together with the respective service providers.

Net2One viewed that as an MVNO, they have no visibility, control and influence over the Host MNO's network and its performance. Hence Net2One opined that this proposal should only be imposed on MNO.

YTLB observed that different operators have different resources and it should be driven by commercial or financial viability in expanding service coverage.

YTLC suggested for network coverage and performance plan to be addressed separately in other platforms, i.e Jendela.

Celcom, Digi, RedTone and TM proposed for the Commission to reconsider the inclusion of the requirement and not to be mandated in the MSQoS Customer Service.

- a) Celcom proposed for the Commission to reconsider the inclusion of the requirements in the MSQoS and recommend for this to not be mandated under MSQoS and to be addressed in another platform or instrument.
- b) Digi proposed that network complaint resolution should be discussed and monitored under other Commission's platforms such as the Commission's Infrastructure groups and not to be mandated as a Mandatory Standard. Issues can be highlighted with a working committee and solutions achieved with combined efforts by parties involved.
- c) RedTone, proposed for network improvement plans to be addressed separately and not in the Mandatory Standard. This is mainly due to the different nature of business and service applicable for each Service Provider. Improvement plans for 3rd Party outages should be addressed by the respective Service Provider.
- d) TM notes that the Commission has other initiative(s) to address network availability and coverage in the JENDELA portal, and suggested for network improvement plans to be addressed separately e.g. Planning

Department in the Commission. TM also viewed that, addressing these cases would be very challenging and may result in disputes. Each telco has different challenges when it comes to service delivery. Their supply chain may be different, as well as their dependencies.

TIME has viewed that, not all service providers have nationwide coverage and the measurement of 'poor' or 'no coverage' is more relevant to mobile networks, TIME is of the opinion that the proposed new indicators be made applicable only to Mobile Network Operators. Further to the Commission's proposal for the proposed improvement plan, TIME opined that the proposed improvement plan will need to take into consideration the following:

- a) Commercial viability
- b) Technical considerations.
- c) Strategic and detailed rollout plan

U Mobile urged the Commission to reconsider the proposal to add this new standard. U Mobile strongly suggested that any information on the improvement plans including timelines to be provided to the customers should be confined to underserved areas only.

No feedback from Myisp, Opensignal and Tune Talk.

3.8 Commission's Final View

The Commission notes that majority of the respondents disagree with the proposal to add the new requirements for network complaints relating to poor or no coverage and the requirement to provide improvement plan to be part of the mandatory standard.

Network related complaints recorded the highest complaints in 2020 with 153,233 complaints (72%). The Commission proposed for service providers to provide their improvement plans including timelines for network complaints relating to poor or no coverage to the complainant unless the area fulfills the underserved area definition specified under the Communications and Multimedia (Universal Service Provision) Regulations 2002.

In managing consumer expectations and to ensure that service providers continue to improve their services, the Commission is of the view that this requirement should be included in the form of a regulatory instrument. Nonetheless, the Commission notes the respondent's feedback to reconsider the inclusion of the requirements in the mandatory standard and proposal to

be addressed in another instrument or platform e.g. JENDELA.

The Commission's final view is to maintain the requirement for the service providers to provide its improvement plans including timelines to the complainant when addressing the network complaint.

Question 8

Do you agree with the Commission's proposal to substitute the term 'resolved' with 'closed' for complaint resolution?

3.9 Summary of submissions received

RedTone agreed with the proposal as long the definition for closed is defined as 'a resolution being shared with the complainant have been done'.

U Mobile agreed with the proposal to substitute 'resolved' with 'closed', however, U Mobile is not agreeable with the requirement to seek consent from customers.

TIME suggested to substitute the term 'resolved' to 'responded' as its replacement. The term 'responded' can be further explained based on the factors below:

- a) Service Providers should respond to the customer based on the Standard Operating Procedure.
- b) Any complaints will be attended and responded to within 24 hours.
- c) Following to the initial response, the customer will be updated within the subsequent 24 hours.
- d) Should the customer disagree with the proposed resolution, the customer may opt to channel the complaint to the Commission as an alternative.

Maxis has no objection to the Commission's proposal to substitute the term 'resolved' with 'closed', however, Maxis does not agree with the requirement to close the complaints only after getting consent from customers.

XOX has no opinion on the substitution of the term 'resolved' with 'closed'. However, XOX is not agreeable with the proposed definition of complaint 'closed'.

Allo does not agree with closed because it requires customers to send their agreement.

Celcom's commented the change of definition will impact performance of complaints resolution time and hence impose further pressure to the service provider and view that it is best to retain the current definition instead of substituting 'resolved' with 'closed'.

Digi proposed to maintain cases as resolved with resolution provided to customer as per current reporting under the existing MS for PCS, Wireless BAS and Wired BAS.

Astro opined that it is very challenging to get customer to consent on the resolution that has been provided by service provider especially for complaints that requires resolution beyond the service provider to other third parties. Astro is of the view that instead of getting the customers to consent to close the complaints, focus should be on whether the service provider has taken the steps to address the complaint and whether the resolution provided by the service provider has adequately addressed the complaint within the respective means. Astro proposes for the term 'resolved' to remain.

Net2One is of the opinion that the term 'resolved' and 'closed' should remain and be used independently of each other.

TM disagreed as changing the categorisation may lead to system changes and that could result to huge costs. It may also require retraining the customer service team which will take considerable time. The changes for any implementation may be lengthy before stabilization. From the network point of view, the term 'resolved' means matters been attended and service restored so the service availability is not mean the satisfaction to the consumer.

YTLB and YTLC disagreed with the Commission's proposal to substitute the term 'resolved' to 'closed' to mean the complainant consented to the resolution of the complaint provided by the service provider and agreed to close the complaint.

The said proposal is unfair and ineffective for the following reasons:

- a) Customers might be unsatisfied with the resolution although the resolution is fair and reasonable;
- b) Customer might not have opened his/her email or App to view the resolution given by the Service Provider within the stipulated date. With no such consent, the Service Provider would have to park such cases

into unresolved category that leads to non-compliance which is not an efficient method of reporting.

- c) The requirement of consent from the customer could encourage unreasonable behavior by the customers.
- d) Many customers do not respond once the complaint has been resolved.

No feedback from Myisp, Opensignal and Tune Talk.

3.10 Commission's Final View

Majority respondents disagree to substitute 'resolved' with 'closed' with the requirement to close the complaints only after getting consent from consumers.

The Commission's intention to substitute the term to 'closed' is to address consumer issues of complaints 'resolved' but not satisfactorily addressed by service providers or misinterpretation of the term 'resolved'.

The Commission's final view is to maintain the proposal to substitute term 'resolved' with 'closed' and further deliberation is covered in question 9.

Question 9

The Commission seeks views on the proposed definition of complaint 'closed'?

3.11 Summary of submissions received

Majority of the respondents disagreed with the Commission's proposal on the proposed definition of the term complaint 'closed'.

Celcom's viewed that if the Commission wants to proceed with the 'closed' definition, the Commission may want to consider lessening the requirements (i.e. longer timelines and reduce standard, introduce more sub-category such as straight forward cases, complex cases and define this category).

Digi observed that generally, customers do not 'close' complaints especially for those that have a specific timeline for the resolution. As such, Digi proposed to maintain the current definition as resolution being shared with

the complainant.

