

BROADCASTING COMMISSION

More Choices, Better Access and Higher Quality



MONITORING & COMPLIANCE REPORT

JULY- SEPTEMBER 2011

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EXECUTIVE SUMMARY
BCJ- Quarterly Monitoring & Compliance Report
(July – September 2011)

During the period July – September 2011, six notices of breach of licence were issued to subscriber television operators. The number of notices of breach was the same when compared to the previous quarter (April- June 2011).

Seventy-seven contacts were recorded for the period July - September 2011. Of this number, eighteen contacts resulted in investigations of broadcast radio and television operators, and subscriber television operators. The remaining fifty nine were queries and comments about the work of the Commission.

Fifteen contacts resulted in investigations of complaints about content transmitted by broadcast radio, television operators, and subscription television operators representing an increase of 114% compared to the previous quarter. Three contacts were about poor audio and video signal of subscriber television operators.

Seven subscriber television licensees were inspected during the period under review to determine their compliance with technical standards. All seven showed varying degrees of non-compliance.

In relation to the payment of the annual licence fee, twenty subscriber television (STV) operators, or 50% of all licensees paid in full; nine or 23% made partial payments and eleven or 27% were non-compliant. There was no increase in the number of full payments recorded when compared to the previous quarter. However, the number of non-compliant licensees moved from ten to eleven, an increase of one.

INTRODUCTION

Contacts with the Commission

Seventy seven (77) contacts were recorded for the period, July – September 2011. Those contacts resulted in six Notices of Breach of licence and eighteen investigations, a decrease of 35% when compared to the previous quarter, April – June 2011

PROGRAMMING CONTENT COMPLIANCE

The Commission investigated fifteen complaints in relation to the broadcast of problematic content. This represents an increase of 114% when compared to the period April to June 2011.

Table 1 details the complaints investigated relating to programming standards between July and September 2011, and the nature of the investigations conducted by the Commission.

Figure 1 illustrates the trend in programming standard complaints investigated in similar reporting periods since 2008.

Table 1

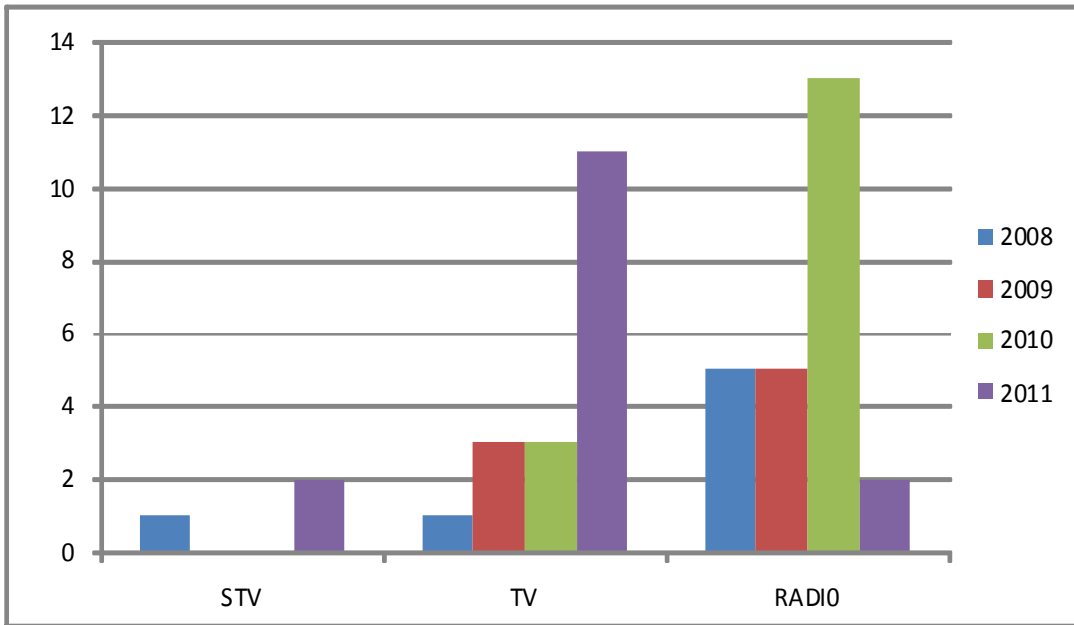
Content Standards Complaints Investigated: July - September 2011

