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Utility Regulation and Competition Office

Case # C 1 – 2022

Entity involved: Logic

Date of Complaint: 8 January 2022

Summary

An individual reported their service level for wireless broadband in the eastern district is not operating at 50% of the agreed level. The individual was advised they should first make a complaint to the service provider to allow them to resolve the matter.

Case # C 2 – 2022

Entity involved: A private talk show host

Date of Complaint: 14 January 2022

Summary

An individual reported that a the host of a talk show is spreading malicious information. The individual was advised to report this matter to the Police Dept.

Case # C 3 – 2022

Entity involved: Digicel

Date of Complaint: 25 January 2022

Summary

An individual stated that Digicel is unable to transmit a login code to their phone from their bank. Digicel contacted the bank and found there was an issue between the bank and the customer. Digicel and the Bank changed the coding route, and the matter was resolved.

Case # C 4 – 2022

Entity involved: Flow TV

Date of Complaint: 20 January 2022

Summary

An individual reported that several ads on TV contained false information such as “getting the vaccine is the ONLY WAY to keep you safe in the pandemic”. The individual was informed that although the contents differ from their personal views on the pandemic and vaccine requirements, OfReg does not find sufficient legal reasons to suggest the content be removed by the service provider.

Case # C 5 – 2022

Entity involved: Flow TV

Date of Complaint: 3 February 2022

Summary

An individual reported that Flow disconnected his services and no one from Flow HQ and the Finance dept. could explain why his bill was high. The individual later informed OfReg that someone from Flow contacted them and the matter was resolved.

Case # C 6 – 2022

Entity involved: Flow

Date of Complaint: 9 February 2022

Summary

An individual reported that the free community Wi-Fi outside the George Town library is not working. OfReg staff checked the community Wifi at the George Town library, District Admin in the Brac, The

James Manoa Bodden Civic Centre, North Side Community Centre, Seafarers Hall, South Sound Community Centre, West Bay Public Library, William Alden McLaughlin Civic Centre and all were found to be in working order. This information was relayed to the individual.

Case # C 7 – 2022

Entity involved: Flow

Date of Complaint: 11 February 2022

Summary

An individual stated that they were overcharged for data despite confirming with Flow that there was a cap that wouldn't be exceeded and having a plan for unlimited local data. The individual later stated that Flow reimbursed them for the extra charges.

Case # C 8 – 2022

Entity involved: Jack's Esso

Date of Complaint: 15 February 2022

Summary

An individual stated that when they used the gas pump it started at 18 cents instead of 0 cents. The owner of the gas station stated they did not receive a complaint on the matter. OfReg fuels team later witnessed the calibration at the pump and no issues were found.

Case # C 9 – 2022

Entity involved: H&B Esso Shedden Road

Date of Complaint: 15 February 2022

Summary

An individual stated that while obtaining gas, the automatic shut-off valve did not stop and a lot of gas overflowed onto the ground, the individual stated that they should not have to pay for the wastage since the pump was defective. The individual was reimbursed by Sol Cayman Islands.

Case # C 10 – 2022

Entity involved: Flow

Date of Complaint: 15 February 2022

Summary

An individual stated that they were having ongoing internet issues. The individual later stated that the matter was independently resolved as the service provider never showed up.

Case # C 11 – 2022

Entity involved: Flow

Date of Complaint: 3 March 2022

Summary

An individual reported ongoing internet issues which included frequent internet drops, frozen pictures, and flickering. This matter was referred to Flow and on 12 May 2022, the individual stated everything was working much better.

Case # C 12 – 2022

Entity involved: Flow

Date of Complaint: 3 April 2022

Summary

An individual reported that their TV services were freezing, and they reported the matter to Flow but it was not rectified. Flow approved a refund for the customer and the matter was resolved.

Case # C 13 – 2022

Entity involved: Flow

Date of Complaint: 11 April 2022

Summary

An individual stated that they were having issues with their internet dropping out. The individual was advised to first address the matter directly with Flow and if not resolved amicably they can contact OfReg.