Maxis disagreed with the Commission's proposed definition of the term 'closed' as 'complaints in which the complainant consented to the resolution of the complaint provided by the service provider and agreed to close the complaint'. Maxis instead recommended for the proposal of 'closed' to be defined as a resolution being shared with the complainant.

Myisp proposed the complaint "closed" should mean the complainant consented to the resolution of complaint provided by the service provider and agreed to close the complaint or in the event that the complainant does not respond to SP's notification that the complaint has been resolved by three (3) business days, the complaint will be auto-closed by SP's Trouble Ticketing System.

Astro opined that, the Commission should provide a comprehensive interpretation that reflect the requirements of the drafted GCC 2020 on the definition of the term "closed". A complaint that is closed refers to a complaint that is no longer open in a SP's complaint management system and no further work is required by a SP. A complaint shall only be closed:

- a) with the consent of a subscriber; or
- b) where a subscriber is dissatisfied with the progress or resolution of a complaint and a service provider has informed a subscriber about the options for external dispute resolution; or
- c) if, after careful consideration and appropriate internal escalation, a service provider concludes that a complaint is frivolous or vexatious and that it can do nothing more to assist a subscriber or that, in view of a subscriber's behaviour, it chooses not to deal with a subscriber any further, in which case a service provider shall inform a subscriber of the options for external dispute resolution; or
- d) if a service provider is unable to contact a subscriber to discuss their complaint or to advise them of the proposed resolution of their complaint, in which case a service provider shall provide written notification informing a subscriber that the complaint shall be closed upon issuance of such written notification.

Net2Zone opined that complaint 'closed' should referred to a complaint which a service provider had provided a resolution and the complainant agrees to accept the resolution provided by the service provider.

RedTone remarked that their system will address a complaint as closed when the resolution has been communicated to the customer. There are also instances where the resolution will come from a 3rd party, which is beyond their control. Customer behavior is subjective and may not reflect to the actual situation, hence, a closed case will be concluded by a technical resolution. Therefore, RedTone proposed to define 'closed' when a resolution has been shared with the complainant.

TIME would like to propose the word 'closed' be substituted with 'responded' as a more suitable replacement which the term 'closed' and would likely be highlighted to several reasons as to why the term 'closed' may not be suitable.

- a) The term 'closed' may lead to the possibility of customers re-opening the complaints although the Service Provider has provided resolution according to an acceptable standard. The customer may not agree to the proposed solution, unreasonably or otherwise.
- b) Typically, even if the solution provided is reasonable, Service Providers will be left to the mercy of customers as there is currently no final arbitration mechanism to conclude and resolve the complaint.
- c) There are times where, customers may not wish to close the case despite the resolution given. Customers may be adopting a wait and see disposition. This will place the Service Provider at a significant disadvantage, as the case will be unnecessarily prolonged.
- d) In closing a complaint, Service Providers may be required to undertake site visits and be subjected to the customer's availability. Additionally, approvals or permits from relevant authorities or building owners are required especially during the Movement Control Order (MCO). The complaints may not be closed if the Service Providers are unable to obtain the necessary approval or permit to enter the premises.
- e) Proposing for the case to be closed within three (3) working days would not be practical especially in cases when customers are unreachable.
- f) Given the nature of the product, some complaints may require further rectification. Similarly, there can be specific technical issues requiring liaising with external third parties and/or require further information from the customers.

TM disagreed with the proposed definition of the term complaint 'closed'. The current term 'resolution' is good enough to describe the effort put in by the service providers to respond to the complaint lodged and TM opined that the 'resolution' term be maintained.

U Mobile also disagreed with the proposed definition of the term 'closed' for complaints – where it requires the consent of the complainant to the resolution provided by the service and view that in most cases complainants do not provide consent to close even though resolution has been effected by the service provider. U Mobile proposed the 'closed' be defined as a resolution having been shared with the complainant.

XOX expressed concern on substituting and re-defining the terms above, particularly;

- a) re-defining the 'closed' as receiving consent from complainant to close the complaints can lead to a longer period recorded on handling time, which then leads to;
- b) longer period spent by consumers on waiting time;
- c) in the event whereby XOX is being held responsible for service issues due to Network Partner, this will result in inability to close the complaints, which will cause;
- d) increase number of call back by consumers / re-open of cases by consumers, which can lead to; and
- e) increase in complaints being re-addressed to MCMC Aduan Portal

YTLB and YTLC proposed for the term 'closed' to be defined as 'the resolution being shared with the complainant' as long as the service providers have provided justification and resolution to the case, the complaint should be deemed closed.

No feedback from Allo, Opensignal and Tune Talk.

3.12 Commission's Final View

The Commission has taken into account on the concern over several terms used to define 'closed' and takes note on the alternatives proposed by the respondents.

The definition of the term 'closed' for complaints is the complainant consented to the resolution of the complaint provided by the service provider and agreed to close the complaint.

The Commission wishes to maintain term 'closed' to be used for complaint resolution and will include the definition in determining the clarity as follows:

- a) Complaint has been dealt with reasonably and adequately.
- b) Complainant consented to the resolution of the complaint provided by the service provider and agreed to close the complaint.

Notwithstanding the above, the Commission may determine whether the service provider has taken steps to address the complaint and whether it is reasonable to conclude that such steps have addressed the dissatisfaction of the complaint. This includes escalation of such complaints to the Consumer Forum of Malaysia by the service provider and/or complainant, or to other mediation/ arbitration avenues, including the Courts.

The Commission's final view is to maintain term 'closed' to be used for complaint resolution and will include the definition in the determination for clarity.

II. Call Centre Response Time

Question 10

What are your views on the Commission's proposal to revise the standards from 2 tiers to 1 tier and to revise the standards on Promptness in Answering Calls to Customer Hotline to **85%** of calls that opted for human operator in a quarterly reporting period must be answered within **30 seconds**?

3.13 Summary of submissions received

Allo, Digi, Myisp, Astro, TM, U Mobile, XOX, YTLC and YTLB agreed with the Commission's proposal to revise the standards from 2 tiers to 1 tier.

For promptness in answering calls to customer hotline, most of the respondents disagreed with the proposed standards that at least 85% of calls that opted for human operator in a quarterly reporting period must be answered within 30 seconds.

Celcom and Tune Talk recommended for the standards to be revised to "at least 80% of calls that opted for human operator in a quarterly reporting period must be answered within 30 seconds".

Digi has sought the Commission's consideration to exempt this requirement from the MSQoS, thus making it non-mandatory.

Maxis suggested for the standards to be reviewed to 80% of calls to Customer Hotline must be answered within 30 seconds as a guideline or best practice and not a mandatory standard as a customer service centre is not an emergency call centre that requires fast response time. Furthermore, Maxis has their self-serve channels on their Apps, Visual IVR and ChatBoT to offer immediate assistance on some service scopes.

Astro wished to propose to exclude the calls relating to issues that are due to third party's actions such as service disruptions due to inadvertent fibre cut by other utility providers or authorities, outages, unprecedented situation such as situations caused by pandemic, MCO, force majeure etc from calculation of this measurement as such incidences will create a high abnormal surge in the calls to the call centers and resulting in non-compliance.