	Transmission of in appropriate language and situations in a reality series	Transmission of profane language	Programming Permission	Transmission of song with violent and sexually suggestive lyrics	Transmission of violent content	Transmission of adult content	Insertion of local advertisement on internal channel international	TOTAL
CVM Television Ltd	2	2				5		9
FAME 95 FM				1				1
Hot 102 FM		1						1
Television Jamaica Limited		1			1			2
Columbus Communications Jamaica Ltd. (Flow)							1	1
Cornwall Communications Limited			1					1
TOTAL	2	4	1	1	1	5	1	*15

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

Figure 1:

**Content Standard Complaints Investigated
Trends for Quarters July - September 2008 to 2011**



	2008	2009	2010	2011
STV	1	0	0	2
TV	1	3	3	11
RADIO	5	5	13	2

TECHNICAL COMPLIANCE

TECHNICAL MONITORING

The facilities of seven subscriber television operators were inspected to determine their compliance with the technical standards set out in law.

Table 2- List of the subscriber television licensees inspected and the areas of technical non-compliance identified.

Table 2: Technical Monitoring: July - September 2011

	LICENSEES INSPECTED	NON-COMPLIANCE DETECTED	STATUS
1.	Jamaica Cable Vision Limited	17(4)(b), 17 (1) (h)	Meeting held with licensee on October 19, 2011 and deadline of one (1) month given to address breaches.
2.	Central Communications Services Limited	17 (1) (h)	Meeting held on September 21, 2011 with licensee.
3.	McKoy's Cable Television Company Limited	15 (a), 17 (1) (d), 17 (1) (h), 17 (4) (b), 17 (4) (d), 17 (4) (e), 25 (1); Breach of licence [1]	Breach letter dated October 3, 2011 sent to licensee. .
4.	Mike's Electronics & Cable Network Limited	24 (2), 24 (4), 17 (1) (d), 17 (1) (f), 17 (4) (b), 17 (4) (d), 17 (4) (e); Breach of licence [1]	Breach letter dated October 3, 2011 sent to licensee. .
5.	Modern Rebroadcasting Company Limited	15 (a), 17 (1) (h), 25 (1); Breach of licence [1]	Breach letter dated October 25, 2011 sent to licensee.
6.	Inntech Communications Limited	17 (1) (d), 17 (1) (h), 17 (4) (d), 17 (4) (e); Breach of licence [1]	Breach letter dated October 25, 2011 sent to licensee.
7.	Stars Cable Company Limited	17 (1) (h), 17 (4) (d), 17 (4) (e)	Breach letter dated October 25, 2011 sent to licensee.

For the period under review there were three complaints relating to technical quality of STV service. This resulted in an increase of 300% when compared to the period April – June 2011.

Table 3 displays the nature of complaints investigated relating to Technical Standards for the period July – September 2011.