Case # C 14 – 2022

Entity involved: Flow

Date of Complaint: 27 April 2022

Summary

An individual reported that the below text was on display on Flow's website, '*If you forgot to add your roaming plan, no worries! The 1 Day plan will automatically be activated to keep you connected on your journey.*' The individual stated that the service charge should not be activated automatically, customers should be given the option to activate the 1 Day roaming plan. Flow stated, To reduce roaming "bill shock" for their customers FLOW changed its approach to the way they managed roaming. In the past when customers traveled and used data without a roaming data plan they were at risk of bill shock. The change that Flow made to reduce bill shock was to apply a daily roaming plan to the customer's account once they detected out-of-plan data usage whilst they were roaming.

Case # C 15 – 222

Entity involved: Flow

Date of Complaint: 11 April 2022

An individual reported that they had numerous internet drops and it affected their TV streaming. The individual was advised to first address the matter with Flow before making a formal complaint to OfReg.

Case # C 16 – 2022

Entity involved: OfReg

Date of Complaint: 9 May 2022

Summary

An individual stated that they were being harassed by someone via an ICT network and wanted advise on how to deal with the matter. The individual was advised to contact the Royal Cayman Islands Police.

Case # C 17 – 2022

Entity involved: OfReg

Date of Complaint: 9 May 2022

Summary

An individual stated that their family was being harassed via social media. The individual was advised that the correct entity to deal with the matter was the Royal Cayman Islands Police.

Case # C 18 – 2022

Entity involved: Digicel

Date of Complaint: 9 May 2022

Summary

An individual reported that their mobile phone had lost connection with the service provider and their phone does not recognize the SIM card. Digicel stated they checked the number and saw where the individual made and received a series of calls. The individual stated their phone was not working for two days but it is working now.

Case # C 19 – 2022

Entity involved: Flow

Date of Complaint: 23 May 2022

Summary

An individual stated that their phone bill was \$1,946.00 and they were not aware that their regular plan had expired, and the additional charges were for use of additional data. On 14 July 2022, the individual stated the matter was resolved with Flow.

Case # C 20 – 2022

Entity involved: A private company

Date of Complaint: 11 June 2022

Summary

An individual reported that a company that sells Decking Materials, Artificial Turf, Kitchen Cabinets and Quarts countertops is refusing to refund their deposit. The individual was advised to contact the Department of Commerce & Investment.

Case # C 21 – 2022

Entity involved: Flow

Date of Complaint: 14 June 2022

Summary

An individual reported that they were charged CI\$160.00 for .41MB of roaming data even though the data roaming feature was turned off on their phone. On 19 July 2022, the individual stated they received a credit from Flow.

Case # C 22 – 2022

Entity involved: Jose's Esso/Rubis Cayman Islands

Date of Complaint: 21 June 2022

Summary

An individual reported that there was a false radio advert that stated that “*as everyone knows, the higher the octane, the better your car’s performance*”. The individual was informed that the proprietor of the fuel station was not aware of when the specifications or parameters for the 93 octane-grade gasoline were changed. The proprietor also stated that they consulted with multiple certified mechanics regarding the bullet-pointed statements and the mechanics confirmed their agreement with the statements. They also stated that the flyer does not refer to any engine type or vehicle. OfReg concluded that whilst some subtle elements of the advert require amendment, OfReg could not find any intention to wilfully mislead the public, as the advert was not generally misleading.

Case # C 23 – 2022

Entity involved: Flow

Date of Complaint: 12 July 2022

Summary

An individual reported that the internet service in their area is poor as they are using copper lines and do not have access to fibre lines. Flow replaced the copper lines with Fibre lines. However, subsequent attempts to contact the individual were unsuccessful.

Case # C 24 – 2022

Entity involved: Greentech

Date of Complaint: 29 July 2022

Summary

An individual stated that they installed three Tesla batteries on their property but did not see any real reduction on their utility bill. The individual was informed that as per OfReg’s complaint policy, they should first make a complaint to Greentech before reporting the matter to OfReg.