RedTone proposed for 80% within 30 seconds and would also like to include exclusion (not limited to) to calls made during any incidents causing congestion (outages, 3rd party fiber cut, resources impacted during pandemic or force majeure). RedTone also sought the Commission's consideration to adopt this standard as part of its monitoring activities and not to be mandated.

TIME has welcomed the move by the Commission to have one standard which is the more common standard being adopted in all contact centres around the world. TIME would also like to propose that calls made during any incidents that causes congestions (outages, 3rd party fibre cut, resources affected during pandemic or force majeure) be excluded from the calculation. TIME is moving towards empowering its customers to use TIME self-service portal as the main engagement route with their support team. TIME has invested in a system to allow customers to track their bills and account details as well as to lodge any complaints/queries at their convenience, 24/7.

U Mobile has proposed to revise the standards on Promptness in Answering Calls to Customer Hotline to 80% of calls that opted for human operator in a quarterly reporting period must be answered within 30 seconds and exclusions should be made for incidents involving outages (including 3rd party fiber cuts), special promotions (surge in traffic), downtown due to emergencies in the contact centre (e.g. pandemic) and force majeure etc.

XOX opined that outlying or extenuating circumstances needs to be excluded from the report. There are several areas that XOX would like to highlight that might affect SP's ability to meet the standard spelled out for Call Center Response Time particularly on;

- a) Current COVID-19 pandemic which limits the operating time for call centres.
- b) New ways of working which introduced "Working from Home" initiative in order to contain COVID-19 pandemic, which might delay Customer Service response.
- c) Staff movement within Call Centres which may affect call centre response due to training period.
- d) Maintenance / outage at affected areas – burst of call.

Net2One opined that the current standards should be maintained.

TM suggested to retain the existing standard for "at least 80.0% of calls to customer hotline that opted for human operator in a quarterly reporting period must be answered within 20 seconds".

YTLB and YTLC proposed 80% of calls to Customer Hotline must be answered within 45 seconds and sought to exclude calls made during any incidents causing congestion.

No feedback from Opensignal.

3.14 Commission's Final View

The Commission notes that the majority of respondents has agreed with the Commission's proposal to revise the standards from 2 tiers to 1 tier, however there were some disagreements on the proposed standard that 85% of calls that opted for human operator in a quarterly reporting period must be answered within 30 seconds.

Some respondents proposed 80% of calls to be answered within 30 seconds (longer answering period) and also requested for exclusion during any incidents that causes congestion (service outages, call center resources impacted during pandemic).

The Commission notes the suggestion by some respondents to consider adopting this standard for the purpose of monitoring and not to be mandated.

However, the Commission does not agree to exempt this standard as the Commission believes that this standard is necessary to ensure that calls are answered promptly by the service providers. Service providers are encouraged to provide other channels or platform ie. Chatbox, live chat, self-service portal etc in order empower customers to use, for better management of customer queries.

The Commission's final view is to maintain the proposed standard of 85% within 30 seconds as improvement of the level of the service from the existing standard of 80% within 20 seconds.

C. SERVICE FULFILMENT

I. Service Restoration Fulfilment

Question 11

The Commission seeks views on the proposed revision to Service Restoration Fulfilment to provide further clarity.

3.15 Summary of submissions received

Myisp has no objection on the proposed revision to Service Restoration Fulfilment to provide further clarity.

Allo viewed that it should be defined in working/ business days instead of hours, since this is best effort connectivity and telco will face issues on access level, such as high-rise unit accessibility during non-working hours etc.

Celcom contemplated that the calculation of the number of days from the time and date a service fault is reported by the customer is not practical from an operational point of view and opined that the agreed appointment date and time will be more accurate in representing the standards. Celcom recommended that the standards be amended as follows:

- a) Not less than 95.0% of all Service Restoration Fulfilment in a reporting period must be fulfilled within 24 hours **from the actual appointment date agreed by the customer and the service provider**; and

- b) 100.0% of all Service Restoration Fulfilment in a reporting period to be fulfilled within 48 hours **from the actual appointment date agreed by the customer and the service provider"** (this is due to customer availability for our team to access the customer's premises, if required)

Digi has proposed that the restoration time should start from the actual appointment date as agreed with the customer for both the 24-hour and 48-hour standards. This is due to customer availability for their team to access the customer's premises, if required. Additionally, for the standards on Service Restoration Fulfilment within 48 hours, Digi has proposed the standards met to be set at 99% instead of 100% as there could be certain situations outside Digi's control that may restrict them in achieving the 100% KPI. Digi would also like to stress on the list of exclusions to be included:

- a) Activities caused by third party impacting service
- b) Test equipment error
- c) Fault at customer premises due to faulty Customer Premises Equipment ("CPE"), infrastructure or internal wiring
- d) Customer premises inaccessibility
 - Including impact of lockdowns, MCO, travel restrictions by authority or similar
 - Fault in connectivity to test server outside of our control
- e) Force majeure

RedTone proposed the restoration time should start from the actual appointment date based on customer availability and would like to seek the Commission to consider providing exclusion for instances such as building access issues (especially in times of pandemic).

TIME mentioned that as the majority of premises served by TIME does not allow access after office hours, weekends and on public holidays, a gap of 18 hours (first 24 hours) and 36 hours (first 48 hours) on the permissible existing rectification/restoration window. As such, it is an issue to fulfil the restoration works as per the proposed standards. TIME has instead proposed to use the customer actual appointment date (as per customer availability) as opposed to the default reported date and exclusions be taken into consideration.

U Mobile viewed that it is reasonable to expect that Service Restoration Fulfilment time to begin from the actual appointment date, in accordance with the customer's confirmed availability.

Maxis disagreed with the Commission's proposal to fulfil the service restoration from the time and date a service fault is reported and viewed that the current process to fulfil a request for service restoration is considered tedious and has dependency on customers' availability, their partners and their own resources. Maxis suggested to the Commission to retain the current mandatory standards.

YTLB proposed for the current standards to be retained. In furtherance, the additional wording in 'service restoration fulfilment in a reporting period to be fulfilled within 48 hours *from the time and date a service fault is reported*' is impossible to achieve. Instead, the restoration time should begin from the actual appointment based on a customer's availability. It should further noted that most condominiums and/or residential communities has imposed timing restrictions to enter the premises which may lead no accessibility.

Astro wished to propose for the standards to be revised from 100% to 99% must be restored within 48 hours to allow the service providers some allowance as there might be situations that may arise where service restoration will not able to be fulfilled as the situation does not fall within the exclusion list. Additionally, Astro opined that the restoration time should be measured commencing from the actual appointment date where the customer is available at their premises.

TM has viewed that the 100% requirement is stringent in comparison to other jurisdictions. There is still a possibility of human oversights or IT system glitches as the industry is now highly dependent on the various IT platforms to handle the big volume of business transactions. The standards have also limited TM's ability to provide differentiated service offerings to different segments of the market. Therefore, TM proposed the standards to be revised as follows:

- a) Not less than 95.0% of all Service Activation Fulfilment in reporting period must be fulfilled within 24 hours from the agreed time and date;
- b) Not less than 99.0% of all Service Activation Fulfilment in reporting period must be fulfilled within 72 hours from the agreed time and date; and
- c) 100.0% of all Service Activations Fulfilment in a reporting period must be fulfilled within 7 days from the agreed time and date.