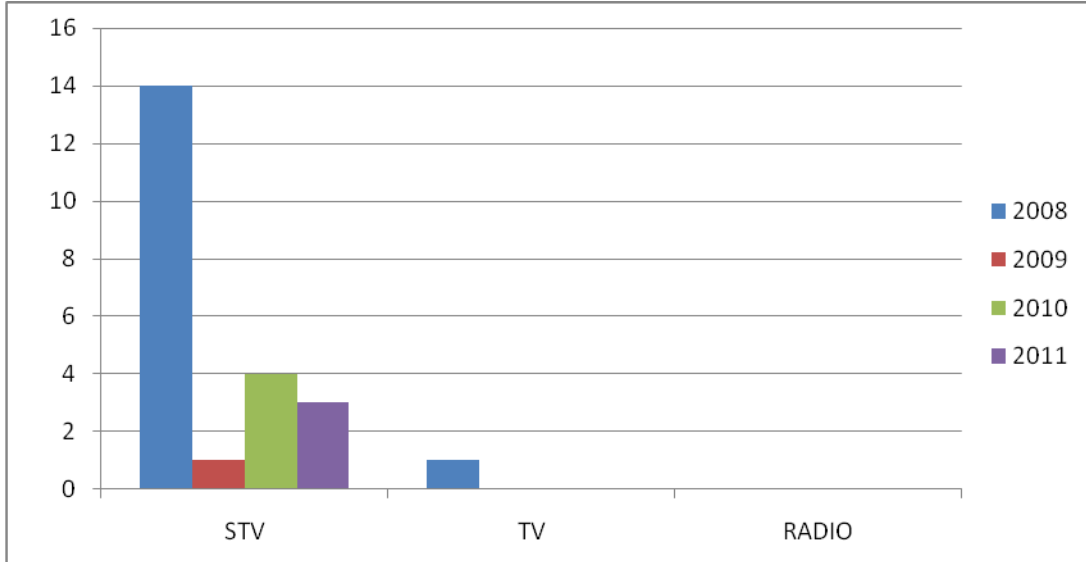
**Table 3
Technical Standards Complaints
July- September 2011**

	Poor Audio & Video Signals	TOTAL
Mars Cable Vision Limited	1	1
Stars Cable Company Limited	1	1
Wilson’s Enterprises Limited	1	1
TOTAL	3	*3

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

Figure 2 illustrates the trend in technical standard complaints received in similar reporting periods since 2008.

Figure 2
Technical Standards Report Trends for Quarters July - September
2008 to 2011



	2008	2009	2010	2011
STV	14	1	4	3
TV	1	0	0	0
RADIO	0	0	0	0

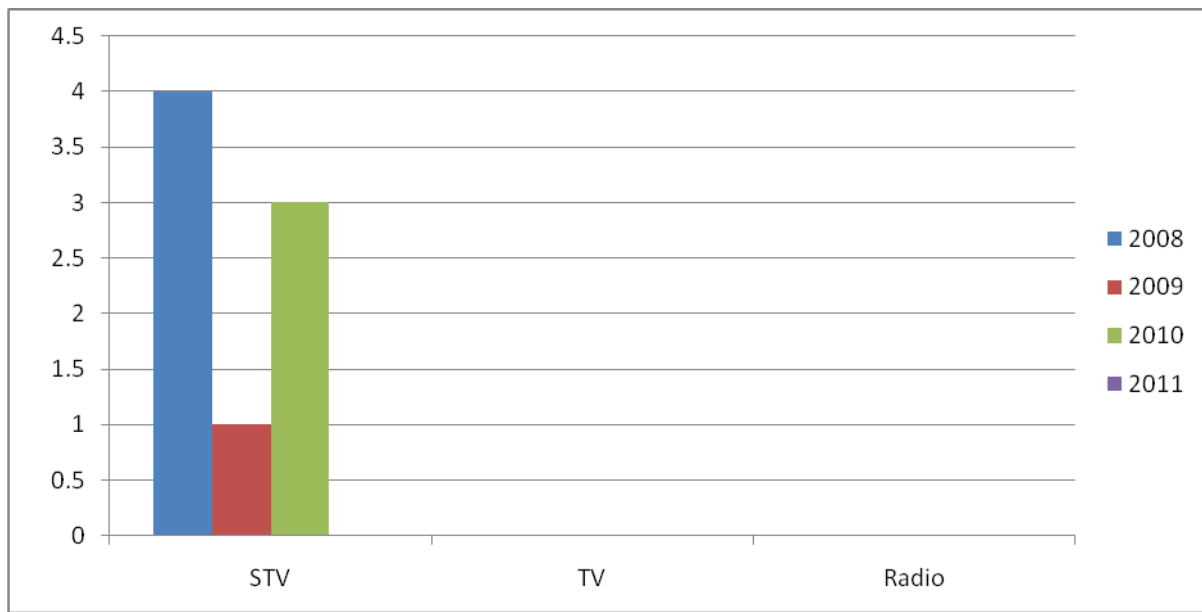
CUSTOMER SERVICE COMPLAINTS

There were no customer service complaints that resulted in an investigation for the period under review.