Case # C 25 – 2022

Entity involved: Flow

Date of Complaint: 8 August 2022

Summary

An individual stated that they received a call from Flow stating that if they do not accept Flow's fibre package their candw.ky email will be disconnected. The individual stated they only wanted the complaint to be logged for future reference.

Case # C 26 – 2022

Entity involved: Flow

Date of Complaint: 27 August 2022

Summary

An individual stated that they were overcharged CI\$531.00 and were unable to get a refund or a response from the service provider. The individual was informed as per OfReg's complaint policy they should give the service provider adequate time to respond. There were no further communications from the individual and the matter was closed out.

Case # C 27 – 2022

Entity involved: Flow

Date of Complaint: 6 September 2022

Summary

An individual reported that, two months in a row Flow has charged them \$90 for roaming data but their phone was off the entire time they were off island. The individual also stated the amount of data used was only (0.02MB and 0.11MB respectively). The complainant was refunded by Flow

Case # C 28 – 2022

Entity involved: OfReg

Date of Complaint: 9 September 2022

Summary

An individual requested information on what can OfReg provide to consumers who do not currently have any choice in energy today (as no capacity for solar exists) as to how their rights for competition in energy and consumer choice in energy is currently being adhered to. OfReg's legal duty is to promote competition, what alternative to CUC are they promoting with no solar being available via CORE/DER". The individual was informed that "One of OfReg's roles under the National Energy Policy is to assist the Government in ensuring that the 2037 renewables target is achieved via operation of a regulatory framework that supports and promotes the introduction and increase over time in viable energy generation from renewables. This method must be done in a manner that protects grid stability and reliability for consumers. OfReg responded that "OfReg has been and continues to operate under this mandate, and this point has been made clear in our public communications related to the expansion of renewables-generated electricity. The current unavailability under CORE/DER is therefore not an indication of a reduction in our commitment to promote competition in electricity generation, as is evidenced by the work we continue to do towards the 2037 target. However, it should also be stated that consumers do currently have a choice in energy, for example, the use of solar on or off the grid and the use of propane." The individual was also informed that "OfReg's work is geared towards continuing to support Goal 4 of the National Energy Policy. However, these matters must be carefully reviewed to ensure compliance with the regulatory framework and are vulnerable to delays. One way that OfReg has demonstrated its commitment to the renewables industry is via our approval of the battery storage project, and most recently in considering submission on pre-allocation. The pre-allocation scheme has been agreed by OfReg and CUC in principle. The details are being worked out with CUC, and this should be completed in Q4 of this year. Finally, we are currently examining your request to release another 4 MW of capacity under the CORE program. At present the Office is awaiting the results of a 'Value of Solar Study' and an 'Infusion Study', which are necessary components of our decision-making process. We, therefore, hope to be in a position to finalize a decision by December 2022."

Case # C 29 – 2022

Entity involved: Flow

Date of Complaint: 27 September 2022

Summary

An individual reported that Flow was adding data roaming charges to their phone despite them not requesting it. Flow stated that in the past when customers travelled and used data without a roaming data plan they were at risk of 'bill shock', Flow applied a daily roaming plan to the customer's account once they detected an out-of-plan data usage whilst the individual's phone was roaming. This change eliminated bill shock occurrences in countries where Flow's customers visit most. Flow stated that iPhone and some Android devices even with data roaming turned off were still sending small amounts of data (*dubbed as heartbeat data*) over the mobile network, triggering an application of an \$10, 300MB daily plan. Flow also stated they are investigating why customers who turned data roaming off on their phones whilst they travel were charged for data roaming. Flow credited the customer for the data roaming charges.

Case # C 30 – 2022

Entity involved: CMR

Date of Complaint: 4 October 2022

Summary

An individual reported that the host of the above radio station referred to someone in a derogatory manner. The Office met with the broadcaster regarding their obligations and a warning letter was issued to them. The Office also met and developed guidelines for broadcasters.