XOX stated that it does not offer Wired BAS, hence has no views to share.

No feedback or opinion from Net2One, Opensignal, Tune Talk, and YTLC.

3.16 Commission's Final View

The Commission notes that the majority of the respondents disagree with the proposed revision to service restoration to provide further clarity.

Some respondents proposed for the standards to be revised from 100% to 99% for service activation or service restoration due to possible situations where the service is unable to be fulfilled by the service provider. The Commission disagrees to the proposed revision as there are existing exclusion provided for both indicators; service activation and service restoration.

After reviewing all the feedback, the Commission wishes to retain the existing standard on the service restoration fulfillment. The existing indicator will measure the duration from the time and date a service fault is reported, to the time of service restoration. Where customer has requested for specific time and date of service restoration, restoration time is calculated from specified time and date.

The Commission's final view is to retain the existing standard for Service Restoration fulfillment.

D. NOTIFICATION/INFORMATION

I. Advance Notice of Scheduled Downtime

Question 12

Do you agree with the Commission's proposal to impose a requirement that for every scheduled downtime for PCS, Wireless BAS and Wired BAS, service providers must notify the Commission in writing **72 hours in advance**?

3.17 Summary of submissions received

Net2One and YTLB agreed with the Commission's proposal to impose a requirement that for every scheduled downtime for PCS, Wireless BAS and Wired BAS service providers must notify the Commission in writing 72 hours in advance.

Allo suggested that notification to the Commission should be within 48 hours prior.

Celcom has sought the Commission to consider the advance notice of scheduled downtime to be taken out from the MSQoS and governed under other instrument such as a guideline for monitoring purposes only and would like the Commission to consider reinstating this standard under network MSQoS under each of the service. This indicator is currently being monitored by a network team and it would be easier to streamline the reporting. The notification should also be issued when the following condition is fulfilled:

- a) Affecting 100,000 customers and more for Public Cellular Service and Wireless Broadband Access Service;
- b) Affecting 5,000 customers and more for Wired Broadband Access Service; and
- c) Scheduled downtime is 60 minutes or more; and
- d) Maintenance conducted between 06:00am to 11:59pm; and
- e) Exclude third party maintenance work.

Celcom proposed the following amendments to the standard:

- a) Every session of scheduled downtime, which affects customers' access to services, must be notified to customers no less than 24 hours in advance.
- b) Every session of scheduled downtime which affect customers' **access to services** must be notified to the Commission no less than **36 hours** in advance."

Digi has proposed that the criteria for the notification of scheduled downtime to the Commission and customer to be within 24 hours for a duration of more than 60 minutes for activities that affect:

- a) more than 100,000 customers and related to network impacts for PCS and Wireless BAS;
- b) more than 30,000 customers and related to network impacts for Wired BAS.

In addition, Digi proposed the notification of scheduled downtime to the Commission and customer shall not include activities performed within the maintenance window (between 12.00 midnight to 6.00 am) and scheduled downtime conducted by external parties or any urgent repair activity.

Maxis viewed that a scheduled downtime is the result of a planned activity by a service provider. Maxis has recommended to further limit on the event which only involved major scheduled downtime impacting nationwide for services:

- a) period of scheduled downtime: maintenance works starts from 6am until 11:59pm
- b) number of impacted subscribers: for PCS and Wireless BAS more than 100,000 subscribers impacted, for Wired BAS more than 5,000 subscribers impacted
- c) duration – cover only service impacted (total failure of voice and data) and network related that take more than 120 minutes for actual work and roll back
- d) exclusion of schedule maintenance – 3rd party maintenance work, adhoc maintenance works

Maxis recommended the following notification timelines and not 72 hours as proposed by the Commission due to some dependencies on other parties, such as approval from building owners to access, or where certain jobs may depend on or require other works to be completed first before they can start.

- a) Notification to customer - within 24 hours
- b) Notification to the Commission - within 36 hours

Astro opined that for service providers that do not own their own network and have high dependency on third party's network, it is sufficient if the owner of the network notifies the Commission and submits the comprehensive report on the scheduled downtime for avoidance of redundancy in notification to the Commission.

RedTone disagreed with the notion to notify the Commission in writing 72 hours in advance for every scheduled downtime for PCS, Wireless BAS and Wired BAS. This is because some works planned may be delayed or cancelled due to the dependencies on other parties (approval from building owner to access) and they are dependent on third party network infrastructure. Hence, RedTone cannot commit until the third party agrees to the proposal.

TIME has acknowledged the need for the Commission to be aware of any scheduled downtime that have been pre-planned. However, there will be instances where urgent planned events need to be carried out in order to avoid bigger disruption. In such cases, service providers will not be able to notify the Commission in writing 72 hours in advance. TIME proposed that in

these situations, service providers can only notify such planned downtime within 24 hours. TIME would like to recommend for specific criteria to be put in place before any notification is to be sent to the Commission. This is to ensure that only relevant notifications on planned downtime are notified to the Commission. The proposed criteria are as follows:

- a) Only service-affecting events (impacting customers) are reported.
- b) Any site with redundancy capacity will be excluded from notifications.
- c) Only planned downtime affecting 5,000 customers or more and exceeding 60 minutes be reported.

TM proposed that the kind of Advance Notice of Scheduled Downtime that is necessary for the purpose of reporting and notifying the Commission and customers respectively should be confined to network-related schedule downtime that affects customer experience only. It is also important to prescribe the minimum period so that only the important and crucial events are being escalated. In short, TM proposed that Advance Notice of Scheduled Downtime is for the following: -

- a) when it involves a total no service (i.e. not working at all) experience to customers;
- b) when it is network related; and
- c) when it exceeds a certain amount of time (more than 2 hours) during non-peak hour.

U Mobile proposed that notification should only be required for scheduled downtime affecting 100,000 subscribers and lasting more than 60 minutes and should include an exclusion list and notification to the Commission in writing should be not less than 24 hours in advance.

XOX supported the Commission's proposal for the same standard for PCS to be applied to Wireless BAS and Wired BAS. However, XOX opined that for the case of MVNO, the notification timeframe needs to take into account the gap in time during which Network Partner notifies MVNOs. Hence, XOX suggested for the 72 hours' notification period to start from the date and time MVNOs receive official notification from Network Partner.

YTLC disagreed with the proposal as not every scheduled downtime results in service disruption. Schedule downtime can be done seamlessly without disruption due to the availability of sufficient network redundancy. Only scheduled down time that results in service disruption and are not urgent will need to be reported to the Commission 72 hours or 3 days in advance.

No feedback from Myisp, Opensignal and Tune Talk.

3.18 Commission's Final View

The Commission notes the challenges faced by service providers in complying with the standards. The Commission views that advanced notice to the customer is vital to ensure customers are well informed regarding any potential disruptions to the services subscribed. The notification to the Commission is required for any planned downtime to provide adequate time for the Commission to manage stakeholders or deal with potential complaints by the public.

The advance notice required will include any maintenance or network upgrades that may have an impact on services subscribed by customers.

The Commission agrees that the notification should be confined to network related schedule downtime that is affecting customer access to services and for the minimum period so that only the important and crucial events are being escalated.