Figure 3 illustrates the trend in customer service complaints received in similar reporting periods since 2008.

Figure 3

**Customer Service Complaints Reports Trends
Quarters July – September 2008 to 2011**



	2008	2009	2010	2011
STV	4	1	3	0
TV	0	0	0	0
RADIO	0	0	0	0

COMPLAINTS RESOLUTION

Except for matters that fall outside the Commission's mandate, all reports of possible breaches of licence are investigated. As soon as investigations are completed, the complainants and the relevant licensees are notified of the outcome, and the Commission considers the matter resolved. Eight (8) investigations were resolved between July - September 2011.

Table 4
Resolution of Complaints by Licensee

	No. of investigated complaints Resolved
Subscriber Television Broadcast Television Broadcast Radio	1 7
Total	8

Table 5
Resolution of Complaints by Category

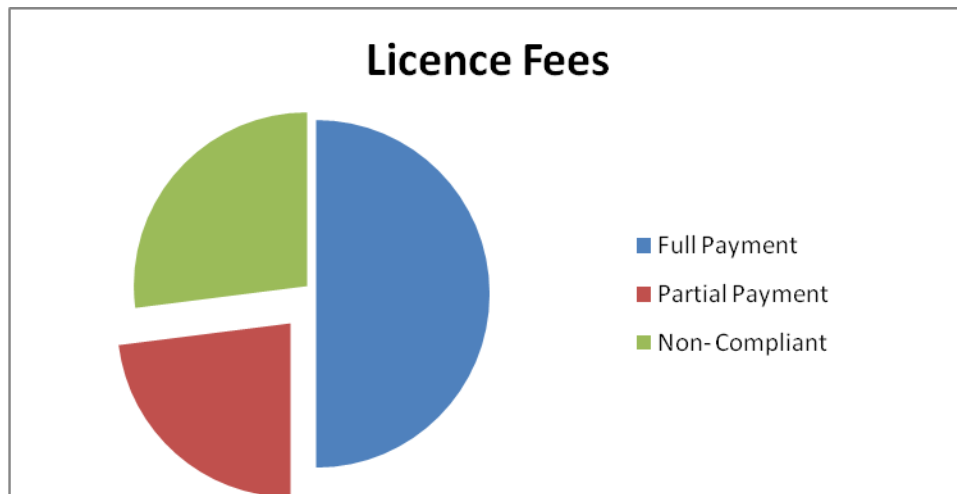
CATEGORY		TOTAL
<p>Closed - Commission's investigation complete</p> <p>Subscriber Television</p> <p>Broadcast Television</p> <p>Broadcast Radio</p>	<p></p> <p align="center">1</p> <p align="center">7</p>	<p></p> <p align="center">1</p> <p align="center">7</p>
Total	8	8

FINANCIAL COMPLIANCE

STV operators are required to pay an annual licence fee of five percent (5%) of their gross subscription income.

