



Commission for  
**Communications Regulation**

# **Provision of Universal Service by Eircom**

**Performance Data – Q1 2014 (1 January 2014 to 31  
March 2014)**

## **Information Notice**

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**An Coimisiún um Rialáil Cumarsáide**

**Commission for Communications Regulation**

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# Content

<b>Section</b>	<b>Page</b>
1 Foreword .....	5
2 Quality of Service Targets - Performance .....	7
2.1 Performance of Eircom with respect to connections .....	7
2.2 Performance of Eircom with respect to Fault Rate Occurrence .....	9
2.3 Performance of Eircom with respect to Fault Repair Times .....	9
2.4 Performance Measurement.....	11
2.5 Non-Compliance with obligations .....	11
3 Other USO Performance Indicators .....	12
3.1 Introduction .....	12
3.2 Functional Internet Access.....	12
3.3 Public Payphones .....	13
3.4 Affordability of Tariffs .....	13
3.5 Bill Correctness Complaints .....	14
3.6 Specific Measures for Disabled Users .....	14
4 Supplementary Quality of Service Performance Data.....	16

# Appendix

<b>Section</b>	<b>Page</b>
Appendix: 1 The Universal Service Obligation (USO) .....	18
Appendix: 2 Graphical Representation of Eircom Quality of Service Performance .....	21
Appendix: 3 Annual Quality of Service Performance Targets (D02/08) and Eircom Performance Results.....	24

# Tables

<b>Section</b>	<b>Page</b>
Table 1: In-Situ Connections .....	7
Table 2: All Other Connections .....	8
Table 3: Agreed Date completion for all connections.....	8
Table 4: Fault Rate Occurrence .....	9
Table 5: Fault Repair Times .....	10
Table 6: Agreed Date completion for Repairs .....	10
Table 7: Functional Internet Access .....	12
Table 8: Public Payphones.....	13
Table 9: Affordability of Tariffs Measures.....	13
Table 10: Bill Correctness Complaints .....	14
Table 11: Direct Access PSTN Connections-Supply Time Fastest.....	16
Table 12: Connections with an Agreed Date v. Total Connections.....	16
Table 13: Direct Access PSTN Repairs – Repair Time Fastest.....	17
Table 14: Fault Repairs with an Agreed Date v. All Repairs .....	17

# 1 Foreword

1. The Commission for Communications Regulation (ComReg) is responsible for the regulation of the electronic communications sector in accordance with national and EU legislation. One of ComReg's functions in this regard is to determine the scope of the Universal Service Obligation ("USO") for the Irish market and decide which undertaking(s) should be designated as the Universal Service Provider(s) ("USP"). On 29 June 2012, following a public consultation, ComReg designated Eircom as the USP for a period of two years - from 1 July 2012 to 30 June 2014. On 7 July 2014, following a public consultation, ComReg re-designated Eircom as the USP from 7 July 2014 to 31 December 2015.
2. Regulation 10 of the European Communities (Electronic Communications Networks and Services) (Universal Service and Users' Rights) Regulations 2011, ("the Regulations") requires the USP to publish information on its performance in relation to the provision of the USO. In exercise of ComReg's general powers to publish information under Regulation 10 of the 2011 Framework Regulations, ComReg simultaneously publishes the performance data with Eircom on a quarterly basis, while Regulation 31 of the Regulations requires the Regulator to monitor compliance with the Regulations.
3. ComReg D02/08, published on 28 May 2008, set legally binding performance targets for Eircom to meet its obligations in respect of the services referred to in Regulation 3 of the Regulations. In accordance with ComReg D02/08, the failure by Eircom to achieve any of the targets constitutes non-compliance with its regulatory obligations. ComReg has powers, under Regulation 31 of the Regulations, in relation to monitoring compliance and enforcement of such obligations.
4. Following the publication of ComReg D02/08, and the clarification of certain issues, ComReg invoked Regulation 10 (6) of the Regulations to ensure the completeness and accuracy of the data submitted by Eircom by arranging for an independent audit of the data. Accordingly, performance information published by Eircom is subject to independent external audit. ComReg also obtained technical input to verify that the definitions and the basis of calculation of each of the key metrics of the performance data were based on European Telecommunications Standards Institute (ETSI) standards.

5. The Eircom performance data with respect to Q1 2014 (1 January 2014 to 31 March 2014) is presented in this Information Notice having regard to the performance targets set out in the Performance Improvement Programme for 2013/2014 (PIP 2), notified in ComReg 12/122<sup>1</sup>. In some cases the performance targets set out in PIP 2 are more demanding than those that were in place for the previous PIP. Performance data in relation to other elements of the USO, which are not subject to the legally binding targets, are also presented in this Information Notice. Appendix 3 also presents Eircom performance data for Q1 2014 (1 January 2014 to 31 March 2014) and YTD (1 July 2013 to 31 March 2014) in relation to the performance targets set out in ComReg D02/08.
6. Eircom has claimed that a Force Majeure event affected its performance during this and other quarters during the performance year 2013-2014<sup>2</sup>.