In consideration to the respondent's proposals, the Commission has agreed to rephrase the standards to "Every session of scheduled downtime which **affects customers access to services** must be notified to customers no less than 24 hours in advance and to the Commission no less than 72 hours in advance". The Commission also agrees for the schedule downtime to be based on the length duration of the disruption which is 60 minutes or more.

The Commission's final view is to retain the standard period for advance notice of scheduled downtime requirement to customer and the Commission, to rephrase the standard and provide the qualifiers for a service provider for notification of the scheduled downtime as follows:

- a) schedule downtime which affects customer access to services; and
- b) schedule downtime is 60 minutes or more.

II. Notification on Unplanned Service Disruption

Question 13

Do you agree with the Commission's proposal to impose an obligation on service providers to notify the customers and Commission within 60 minutes of each incident of service disruption?

3.19 Summary of submissions received

YTLB agreed with the Commission's proposal to impose an obligation on service providers to notify customer and the Commission within 60 minutes of each incident of service disruption.

Maxis disagreed to notify customer and the Commission within 60 minutes because when an incident occurs, Maxis needs to do the following:

- a) to focus on 1st level diagnosis and resolution of the issue within 60 minutes;
- b) to mobilise team to the impacted site; and
- c) to assess the number of customers impacted.

The above processes may take more than 60 minutes; thus Maxis has recommended for the notification to customers and the Commission to be issued within 120 minutes from the occurrence of service disruption.

TM has disagreed the need to notify the Commission and customers within 60 minutes from the occurrence of any single service disruption incident (including the exclusions) for PCS and Wireless BAS and proposed that Service Disruption report will be issued in the event only when all of the following key elements are fulfilled:

- a) it involves a totally 'no service' experience to customers;
- b) it is network related;
- c) it affects more than 300,000 customers for PCS and Wireless BAS

For Wired BAS, TM expressed agreement to provide notification to the customer and the Commission within 60 minutes of each incident of service disruption.

Allo proposed to define service disruption severity level to avoid sending too many notifications due too small-scale outages to the Commission.

Celcom stated that during the first 60 minutes of the incident occurrence, technicians, engineers, and staff focuses on troubleshooting and are trying to resolve the issue to ensure the impact to customer experiences is minimal. The Commission has been urged to consider notification on unplanned service disruption to be taken out from the MSQoS and govern under other instrument such as a guideline or code for monitoring purposes only. Celcom would also like the Commission to consider reinstating this standard under network MSQoS under each of the service. This indicator is currently being monitored by a network team and it would be easier to streamline the reporting. Celcom proposed the following amendment to the standard.

“Service providers shall notify the Commission and customers within 120 minutes from the occurrence of any single service disruption incident (including exclusions)”

The notification should also be issued when the following condition is fulfilled:

- a) affecting 100,000 customers and more for PCS and Wireless BAS
- b) affecting 5,000 customers and more for Wired BAS; and
- c) service disruption or outages is 45 minutes or more.

Digi proposed the criteria for the notification of service disruption to the Commission and customer be done within 120 minutes from the time the service disruption is recorded and affecting more than 100,000 customers and lasting for more than 60 minutes for PCS and Wireless BAS related to network impacts. For Wired BAS, Digi proposed the criteria of notification of service disruption to the Commission and customer be done within 120 minutes from time of the Service Disruption is recorded and affecting more than 30,000 customers and lasting for more than 60 minutes related to network impacts.

Myisp proposed to notify customers and the Commission within 90 minutes from the occurrence.

Astro expressed that for service providers that do not own their own network and have high dependency on third party's network, such as Astro, it is sufficed if the owner of the network notifies the Commission.

Net2One opined that the current standard should be maintained.

RedTone proposed for the notification to customers and the Commission to be issued within 120 minutes from the occurrence of service disruption especially on issues coming from third party. This is because, their priority is to resolve the service disruption, and hence their focus would be on 1st level diagnosis and resolution of the issue within the 60 minutes. Within the first 60 minutes, team will be mobilised to assess the number of customers impacted and for third party disruption, it will allow the service provider to collate and investigate before reporting to the Access Seeker.

TIME proposed that the notification to customers and the Commission to be carried out within 120 minutes after the incident instead of 60 minutes. Should an incident of service disruption occur, the main priority for the service provider is to conduct the 1st level diagnosis where possible steps to resolve the issue as well as mobilizing teams to the impacted site to assess the number of customers impacted are carried out.

U Mobile has also proposed to notify the Commission and customers within 120 minutes for service disruption, if it:

- a) impacts more than 100k subscribers; and
- b) lasts more than 45 minutes.
- c) Incidents such as 3rd party maintenance, force majeure etc should be excluded.

XOX would like to suggest for notification to only be given to customers that open a complain ticket with XOX pertaining the reported network/ service disruption.

YTLC has viewed that the Commission should allow service providers in managing notification for customers in the best possible way.

No feedback from Opensignal and Tune Talk.

3.20 Commission's Final View

The Commission recognises the challenges faced by service providers to report service disruption incidences as per the proposed standards. As a regulatory body, the Commission is accountable to various stakeholders such as consumers, industry and the Government. As such, it is critical for the Commission to be aware of service disruptions in order to manage stakeholders effectively.

The proposed parameters will enhance the Commission's ability to monitor service disruptions, assess reasons for service disruptions and effectiveness of service providers' in dealing with such issues.

Notification issued within 120 minutes as requested by the respondents is not reasonable as it will leave the affected subscribers with no information on service unavailability considering all consumers are highly dependent on the network as they go about their daily lives.

The Commission has taken into consideration respondents feedback on the conditions or qualifier for the notification and agrees the issuance of notification based on the length duration of the service disruption or outages.

The Commission's final view is to revise the standard that the service providers shall notify the Commission and customers within 90 minutes from the occurrence of any single service disruption incident (including exclusions) if service outages lasted 60 minutes or more. The Commission will use the reports to determine future changes in the standards.

Question 14

The Commission seeks views on the proposal to have similar standards for service disruption that are based on the length duration of the disruption and the number of subscribers affected by the disruption.

3.21 Summary of submissions received

RedTone agreed with the Commission's proposal for the notification of service disruption to customers and the Commission i.e. by the number of subscriber

base and the duration of incident. However, RedTone would also like to propose to exclude faults due to 3rd party and/or force majeure.

TIME agreed that there should be qualifiers for the notification of service disruption to customers and the Commission i.e. by the number of subscribers affected and the duration of incidents. However, TIME has proposed that any single incident of service disruption of more than four (4) hours and affecting 5,000 or more customers is used as the standard for service disruption instead of four (4) hours and affecting 2,000 or more customers. In addition, TIME has also proposed that the service disruption standard exclude faults due to 3rd parties, other service providers or force majeure.

U Mobile consented with having similar standards for service disruption that are based on the length duration of the disruption and the number of subscribers affected by the disruption. U Mobile also proposed that the submission of a comprehensive report (except for fault due to 3rd party, other service providers or force majeure) should be subjected to the conditions that must be more than four (4) hours and impacting 100,000 or more customers.

YTLC expressed their support on the implementation of similar standards based for PCS and Wireless BAS.

Celcom proposed for the Commission to consider notification on unplanned service disruption to be taken out from the MSQoS and governed under other instrument such as a guideline or code for monitoring purpose only and reinstate the aforementioned standard under network MSQoS under each of the service. Proposed number of subscribers affected more than 100,000 customers for PCS and Wireless BAS and 5000 customers for Wired BAS and must not be out of service for more than seven (7) hours.