Aggregate payment performance is illustrated in **Figure 4**

Figure 4



Full Payment	50%
Partial Payment	23%
Non- Compliant	27%

STV Licensees Financial Compliance
For quarter ended September 30, 2011

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2006	2007	2008	2009	2010	Paid in Full	Partial Payment	Non-Compliant
1	Astra Technology Ltd.	n/a	yes	yes	no	yes		✓	
2	Cable One Jamaica Ltd. yes	yes	yes	no	no	no			✓
3	Cabletron Network Systems Ltd.	yes	yes	no	no	no			✓
4	Central Communication Services Ltd.	yes	yes	yes	yes	no			✓
5	Columbus Communications - FLOW	n/a	yes	yes	yes	no	✓		
6	Combined Communications Ltd.	yes	yes	yes	no	no		✓	
7	Communicable Ltd.	no	no	no	no	no			✓
8	Cornwall Communications Ltd.	yes	yes	yes	yes	yes	✓		
9	CTL Limited	yes	yes	no	no	no		✓	
10	Direct Cable Systems Ltd.	n/a	n/a	n/a	n/a	no	✓		
11	First Choice Cable	yes	yes	yes	yes	yes	✓		
12	General Satellite Network Company	yes	yes	yes	yes	yes	✓		
13	Guthrie's Communications Ltd	yes	yes	yes	yes	no		✓	
14	Inntech Communications Ltd.	yes	yes	no	no	no	✓		
15	Jamaica Cablevision Ltd.	yes	yes	yes	no	no	✓		
16	Linscom Network Limited	n/a	n/a	yes	yes	yes	✓		
17	Logic One Limited	yes	yes	yes	yes	no	✓		
18	Marimaxx Communications Ltd.	yes	yes	yes	no	no		✓	
19	Mars Cable Vision Ltd.	n/a	n/a	yes	yes	yes	✓		
20	McKoy Cable Television Co. Ltd.	n/a	n/a	n/a	n/a	no			✓
21	Mega International Co. Ja. Ltd.	no	no	no	no	no			✓
22	Mikes Electronics & Cable Network Ltd.	n/a	no	no	no	no	✓		