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<sup>1</sup>Eircom established a cash deposit form of guarantee in December 2013 for the annual performance period 2013/2014. Accordingly, if any of the performance targets are not achieved, ComReg is entitled to make a withdrawal for a corresponding proportion of the €5m held in cash deposit, by way of a financial penalty on eircom. The maximum aggregate liability of eircom in respect of the PIP2 targets for 2013/2014 is €10m against which ComReg can claim.

<sup>2</sup> Please see Information Notice entitled “Provision of Universal Service by Eircom – Quality of Service”, ComReg Document 14/xx published xx December 2014.

## 2 Quality of Service Targets - Performance

### 2.1 Performance of Eircom with respect to connections

7. This Section measures Eircom’s performance in completing fixed-line installations during the reporting period by providing information on performance for in-situ connections, all other connections and connections completed by the date agreed with the customer. As ComReg publishes USO performance data on a quarterly basis, the four quarterly results will be an indication of performance towards the annual target. The actual annual performance will be measured, for compliance purposes, with reference to the total number of in-situ connections, all other connections and connections completed by the date agreed with the customer for the year (1 July 2013 to 30 June 2014).

#### In-Situ Connections<sup>3</sup>

Annual Target – Performance Improvement Programme (1 July 2013 to 30 June 2014)		Q3 2013 Result	Q4 2013 Result	Q1 2014 Result	YTD Result (1 Jul 2013 - 31 Mar 2014)
		%	%	%	%
Within 24 hours of request	<b>80%</b> of connections to be completed within this time period	79.1	77.8	73.1	77.1
Within 2 weeks of request	<b>99.5%</b> of connections to be completed within this time period	99.4	98.8	93.8	97.8
Within 2 months of request	<b>99.8%</b> of connections to be completed within this time period	100.0	100.0	99.8	99.9

**Table 1: In-Situ Connections**

<sup>3</sup> Data reported in this section excludes information regarding in-situ connections with an agreed date, as agreed dates for in-situ connections only arise when a customer seeks, and eircom agrees to, a deferred installation e.g. a connection for a holiday home, etc.

### All Other Connections<sup>4</sup>

Annual Target – Performance Improvement Programme (1 July 2013 to 30 June 2014)		Q3 2013 Result	Q4 2013 Result	Q1 2014 Result	YTD Result (1 Jul 2013 - 31 Mar 2014)
		%	%	%	%
Within 2 weeks of request	<b>80%</b> of all requests to be completed within this time period	87.9	89.9	69.8	83.0
Within 4 weeks of request	<b>85%</b> of all requests to be completed within this time period	96.5	96.6	87.1	93.7
Within 8 weeks of request	<b>90%</b> of all requests to be completed within this time period	99.0	99.3	96.7	98.4
Within 13 weeks of request	<b>95%</b> of all requests to be completed within this time period	99.6	99.8	99.1	99.5
Within 26 weeks of request	<b>99.8%</b> of all requests to be completed within this time period	100.0	100.0	100.0	100.0

**Table 2: All Other Connections**

### Agreed Date completion for all connections<sup>5</sup>

Annual Target - Performance Improvement Programme (1 July 2013 to 30 June 2014)		Q3 2013 Result	Q4 2013 Result	Q1 2014 Result	YTD Result (1 Jul 2013 - 31 Mar 2014)
		%	%	%	%
Percentage of connections completed by agreed date	<b>94.2%</b>	92.3	94.5	94.4	93.6

**Table 3: Agreed Date completion for all connections**

<sup>4</sup> Data reported in this section excludes information regarding in-situ connections. Also, where a customer-introduced delay is recorded, and there is audible evidence of such, eircom shall exclude these Valid Service Orders for the purposes of the performance targets.

<sup>5</sup> Data relating to this metric relates to customer-introduced delays for in-situ connections. For information, a date can only be agreed for in-situ connections where the customer requests and eircom agrees to, a deferred installation.



## 2.2 Performance of Eircom with respect to Fault Rate Occurrence

8. This Section measures the rate of line faults reported to Eircom. All line faults reported in the specified quarterly period are expressed in relation to the average number of installed lines for the quarter<sup>6</sup>. As ComReg publishes USO performance data on a quarterly basis, the sum of the four quarterly results will be an indication of performance towards the annual target. The actual annual performance will be measured, for compliance purposes, with reference to the total number of line faults<sup>7</sup> for the year (1 July 2013 to 30 June 2014) and the average number of installed lines for the year.

### Fault Rate Occurrence

Annual Target - Performance Improvement Programme (1 July 2013 to 30 June 2014)		Q3 2013 Result	Q4 2013 Result	Q1 2014 Result	YTD Result (1 Jul 2013 - 31 Mar 2014)
A maximum fault rate of <b>12.8</b> line faults per 100 lines (1 July 2013 to 30 June 2014) <sup>6</sup>	To be achieved and fully complied with by 30 June 2014)	3.0	3.7	6.2	13.0

**Table 4: Fault Rate Occurrence**

## 2.3 Performance of Eircom with respect to Fault Repair Times

9. This Section measures Eircom’s performance during the reporting period by providing information on fault repairs and fault repairs completed by the date agreed with the customer. As ComReg publishes USO performance data on a quarterly basis, the four quarterly results will be an indication of performance towards the annual target. The actual annual performance will be measured, for compliance purposes, with reference to the total number of fault repairs and the fault repairs completed by the date agreed with the customer for the year (1 July 2013 to 30 June 2014).