Digi has recommended the number of subscribers affected more than 100,000 customers for PCS and Wireless BAS and 30,000 customers for Wired BAS and lasting for more than 60 minutes related to network impacts. Digi opined that single or a small number of site disruptions shall not be part of this reporting if the indicated criteria are not met. In many cases, the coverage area of single site disruption is offset by coverage of nearby sites thereby reducing the impact to customers.

Maxis opined that there should be qualifiers for a service provider to notify a service disruption to its customers and the Commission, and not to notify

every incident of service disruption as their focus is to take prompt action to restore the services. Maxis proposed to notify customers and the Commission when the service disruption is impacted with more than 100,000 customers; and lasted more than 60 minutes (due to time taken to troubleshoot, and etc). For standardisation across the industry, Maxis proposed the following standards to be applicable to any single incident of service disruption (except for fault due to 3rd party, other service provider or force majeure or scheduled downtime):

- a) Public Cellular Service/Wireless Broadband Access
 - i) must not be out of service for more than four (4) hours; and
 - ii) affected more than 100,000 customers

- b) Wired Broadband Access Service
 - i) must not be out of service for more than four (4) hours; and
 - ii) affected more than 5,000 customers

Myisp, Net2One proposed to retain the current standard with quantifiable baseline, with consideration of the length of service disruption.

Astro viewed that the new proposed standard states that every incident of service disruption must be notified within 60 minutes from the occurrence. Astro submits to retain the duration of notification at 90 minutes as per the current standard as 60 minutes might be too short for the service provider to complete the assessment/diagnosis of the fault. Astro also wished to propose that notification is only required for service interruptions that has lasted more than 30 minutes and any service interruptions that are due to fault from 3rd party should be excluded from calculation of this standard.

TM proposed that the number of subscribers affected by the disruption is standardised across the service providers regardless of the subscriber base. This is because the subscriber numbers are moving numbers and for ease of monitoring, it is best that the figure is fixed and standardised. TM acknowledged that the exclusions proposed for incident of service disruption (i.e. fault due to a third party, other service provider or force majeure) would address the ambiguity that existed in the previous MSQoS.

TM has welcomed the change in parameter proposals, service disruption – especially in the wired network – is a daily challenge due to incidents mostly beyond the control of the service provider. TM suggested for the Commission define and clarify the exceptions as follows:

- a) damage to network facility due to third party (e.g. negligence, vandalism, theft etc.) or such damage not being repaired by a third party with an exclusive right over such network facility (e.g. state owned company with respect to towers etc.);
- b) damage to network facility due to any force majeure event i.e. earthquake, flood, fire, landslide, state of war or hostilities whether declared or not, riot, civil commotion, general strike, tempest, lock-out, terrorism or sabotage, epidemic, and unhealthy haze conditions;
- c) network facility failure due to any reasons (e.g. power outage, planned maintenance or network upgrading works); and
- d) customer's premises or building is inaccessible.

XOX opined that, for service disruption that does not affect a specific amount of people and does not go on for a specific amount of time, it should be excluded in XOX report to the Commission. In addition to the above, XOX strongly advised against notifying all customers on any single service disruption as it might be seen as spamming of information. Therefore, XOX would like to suggest for notification to only be given to customers that has opened a complain ticket with XOX pertaining the reported network/service disruption.

YTLB viewed that the proposed requirement that "*Service providers shall notify the Commission and customers within 60 minutes from the occurrence of any single Service Disruption incident (including the exclusions)*" is sufficient as this would have covered for all incidents regardless of duration and subscribers affected.

No feedback from Allo, Opensignal and Tune Talk.

3.22 Commission's Final View

The Commission notes that the majority agrees with the proposal to have similar standards for service disruption that are based on the length of the service disruption and the number of subscribers affected by the disruption.

Most respondents agree on the number of subscribers affected more than 100,000 customers for PCS and Wireless BAS. However, there are mixed responses on the number of subscribers affected for Wired BAS from the proposed number of 2000 to 5000 and 30,000 customers. The Commission

also takes note of the request for exclusion of the service disruption notification to be further defined and clarified.

The proposed revisions are aimed to provide the Commission with a more quantifiable baseline instead of a technology and technical dependent standards and to ensure that service providers take prompt action to restore the services.

Nevertheless, the Commission views the measurement of the standard should be based on the length of service disruption instead of the number of subscribers affected by the disruption. This is because regardless the number of subscribers affected by disruption is small, the subscribers are paying for the services.

The Commission's final view is to maintain the proposed standard based on the length duration of service disruption and not tie with the number of subscribers affected by the disruption; any single incident of service disruption must not be out of service for more than 4 hours.

Question 15

Respondents are invited to provide feedback on the proposed timeline of 5 business days to submit a comprehensive report to the Commission on the service disruption.

3.23 Summary of submissions received

Digi expressed their agreement on the proposed timeline of submitting the Comprehensive Report to the Commission within five (5) business days for Service Disruptions that exceeded (four) 4 hours and affected 100,000 customers. This is only for disruptions within Digi's network that fulfil the criteria. Service disruptions due to external factors such as, but not limited to, power cuts by utility companies, fiber cable cuts by external parties and vandalism, are not part of the reporting.

Net2one and YTLB opined that the proposed timeline of five (5) business days to submit a comprehensive report to the Commission on the service disruption is acceptable.

Other respondents disagreed with the proposed timeline of five (5) business days to submit a comprehensive report to the Commission on the service disruption.

Celcom noted that there may be circumstances where service disruptions or outages that may require the service provider to obtain feedback from vendors to provide technical analysis and that this may involve expertise from foreign countries before in preparing its comprehensive report. Based on their past experiences, incidences which had occurred were complex and the analysis to define the root cause and solution took nearly one (1) week. Due to severity of the incidences, there are also internal processes and reporting up to the management level that the service provider needs to adhere to. Therefore, Celcom would like to retain current standard (i.e. to submit the comprehensive report within seven business days).

Maxis suggested the Commission to retain the current submission timeline of comprehensive report (7 business days). This is because Maxis have significant dependency on other parties, such as vendors and other 3rd parties (for instance TNB, TM, other vendors, building management conduct) to confirm with certainty on the root cause of service disruption incident, including the rectification and mitigation plans.

Myisp proposed to retain the requirement to submit a comprehensive report to the Commission within 7 business days.

Astro proposed to retain this standard with the submission deadline for the comprehensive report to the Commission retained at 7 business days based on the current standards for PCS and Wireless BAS as some incidents might require longer time for investigation and feedback gathering purposes from the Access Providers/Vendors.

RedTone proposed to retain 7 business days to submit comprehensive reports to the Commission as it involves engagement with 3rd party, vendor for detail findings and to ensure concise and accurate reporting.

TIME has taken note of the Commission's proposal for a timeline of five (5) business days for Service Providers to submit a comprehensive report to the Commission should any service disruption were to take place. However, TIME would like to propose that the current requirement to submit a comprehensive report within seven (7) business days be maintained to provide adequate opportunity for Service Providers to carry out the necessary

investigations. There are situations that the outage could be caused by 3rd parties which require more time for investigation.