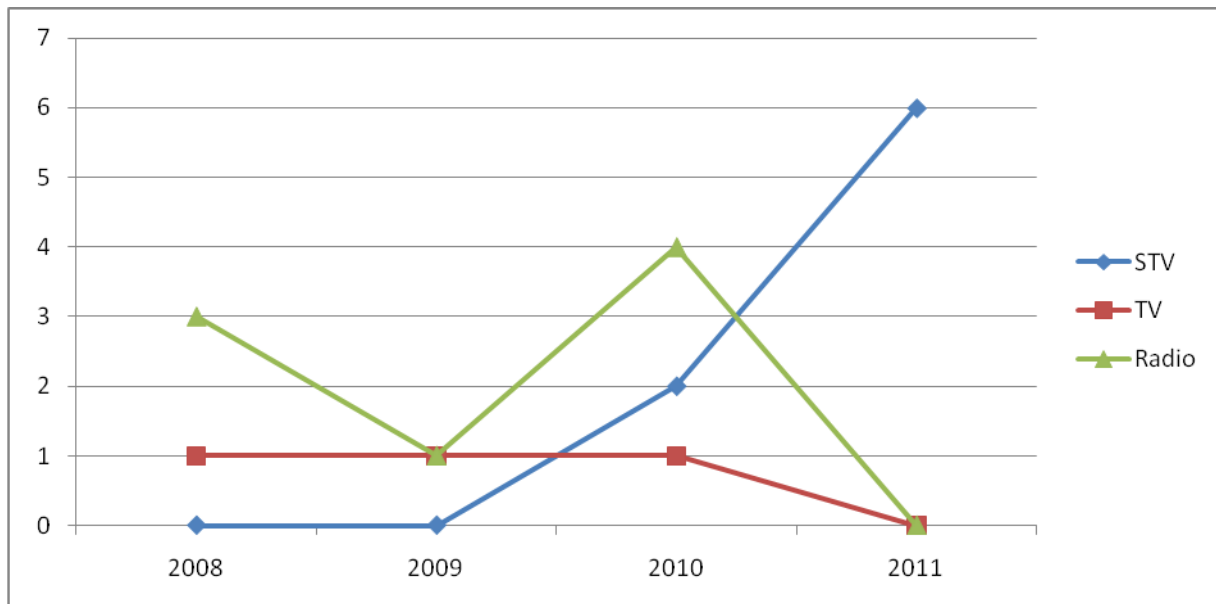
STV Licensees Financial Compliance

LICENSEES		SUBMISSION OF AUDITED FINANCIAL STATEMENTS FOR YEARS:					LICENCE FEES		
		2006	2007	2008	2009	2010	Paid in Full	Partial Payment	Non-Compliant
23	Mile Gully Cable Ltd	n/a	no	no	no	no	✓		
24	Modern Re-Broadcasting Co. Ltd.	yes	yes	yes	yes	no	✓		
25	Odyssey Cable Vision Limited	n/a	yes	yes	yes	yes	✓		
26	Oliver Electronics Engineering Ltd.	yes	yes	yes	no	no		✓	
27	QES 46 Limited	n/a	n/a	yes	yes	no			✓
28	Santastic Cable Systems Ltd.	yes	yes	yes	yes	yes	✓		
29	Silly Video Cable Network Limited	yes	yes	yes	yes	no		✓	
30	Starcom Cablevision Ltd.	yes	yes	yes	yes	no		✓	
31	Stars Cable Company Ltd.	yes	yes	yes	yes	no	✓		
32	St. Thomas Cable Network Limited	yes	yes	no	no	no			✓
33	Summit Satellite Systems Limited	yes	yes	yes	yes	no	✓		
34	Telstar Cable Limited	yes	yes	yes	yes	no	✓		
35	Total Cable	n/a	no	yes	yes	no			✓
36	Tru Star Cable Television Network	n/a	n/a	n/a	n/a	no	✓		
37	Unique Vision Cable Co. Ltd.	yes	yes	yes	no	no		✓	
38	Venus Cable Services	no	no	no	no	no			✓
39	Westar Communications Limited	yes	yes	yes	no	no			✓
40	Wilson Enterprises Limited	yes	yes	yes	yes	yes	✓		

NOTICES OF BREACH

During the period under review, six Notices of Breach were issued to licensees. All six notices arose from contraventions of Technical Standards.

Figure 5
TREND IN BREACHES COMMITTED BY SERVICE



	2008	2009	2010	2011
STV	0	0	2	6
TV	1	1	1	0
RADIO	3	1	4	0

Table 7

TECHNICAL BREACHES COMMITTED BY SUBSCRIBER TELEVISION LICENSEES

SUMMIT SATELLITE SYSTEMS LIMITED

DATE OF BREACH: 18-July-2011
NATURE OF BREACH: Failure to maintain technical standards – technical inspection
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Breach letter issued to licensee
STATUS: Open

GUTHRIE'S COMMUNICATIONS LIMITED

DATE OF BREACH: 05-Jul-2011
NATURE OF BREACH: Failure to maintain technical standards – technical inspection
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Breach letter issued to licensee
STATUS: Open

WILSON'S ENTERPRISES LIMITED/SATCOM CABLE TV NETWORK

DATE OF BREACH: 20-July-2011
NATURE OF BREACH: Failure to maintain technical standards – technical inspection
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Breach letter issued to licensee
STATUS: Open

ASTRA TECHNOLOGY LIMITED

DATE OF BREACH: 05-Jul-2011
NATURE OF BREACH: Failure to maintain technical standards – technical inspection
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Breach letter issued to licensee
STATUS: Open

OLIVER'S ELECTRONIC ENGINEERING LIMITED

DATE OF BREACH: 20-Jul-2011
NATURE OF BREACH: Failure to maintain technical standards – technical inspection
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Breach letter issued to licensee
STATUS: Closed

GENERAL SATELLITE NETWORK COMPANY LIMITED

DATE OF BREACH: 18-Jul-2011
NATURE OF BREACH: Failure to maintain technical standards – technical inspection
COMMISSION DECISION: Licensee in breach
REMEDIAL ACTION: Breach letter issued to licensee
STATUS: Closed

**** 'Date of Breach' is meant to indicate the date on which the Commission made a determination that there was a contravention by the licensee, pursuant to Section 20 of the Broadcasting and Radio Re-diffusion Act**