<sup>6</sup> For this quarter, the rate of total faults per 100 lines was 7.9 and the rate of line faults including line faults which have occurred due to vandalism (including theft) and/or third party damage was 6.3.

<sup>7</sup> Excluding line faults which have occurred due to vandalism (including theft) and /or third party damage, which have been verified and audited.

## Fault Repair Times<sup>8</sup>

Annual Target - Performance Improvement Programme (1 July 2013 to 30 June 2014)		Q3 2013 Result	Q4 2013 Result	Q1 2014 Result	YTD Result (1 Jul 2013 - 31 Mar 2014)
		%	%	%	%
Within 2 working days	<b>80%</b> of fault repairs to be completed within this time period	76.7	71.0	40.2	58.3
Within 4 working days	<b>95%</b> of fault repairs to be completed within this time period	91.6	89.8	61.8	77.4
Within 5 working days	<b>96%</b> of fault repairs to be completed within this time period	94.2	93.5	68.7	82.3
Within 10 working days	<b>99%</b> of fault repairs to be completed within this time period	98.7	98.4	84.5	92.1

**Table 5: Fault Repair Times**

## Agreed Date completion for Repairs

Annual Target - Performance Improvement Programme (1 July 2013 to 30 June 2014)		Q3 2013 Result	Q4 2013 Result	Q1 2014 Result	YTD Result (1 Jul 2013 - 31 Mar 2014)
		%	%	%	%
Percentage of Fault Repairs completed by agreed date <sup>9</sup>	<b>95%</b>	95.6	94.0	79.1	90.7

**Table 6: Agreed Date completion for Repairs**

<sup>8</sup> Data pertaining to Fault Repairs with an Agreed Date is included in this metric from 1 July 2010.

<sup>9</sup> Fault Repairs with an Agreed Date arise when an appointment is required to visit the Customer's premises and repair the fault. The Agreed Date means the appointment date and (if applicable) the time that eircom and a Customer have agreed for eircom to visit a Customer's premises in respect of a Fault Repair; in the case of all such Agreed Dates, the Agreed Date shall be recorded and fully verifiable.

## 2.4 Performance Measurement

10. Performance by Eircom relating to the obligations shall be determined by reference to the information normally set out in ComReg Information Notices published every quarter and entitled “Provision of Universal Service by Eircom – Performance Data”, or as may be published by ComReg in such other format from time to time.

## 2.5 Non-Compliance with obligations

11. The failure by Eircom to achieve any of the targets set out in ComReg D02/08 by 30 June 2012 will constitute non-compliance and may give rise to the enforcement procedures set out under Regulation 31 of the Regulations.

## 3 Other USO Performance Indicators

### 3.1 Introduction

12.Regulation 10 (1) of the Regulations requires the USP to publish adequate and up to date information on its performance in respect of the USO. The information is to be based on the quality of service parameters, definitions and measurement methods which are set out in the relevant EU Directive<sup>10</sup>. These, in turn, are based on the European Telecommunications Standards Institute (ETSI) standards which provide precise detail on definitions and methodologies and have been used as guidance when recording the performance data. Where the ETSI standards do not cover an aspect of the USO, specific indicators have been developed to ensure that the performance is measured accurately.

### 3.2 Functional Internet Access

13.This Section records the percentage of PSTN lines that are capable of the minimum data rate of 28.8 kbps (kilobits per second) or greater. In September 2005, ComReg specified a target data rate of 28.8 kbps (kilobits per second) as the minimum data rate which could be considered as capable of delivering functional internet access. Also issued, by way of guidance, was a performance target of 94% of lines to be capable of the target data rate by June 2006. As broadband access does not fall within the scope of the USO, this guideline focuses on single narrowband connections.

#### Functional Internet Access Performance

Guideline Performance Target (ComReg D9/05)	Q3 2013 Result %	Q4 2013 Result %	Q1 2014 Result %
Percentage of PSTN lines capable of data rate of 28.8kbps, or greater	94%	94.0	91.7

**Table 7: Functional Internet Access**

<sup>10</sup> DIRECTIVE 2002/22/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) as amended by DIRECTIVE 2009/136/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 November 2009.

### 3.3 Public Payphones

14. This Section provides statistics on the average number of public payphones provided and the proportion of these public payphones that are in full working order during the reporting period.

#### Public payphones Performance

	Q3 2013 Result	Q4 2013 Result	Q1 2014 Result
Average number of public payphones for the period	1327	1325	1322
Proportion of public payphones in full working order (%)	93.2	90.9	90.0

**Table 8: Public Payphones**

### 3.4 Affordability of Tariffs

15. This Section records Eircom's Vulnerable Users Scheme (VUS) and also provides information on the number of bill correctness complaints.