TM disagreed with the proposed reduction of the proposed timeline of five (5) business days from seven (7) business days to submit a comprehensive report to the Commission, as this is simply not doable given the complexity of the network. Checking and verifying the disruption, as well as determining the details of impacted customers is a time-consuming process, and the accuracy of the notification needs to be ensured. In certain circumstances, the comprehensiveness of the report really depends on the 3rd party report as well.

U Mobile proposed to retain for the timeline of seven (7) business days to submit a comprehensive report.

XOX viewed that comprehensive report is to be submitted within seven (7) days of the occurrence of the service disruption, for incident that falls under 3rd party's purview, and if the incident affects only X number of people / lasting about X amount of time (X in this context is referring to minimal time acceptable). However, if a report is still necessary, reporting template is to be provided to the service provider.

No feedback from Opensignal and Tune Talk.

3.24 Commission's Final View

The Commission notes that majority of the respondents proposed to retain the current submission timeline of comprehensive report (7 business days) due to some incidents might require longer time for investigation and feedback gathering purposes from 3rd party.

The Commission's final view is for the timeline of to be retained to seven (7) business days for comprehensive report submission to be retained as per existing MSQoS standard based on the majority inputs.

III. Compensation Policy

Question 16

The Commission seeks views on the proposal for service providers to establish a compensation policy or plan to compensate affected customers due to network outages or breach of proposed standard for service disruption and the requirement to publish the compensation policy and process.

3.25 Summary of submissions received

Allo agreed to the proposal to establish a compensation policy/plan but suggested that compensation is to be granted on a case-to-case basis only. However, they disagreed to declare and publish the compensation policy to avoid potential abuse by customer requesting for the compensation.

Net2one supported the Commission's proposal. However, the compensation should be determined on a case-to-case basis based on the negotiation between the service provider and customer. In this regard, a generic "one size fits all" compensation policy may not be the best way forward.

YTLB agreed and welcomed the idea of establishing a clear compensation policy due to outage which can be included (and be read together) into service terms & condition.

Maxis strongly disagreed with the proposal to establish a compensation policy or plan to the affected customers due to network outages or breach of proposed standard for service disruption under the mandatory standards. If there is a need to establish the compensation plan, the Commission has been urged to explore an avenue outside MSQoS which can be in the form of a guideline.

Myisp disagreed that there shall be a compensation plan to be imposed for any service disruption of Broadband Wired Service. The service offered to the customers/consumers is based on best-effort basis. For business/enterprise customers who require premium services, they will have compensation plans incorporated into SLAs with the service providers. Myisp suggested that the

Commission allow service providers to also offer non-regulated premium services with some standard SLAs with compensation plans to residential customers based on commercial reasons.

Astro opposed with the proposal of establishing a compensation policy or plan to compensate affected customers mainly because the proposal is not feasible for businesses like Astro who has business arrangements/models relying on their broadband service partners to provide convergence services. The introduction of a public compensation policy could also lead to significant financial distress to Astro should there be a major unanticipated outage which is beyond Astro's control. Astro has instead proposed to allow the service providers to decide or manage the mechanism of compensation themselves whether on case to case basis in accordance with the nature of complaint, customer's history and track record as well as whether it is against the terms and conditions of the said service.

RedTone also expressed disagreement with the proposal to establish the compensation policy or plan to the affected customers due to the network outages or breach of proposed standard for service disruption under the mandatory standard. RedTone has relied on other service providers to provide the last mile on backhaul and their contracts are back to back. A compensation plan is in place based on service availability by product and service type. Hence, RedTone disagreed with an automated compensation formula or mechanism to be in place until proper study on the definition, criteria identified and a comprehensive plan which includes threshold to be identified to avoid abuse or fraud before it can be effectively implemented. A blanket auto-compensation plan would be hard to control and may lead to revenue leakage. Currently, RedTone addresses the request for compensation or goodwill waiver on case-to-case basis in which would subject to assessment of the requests and the nature of the issue. If customers are still not satisfied with our resolution, they can refer the issues to another platform such as CFM or Consumer Tribunal for further review.

TM strongly disagreed with the proposal to establish the compensation policy or plan to the affected customers due to the network outages or breach of proposed standard for service disruption under the mandatory standard. TM viewed that if there is a need to establish the compensation plan, the Commission should explore at an avenue outside MSQoS which can be in the form of a guideline.

U Mobile disagreed with a compensation policy to avoid giving the wrong perception to the public.

- a) Telcos are already penalised for non-compliance with the mandatory standard – for unplanned service disruptions.
- b) Currently, industry implements a goodwill waiver of charges on case-to-case basis – subject to assessment of the request and nature of the issues.
- c) Customers may refer any issues to CFM or the Consumer Tribunal for compensation.
- d) The Commission must undertake detailed studies of the processes involved before it could consider introducing the compensation policy.
- e) If there is a need to compensate, the Commission should explore other means e.g. a guideline.

XOX has viewed that compensation plan usually applies based on case and service types. For MVNO, reliance towards network/service provided by network partner means MVNO compensation plan focuses mostly on other area of concerns, such as billing-related complaints. It is also a challenge for MVNO to compensate consumers based on network/service disruption as MVNO has no means to identify consumer's specific location during the network/service disruption. Therefore, XOX strongly emphasised that any form of Compensation policy or plan should not be placed under MSQoS. Hence, XOX requested for the Commission to reconsider the inclusion of the compensation policy as part of the obligation under MSQoS.

YTLC disagreed with the Commission's proposal as it would open a flood gate and promote litigating behaviour. The management of the compensation policy should be left to each service providers to manage their customer's satisfaction. The customers have options to change the operators should they be unsatisfied with the services rendered. Regulating compensation is highly sensitive and subjective. How does a service provider provide compensation if the disruption was based on 3rd party, i.e. accidentally cutting the fibre during road construction or LRT works. YTLC wished to point out to the Commission that equipment failure on the service provider's part is very rare.

Celcom proposed for the Commission to reconsider the proposal to include this requirement in the MSQoS. Aside from that, Celcom has recommended for this requirement not to be mandated under an MSQoS and to be address in another instrument such as an industry guideline or code. Similar to automatic compensation scheme implemented by OFCOM (UK), Celcom suggested the implementation of compensation policy (if any) to be on volunteer basis.

Digi currently already has a compensation policy in place. However, Digi proposed that the compensation mechanism shall remain unregulated.

TIME would like to propose that the Commission alongside the industry to further analyse the possibility of introducing a guideline to specifically address matters on compensation caused by network outages or any breach of the proposed standard.

Tune Talk sought for further provide clarification on what to publish and for what type of dispute.

No feedback from Opensignal.

3.26 Commission's Final View

The Commission notes that majority of respondents disagree with the proposal for service providers to establish a compensation policy or plan to compensate affected customers due to network outages or breach of proposed standard for service disruption and the requirement to publish the compensation policy and process.

The Commission notes that Digi has its compensation policy and views that each service providers should have a compensation policy in place.

The Commission's final view is to embark on a further study on compensation to adequately represent consumer interests.

SECTION 4: REPORTING TIMELINE AND INTERPRETATION OF THE STANDARDS

A. Reporting Obligations

Question 17

Do you agree with the Commission's proposal on quarterly reporting obligations for PCS, Wired BAS and Wireless BAS?