Case # C 31 – 2022

Entity involved: Water Authority Cayman (WAC)

Date of Complaint: 10 October 2022

Summary

An individual reported that the water pressure is extremely low at a private development and that WAC stated that they are supplying the correct amount of water pressure. WAC offered to conduct a pressure test and the individual stated they will arrange it for this into the new year.

Case # C 32 – 2022

Entity involved: Caribbean Utilities Company (CUC)

Date of Complaint: 7 October 2022

Summary

A company reported that despite no longer operating as a hotel, CUC continues to provide the property with energy that CUC knows the property will not require and CUC was billing the property using a calculation based on the greatest monthly peak. The company requested that OfReg independently reassess what would be a reasonable charge from the closure date of the hotel. OfReg found that the property had not de-registered its hotel status; nor confirmed its non-commercial viability by informing DCI of their cease-to-trade status. The company was continuing to be classed for all intents and purposes, as a commercial facility whether or not they were trading. OfReg found that CUC was within its contractual rights to charge on a commercial basis.

Case # C 33 – 2022

Entity involved: Flow, C3, Logic

Date of Complaint: 7 October 2022

Summary

An individual reported that the above service providers have numerous wires on a CUC pole which are a hazard to the public. The entities were contacted and the wires were removed, CUC also removed the pole.

Case # C 34 – 2022

Entity involved: Radio station X107.1

Date of Complaint: 28 October 2022

Summary

An individual stated that they heard a song on the radio station with profanity. OfReg reviewed the song and was informed it cleared all Federal Communication standards for obscenity. The song did not contain any obscenity.

Case # C 35 – 2022

Entity involved: Browns Esso (Red Bay)

Date of Complaint: 3 November 2022

Summary

The management of the above gas station reported an individual purchased gasoline and claimed no gas went into their gas tank. OfReg reviewed video footage, and the details from the pump and concluded that gas was supplied to the vehicle. The owner of the vehicle never came forward to make an official complaint.

Case # C 36 – 2022

Entity involved: Flow

Date of Complaint: 9 December 2022

Summary

An individual reported they have a corporate post-paid plan where they pay for a roaming package with 4GB of data. The individual stated that although their phone was showing only 1.3GB was used, Flow informed them that 8GB was used. The individual later stated that they received a credit and the matter was settled.

Case # C 37 – 2022

Entity involved: Flow

Date of Complaint: 16 November 2022

Summary

An individual reported they were travelling and did not wish to be charged for 'roaming' which Flow is charging by default. The complainant was charged for roaming and was refunded by Flow.

Case # C 38 – 2022

Entity involved: Flow

Date of Complaint: 21 November 2022

Summary

An individual stated that the World Cup games on TV are of poor quality and are freezing. The individual was informed to contact Flow for them to rectify the problem before contacting OfReg.

Case # C 39 – 2022

Entity involved: Water Authority Cayman (WAC)

Date of Complaint: 21 November 2022

Summary

An individual reported that the water pressure at a private development at Grand Harbour has been extremely low since 2021. The individual was advised to first address the issue with WAC before OfReg becomes involved. The individual stated they have received communications from WAC and will address the issue with the strata.

Case # C 40 – 2022

Entity involved: Flow

Date of Complaint: 5 December 2022

Summary

An individual reported Flow is charging customers erroneously for roaming and their customer service is poor when they try to address the issue with them. Flow stated that, in an effort to reduce roaming "bill shock" for our customers FLOW changed its approach to the way we managed roaming. In the past when customers traveled and used data without a roaming data plan, they were at risk of bill shock. The change that we made to reduce bill shock was to apply a daily roaming plan to the customer's account once we detect out-of-plan data usage whilst they were roaming.

Case # C 41 – 2022

Entity involved: CUC

Date of Complaint: 9 December 2022

Summary

An individual reported that numerous electronics totalling over \$10,000 were damaged as a result of a power surge caused by CUC, OfReg investigated the matter and could not find any evidence that the damages was a result of CUC's negligence. The individual was also informed they had a defective conduit on CUC pole which needs replacing.