#### Affordability of Tariffs Measures

Affordability of Tariffs Measures	
Eircom residential consumers availing of the VUS	Eircom's customers may avail of the VUS, which is targeted at customers with a low usage level

**Table 9: Affordability of Tariffs Measures**

### 3.5 Bill Correctness Complaints

16. The following Table provides information on the number of Bill Correctness Complaints received by Eircom for the period per 100 bills issued.

#### Bill Correctness Complaints

	Q3 2013 Result	Q4 2013 Result	Q1 2014 Result
Number of Bill Correctness Complaints per 100 bills	0.07	0.11	0.09

**Table 10: Bill Correctness Complaints**

### 3.6 Specific Measures for Disabled Users

17. This Section records the services and equipment available for people with disabilities, as follows:

18. For users who are hearing impaired:

- Inductive couplers
- An Amplified phone
- Visual indicator

19. For users that are hearing and /or speech impaired:

- The national relay service (Minicom)
- The NAD Programme

20. For users with limited dexterity or mobility:

- Speed dial and automatic redial buttons
- Hands free facility

21. For users with restricted vision:

- Braille billing, which is free of charge
- Standardised layout of key pads around central number (5) with raised dot
- Extra large high contrast buttons

22. For users unable to use the phone book because of a disability:

- Special directory enquiry arrangements, which are free of charge

## 4 Supplementary Quality of Service Performance Data

### Direct Access PSTN Connections – Supply Time Fastest<sup>11</sup>

Supply Time Fastest for All Connections	Q1 2014 Total	Q1 2014 Residential	Q1 2014 Business
Fastest <b>95%</b> - elapsed days	39	38	43
Fastest <b>99%</b> - elapsed days	76	72	81

**Table 11: Direct Access PSTN Connections-Supply Time Fastest**

### Connections with an Agreed Date v. Total Connections

	Q1 2014 Result
Percentage (%) of Connections with an Agreed Date versus Total Connections	21.8

**Table 12: Connections with an Agreed Date v. Total Connections**

<sup>11</sup> Data pertaining to connections with an Agreed Date is excluded from this metric as a date can only be agreed for in-situ connections where the customer requests and eircom agrees to, a deferred installation.



### Direct Access PSTN Repair – Repair Time Fastest<sup>12</sup>

Repair Time Fastest for All Repairs	Q1 2014 Total	Q1 2014 Residential	Q1 2014 Business
Fastest <b>80%</b> completed (working hours)	65.8	71.1	39.1
Fastest <b>95%</b> completed (working hours)	153.5	159.7	105.1

**Table 13: Direct Access PSTN Repairs – Repair Time Fastest**

### Fault Repairs with an Agreed Date v. All Repairs

Q1 2014 Result	
Percentage (%) of Fault Repairs with an Agreed Date versus All Repairs	2.1

**Table 14: Fault Repairs with an Agreed Date v. All Repairs**

<sup>12</sup> Data pertaining to Fault Repairs with an Agreed Date is included in this metric from 1 July 2010.

## Appendix: 1 The Universal Service Obligation (USO)

A 1.1 The USO is a set of requirements designed to ensure that all persons have access to a minimum set of telephone services. The services to be provided under the USO, as set out in the USO Regulations,<sup>13</sup> are as follows:

- Meeting reasonable requests for connections at a fixed location to the public communications network and access to publicly available telephone service. The connection is required to be capable of allowing voice calls, fax communications and data communications at data rates which would permit functional internet access
- Directory services – provision of printed Directories; Directory Enquiry service
- Provision of public payphones
- Specific measures for disabled users
- Affordability of tariffs for consumers and options to control expenditure

A 1.2 On 29 June 2012, following a public consultation, ComReg designated Eircom as the USP for a period of two years, from 1 July 2012 to 30 June 2014.<sup>14</sup>

A 1.3 On 7 July 2014, following a public consultation, ComReg designated Eircom as the USP for Access at a Fixed Location (AFL), from 7 July 2014 to 31 December 2015.<sup>15</sup>

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<sup>13</sup> European Communities (Electronic Communications Networks and Services) (Universal Service and Users' Rights) Regulations 2011 - S.I. No. 337 of 2011

<sup>14</sup> The provision of telephony services under Universal Service Obligations (ComReg Decision No: D07/12, ComReg Document No: 12/71)

<sup>15</sup> The provision of telephony services under the Universal Service Obligation (ComReg Decision No: D10/14, ComReg Document No: 14/71)

A 1.4 On 7 July 2014, following a series of public consultations, ComReg designated Eircom as the USP for the provision of Directory of Subscribers<sup>16</sup> and for the provision of Public Payphones<sup>17</sup>, from 7 July 2014, for a period of four years until 30 June 2018. On 7 July 2014 ComReg also designated Eircom as the USP for the provision of Measures for Disabled End-Users<sup>18</sup>, from 7 July 2014, for a period of 12 months until 30 June 2015.