4.1 Summary of submissions received

Majority of the respondents namely Celcom, Digi, Maxis, Net2One, Opensignal, RedTone, TIME, U Mobile, XOX and YTLB agreed with the Commission's proposal on quarterly reporting obligations for PCS, Wired BAS and Wireless BAS.

Astro, Telekom and YTLC proposed that the reporting obligation should be implemented half-yearly instead of quarterly reporting.

No feedback from Allo, Myisp and Tune Talk.

4.2 Commission's Final View

The Commission takes note that majority of respondents has agreed to quarterly reporting period.

The Commission's final view is to retain the proposed standard for quarterly reporting period.

B. Definition of Subscriptions

Question 18

Do you agree with the Commission's proposal to substitute the term 'customers' with 'subscriptions'?

4.3 Summary of submissions received

Majority of the respondents (Celcom, Digi, Maxis, Astro, Net2One, Opensignal, RedTone, TIME, TM, U Mobile, XOX and YTLB) has agreed with the Commission's proposed to substitute the term 'customers' with 'subscriptions'.

Celcom agreed with the proposal to substitute 'customers' with 'subscriptions' but would like to proposed amendments to the definition.

Digi approved with the proposal on the basis that subscriptions include Active and Suspension subscriptions status for Wireless BAS, Wired BAS and PCS (per line, per service).

Maxis proposed for the Commission to allow Maxis to use the subscriptions data submitted to MCMC's Statistics Department to standardise the definition of subscriptions (ITU definition) i.e. active subscriptions for the past three (3) months.

Astro also agreed with the Commission's proposal to substitute the term "customers" with "subscriptions" to be in line with the terms used by ITU World Telecommunication/ICT indicator.

YTLC proposed the Commission to maintain the same terminology as 'customer' as the definition provided for subscription in the PI is vague.

No feedback from Allo, MySIP and Tune Talk.

4.4 Commission's Final View

The Commission takes note that majority of respondents agreed to substitute the term 'customers' with 'subscriptions'.

The Commission's final view is to use the proposed term of 'subscriptions'.

Question 19

The Commission seeks views on the proposed definition of the term 'subscriptions'.

4.5 Summary of submissions received

Astro, Net2One, Opensignal, U Mobile and XOX have agreed with the proposed definition of the term 'subscriptions'.

Astro displayed their consent to the proposed definition of the term "*subscriptions*" in the PI Paper which defines "subscriptions" based on number of active subscriptions. Astro highlighted that based on the ITU Handbook for the collection of administrative data on telecommunications/ICT 2020 edition, "*active subscriptions*" is defined as a subscription where the system was used at least once during the last three months. The definition of "subscriptions" should take into account the definition of "active subscriptions" and further, the definitions of the two terms should be made aligned with how service providers report statistics to MCMC's Statistics Department.

Opensignal agreed with the definition of the term "subscriptions", as proposed by the Commission and view that this substitution and definition is in line with the Commission's general approach to form regulations which are consumer-centric and reflect the actual state of what Malaysian mobile subscribers are experiencing. It is essential that any reported metrics around subscriptions are therefore measuring active subscriptions, with particular importance around the scientific averaging concept of "one device, one vote."

Celcom, Digi, Maxis, RedTone, TIME, TM and YTLB proposed to include subscriptions under Active and Suspension status for Wireless BAS, Wired BAS and PCS (per line, per service).

"Subscriptions means the number of active subscriptions to Public Cellular Service and/or Wired Broadband Service and/or Wireless Broadband Service at the end of reporting period, including subscriptions with suspension status"

Celcom mentioned that ITU defined 'active subscription' as 'a subscription where the system is used at least once during the last three (3) months'. For

clarity, Celcom would like to suggest the definition to also include subscriptions with suspension status. This is because under suspension of service, the customer could always reactivate their services and is also a potential complainant. Quarterly reporting requirement echoes the definition of subscriptions where it requires an active subscription in the last three (3) months.

Digi has proposed to include subscriptions under Active and Suspension status for Wireless BAS, Wired BAS and PCS (per line, per service). Customers under suspension for a reporting period can always reactivate their service and possibility that they could have potentially made a complainant in that period therefore Digi proposed to report the same subscriptions base of customers who have been active with the service providers in the reporting period.

Maxis agreed to include subscriptions under Active and Suspension status for Wireless BAS, Wired BAS and PCS (per line, per service). For customers who are on 'suspension' status, they are potentially the complainants as they have already used Maxis' services and could always reactivate their services. Maxis has recommended to the Commission to include this group of customers in their calculation. Maxis also proposed to use the same subscriptions reports that they have been submitted to MCMC's Statistics Department for consistency as the report consists of the number of active subscriptions in the past three (3) months.

RedTone proposed for 'subscriptions' to include Active and Suspension status for Wireless BAS, Wired BAS and PCS (per line, per service).

TIME has no objections on the Commission's proposal of a new definition for the term 'subscriptions'. However, TIME would like to propose that the calculation of subscribers shall only include 'active customers' during the assessed quarter. In addition, TIME also suggested the inclusion of 'Active' and 'Suspension' status (per line, per service) as part of the criteria for 'subscription'. Customers whose account are under suspension can always reactivate their service. Therefore, TIME proposed that the same subscription base as reported to MCMC's Statistics Department be used. Such database includes customers who have been active in the assessed quarter.

TM proposed to include subscriptions under Active and Suspension status for Wireless BAS, Wired BAS and PCS (per line, per service).

YTLB proposed to define the term 'subscriptions' as per line, per service. Additionally, subscriptions should also be defined as all line under active and suspension status.

YTLC proposed to maintain the same terminology as 'customer' as the definition provided for subscription in the PI is vague.

No feedback from Allo, MySIP and Tune Talk.

4.6 Commission's Final View

The Commission takes into consideration majority respondents feedback over the new definition for the term "subscriptions' to include subscriptions under Active and Suspension status for Wireless BAS, Wired BAS and PCS (per line, per service).

The Commission's final view is to rephrase the definition by adding subscription with suspension status as follows:

"Subscriptions means the number of active subscriptions to Public Cellular Service and/or Wired Broadband Service and/or Wireless Broadband Service at the end of the reporting period, including subscriptions with suspension status"

SECTION 5:WAY FORWARD

- 5.1 The Commission would like to record its appreciation for the support that the service providers have given on the proposed MSQoS for Customer Service.
- 5.2 The Commission has carefully considered all the comments made by respondents and also notes that there may be other views that may not be sufficiently reflected in this Report but assures that they have been taken into account in the Commission's final deliberation.
- 5.3 The Commission has viewed that the proposed MSQoS for Customer Service would ensure improvements to existing levels of customer service standards by the service providers.
- 5.4 The Commission is satisfied that the MSQoS are objective measures that reflect the intrinsic measures of quality and, as far as possible, global best practices and standards.
- 5.5 In selecting a particular benchmark for the quality of service, the Commission has endeavoured to make certain that the benchmark is meaningful to the customer and enables the customer to assess and make informed decisions on the levels of quality they are experiencing. The benchmark will be equally useful for the Commission to gauge the performance of the service providers in fulfilling its role and to monitor the industry.
- 5.6 The new MSQoS for Customer Service will come into force on **1st August 2021.**