A 1.5 Detailed requirements have been set in respect of some aspects of the USO including;

- Document 05/64<sup>19</sup> amended an earlier decision requiring the production of telephone directories in CD format.
- Document 05/70<sup>20</sup> set out requirements to be followed by the USP when considering the reasonableness of requests for connections and it also set out guidelines to be followed (including performance targets) in providing such connections. The document also provided guidelines in respect of a target data rate for Functional Internet Access.
- ComReg Document 14/69<sup>21</sup> provides permissible public payphones removals criteria, effective from 7 July 2014 and revoked a previous decision (ComReg Document 06/14) in relation to guidance with regard to the criteria to be applied when considering requests for the removal or re-location of public payphones.
- Document 08/37<sup>22</sup> (ComReg Decision D02/08), published on 28 May 2008, set legally binding quality of service performance targets for connections, fault occurrence and fault repairs for Eircom, as the current designated USP to meet with effect from 1 July 2008. (The guideline connection targets published in ComReg Decision D9/05 (05/70) have been superseded by the new legally binding connection targets).

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<sup>16</sup> Provision of Directory of Subscribers – Universal Service: Scope and Designation, (ComReg Decision No: D07/14, ComReg Document No: 14/68)

<sup>17</sup> Provision of Public Payphones – Universal Service: Scope and Designation, (ComReg Decision No: D08/14, ComReg Document No: 14/69)

<sup>18</sup> Universal Service Obligation – Measures for Disabled End-Users, (ComReg Decision No: D09/14, ComReg Document No: 14/70)

<sup>19</sup> Directory Enquiry Services and Directories – Amendment of requirement to make directories available in CD format, ComReg Decision No: D08/05

<sup>20</sup> ComReg 0570:Decision Notice and Response to Consultation – Universal Service Requirements – Provision of access at a fixed location – connections to a public telephone network and provision of functional Internet Access – ComReg Decision No: D9/05

<sup>21</sup> Provision of Public Payphones – Universal Service: Scope and Designation, (ComReg Decision No: D08/14, ComReg Document No: 14/69)

<sup>22</sup> Decision Notice (And Decision Instrument): Response to Consultation – eircom’s Universal Service Obligation : Quality of Service Performance Targets

- Document 10/45<sup>23</sup> sets out information regarding the establishment by Eircom of a Performance Improvement Programme with associated annual performance bonds (to the amount of €10m).
- Document 12/122<sup>24</sup> sets out information regarding the establishment by Eircom of a Performance Improvement Programme for the annual performance periods 2012/2013 and 2013/2014 with an associated annual performance guarantee in the form of a Cash Deposit<sup>25</sup>.

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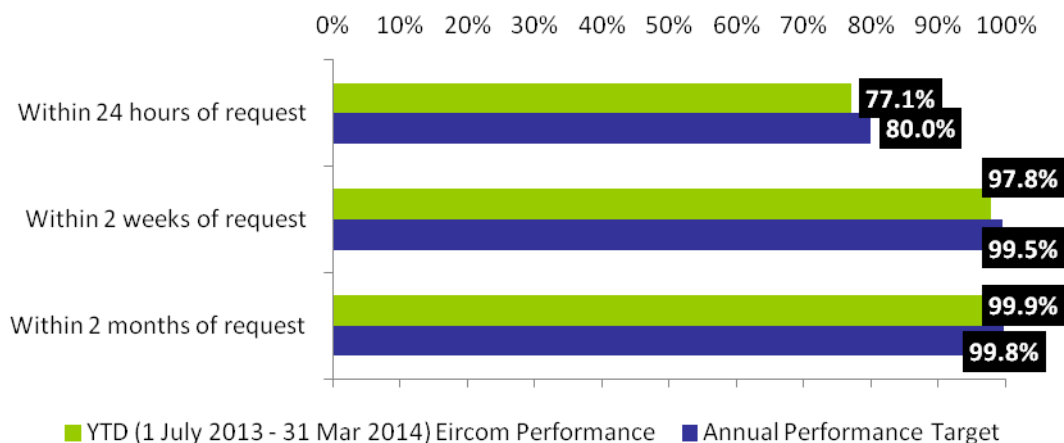
<sup>23</sup> Information Notice: Provision of Universal Service by eircom – Quality of Service – 30 June 2010

<sup>24</sup> Information Notice: Provision of Universal Service by Eircom – Quality of Service – 7 November 2012.

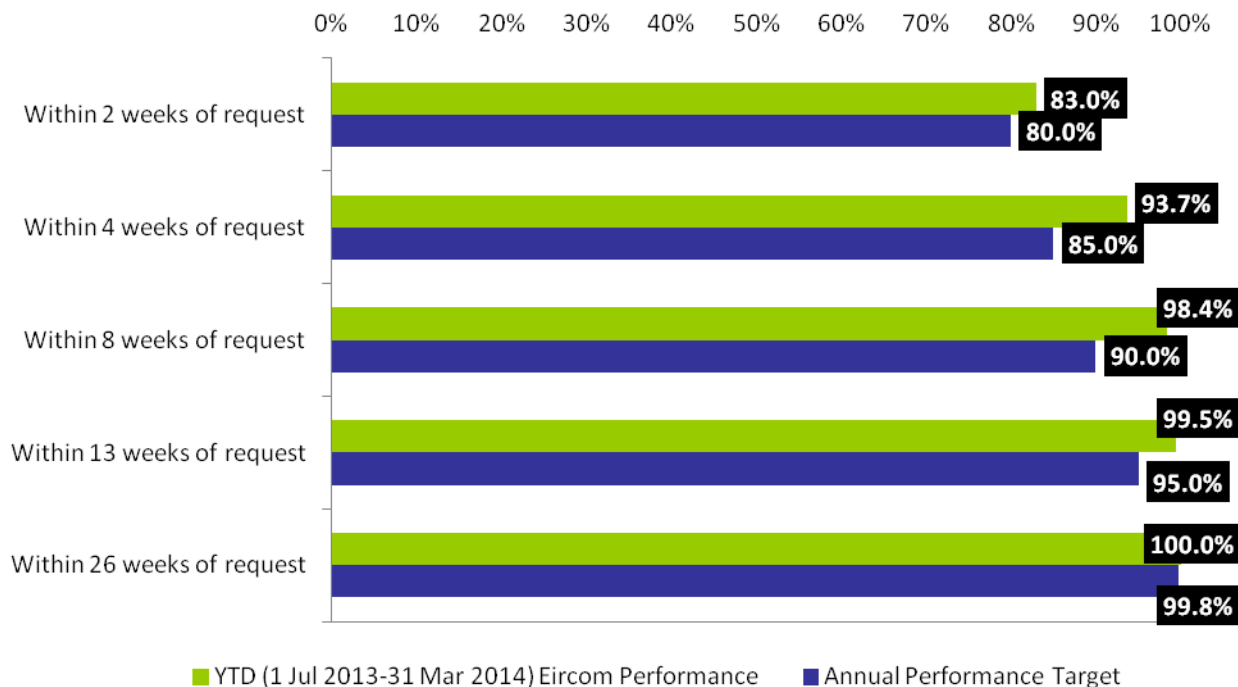
<sup>25</sup> Eircom established a cash deposit form of guarantee in December 2013 for the annual performance period 2013/2014. Accordingly, if any of the performance targets are not achieved, ComReg is entitled to make a withdrawal for a corresponding proportion of the €5m held in cash deposit, by way of a financial penalty on eircom. The maximum aggregate liability of eircom in respect of the PIP2 targets for 2013/2014 is €10m against which ComReg can claim.

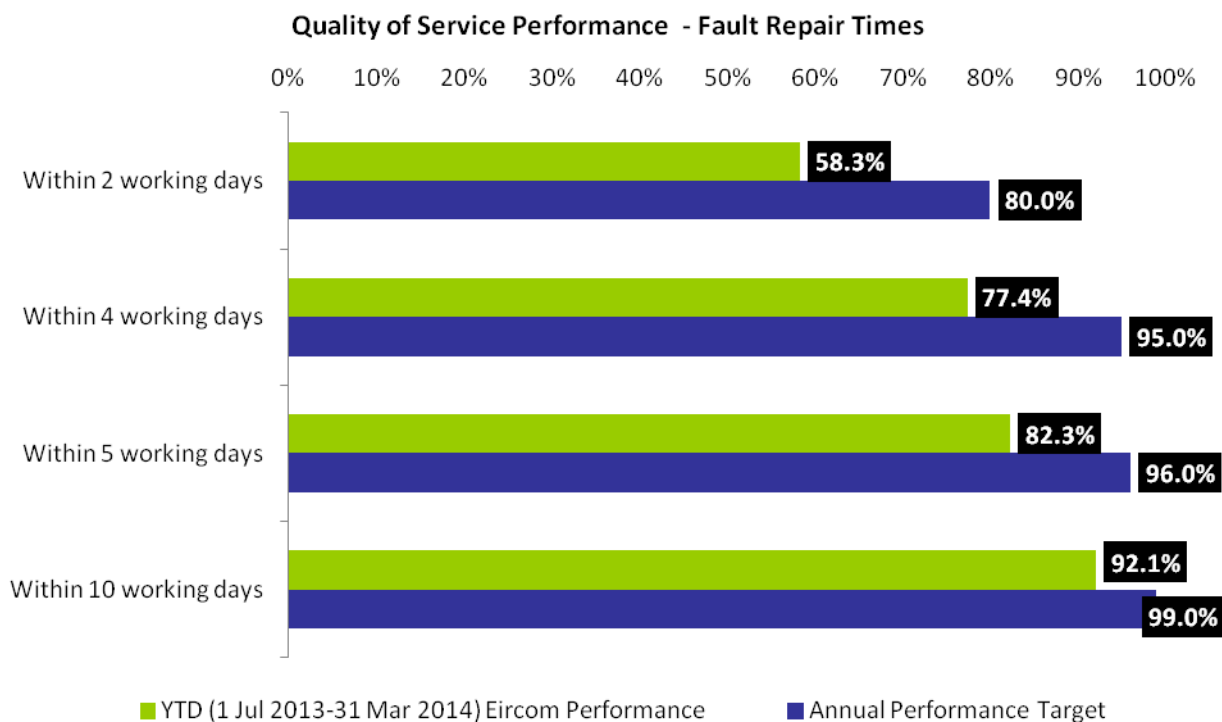
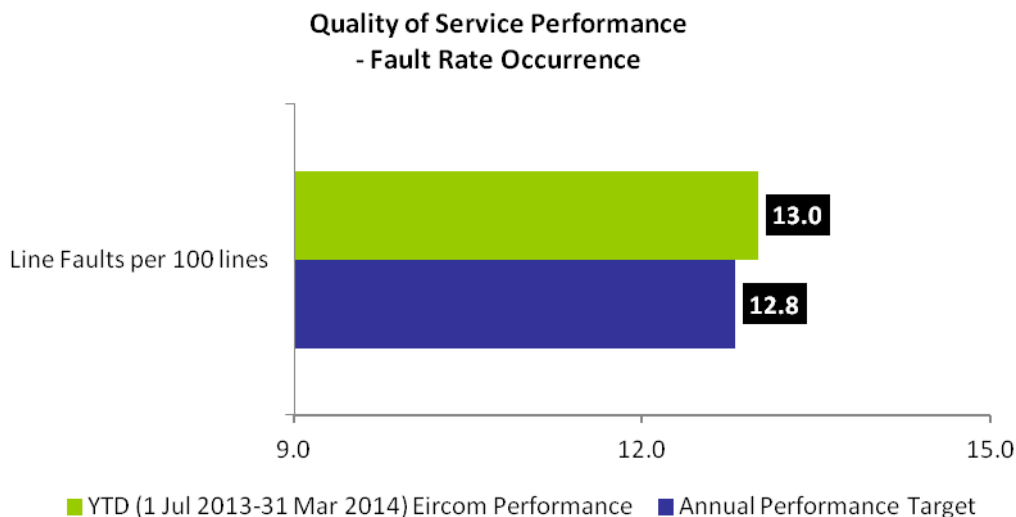
## Appendix: 2 Graphical Representation of Eircom Quality of Service Performance

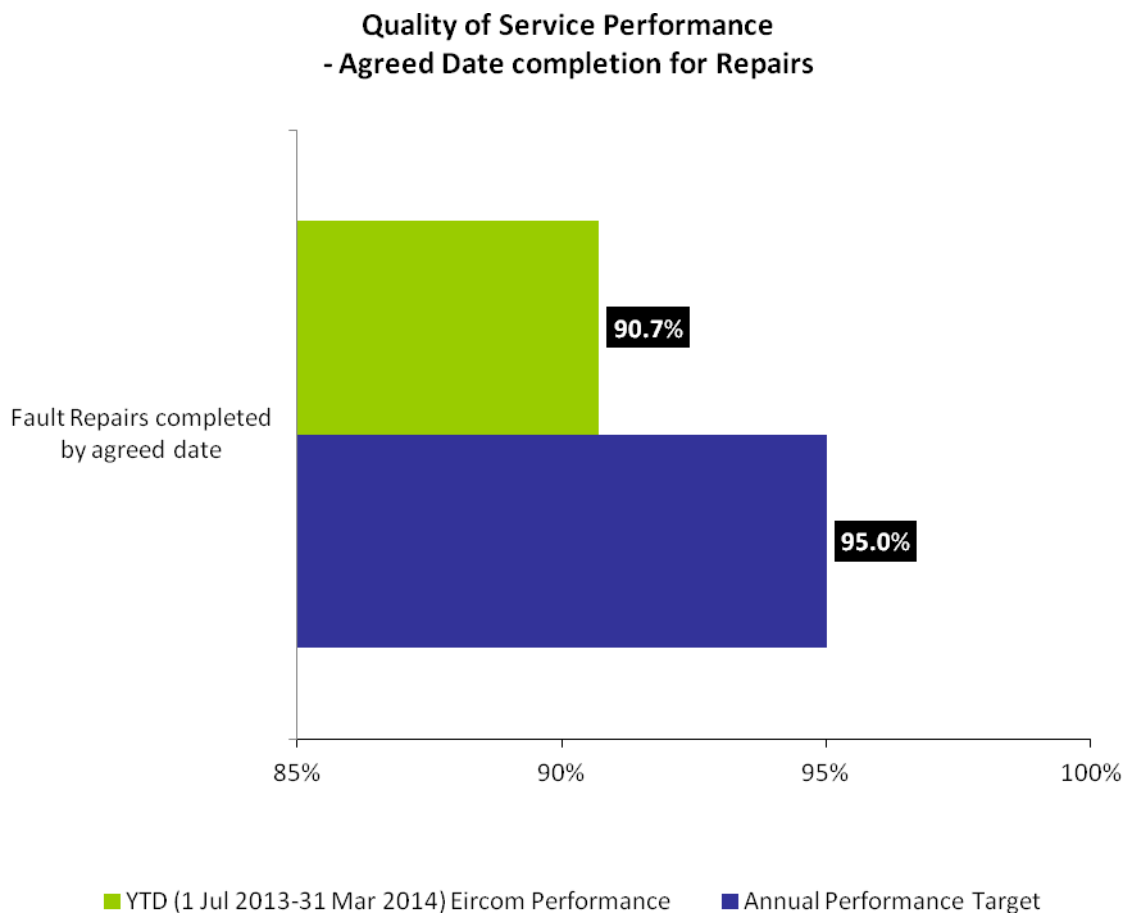
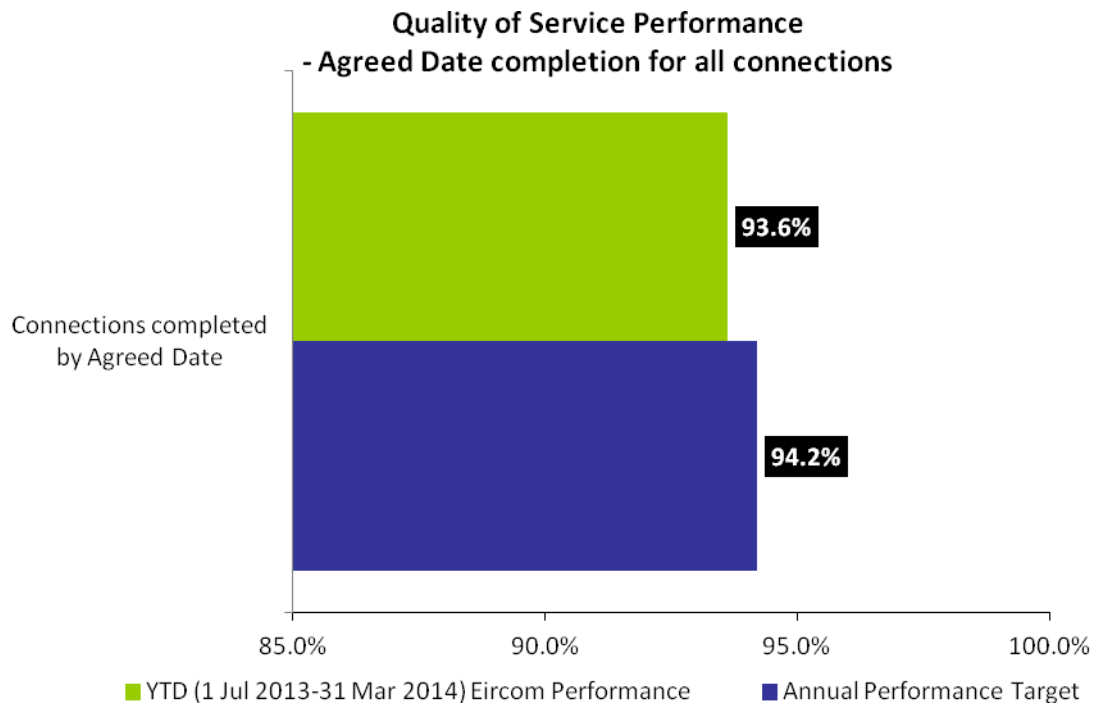
Quality of Service Performance -In Situ Connections



Quality of Service Performance - All Other Connections







## Appendix: 3 Annual Quality of Service Performance Targets (D02/08) and Eircom Performance Results

### A 3.1 Connections

Description of Target	Annual Performance Target (D02/08)	Q1 2014 Result %	YTD Result (1 Jul 2013 – 31 Mar 2014) %
In-situ connections within 24 hours of request	<b>80%</b>	73.1	77.1
In-situ connections within 2 weeks of request	<b>99.8%</b>	93.8	97.8
In-situ connections within 2 months of request	<b>100%</b>	99.8	99.9
All other connections within 2 weeks of request	<b>80%</b>	69.8	83.0
All other connections within 4 weeks of request	<b>85%</b>	87.1	93.7
All other connections within 8 weeks of request	<b>90%</b>	96.7	98.4
All other connections within 13 weeks of request	<b>95%</b>	99.1	99.5
All other connections within 26 weeks of request	<b>100%</b>	100.0	100.0
Connections completed by Agreed Date	<b>95%</b>	94.4	93.6



### A 3.2 Fault Repairs

Description of Target	Annual Performance Target (D02/08)	Q1 2014 Result %	YTD Result (1 Jul 2013 - 31 Mar 2014) %
Fault repairs completed by Agreed Date	<b>95%</b>	79.1	90.7
Fault repairs completed within 2 working days	<b>80%</b>	40.2	58.3
Fault repairs completed within 4 working days	<b>95%</b>	61.8	77.4
Fault repairs completed within 5 working days	<b>99.8%</b>	68.7	82.3
Fault repairs completed within 10 working days	<b>100%</b>	84.5	92.1

### A 3.3 Fault Rate Occurrence

Description of Target	Annual Performance Target 30 June 2012 (D02/08)	Q1 2014 Result	YTD Result (1 Jul 2013 – 31 Mar 2014)
A maximum fault rate of line faults per 100 lines	<b>12.5</b>	6.2	13.0