



# Annual Report

## 2022-23

## Table of Contents

|          |   |           |
|----------|---|-----------|
| <b>1</b> | <b>From the Ombudsman.....</b>                                      | <b>1</b>  |
| <b>2</b> | <b>Complaints .....</b>   | <b>3</b>  |
|          | 2.1 Analysis of complaint handling.....                             | 4         |
| <b>3</b> | <b>Trends and observations in complaints received.....</b>          | <b>7</b>  |
| <b>4</b> | <b>Community engagement and information provision.....</b>          | <b>9</b>  |
| <b>5</b> | <b>Key performance indicators .....</b>                             | <b>10</b> |
|          | 5.1 Acknowledgement of complaints.....                              | 10        |
|          | 5.2 Determination of complaints.....                                | 10        |
|          | 5.3 Progress reports to complainants .....                          | 11        |
|          | 5.4 Time taken to finalise complaints .....                         | 11        |
| <b>6</b> | <b>Governance and systems .....</b>                                 | <b>12</b> |
|          | 6.1 Upgraded case management systems.....                           | 12        |
|          | 6.2 Complaints about the ANO .....                                  | 12        |
|          | 6.3 Records management.....   | 12        |
|          | 6.4 Strategic planning .....  | 12        |
| <b>7</b> | <b>Financial results.....</b>                                       | <b>13</b> |
|          | <b>Appendix 1 ANO Complaint Statistics .....</b>                    | <b>14</b> |
|          | <b>Appendix 2 ANO assessment of action on recommendations .....</b> | <b>15</b> |
|          | <b>Appendix 3 ANO Key performance indicators .....</b>              | <b>17</b> |

## 1 From the Ombudsman

---

Last year's Annual Report noted the historical failure of Airservices to adequately engage with the impacted community prior to the implementation of new flight paths. Brisbane was the latest example and it continued to dominate complaints to the ANO through this year.

Brisbane has demanded a high level of attention from Airservices including an extensive review of flight paths by international experts, the evaluation of numerous recommendations for noise amelioration alternatives and resulting community engagement on potential amendments. This remains ongoing.

The demand from Brisbane, as well as a steady complaint load from other areas with flight numbers getting back to pre-pandemic levels, has resulted in Airservices' response times to complaints extending and some community engagement projects being delayed. The ANO regularly engages with Airservices on these issues and notes some increase in the resources available to these areas during the year.

While Airservices has significantly increased its community engagement capabilities, it is saddled with its past performance and there remains a high level of mistrust expressed in complaints to the ANO.

This year the ANO handled 549 complaints, including 49 reviewed in detail, of which 12 led to a change adopted by the agency. An increasing number of complainants present with a high level of distress and my thanks go to all the ANO staff for their hard work in this respect.

During the year, the office also reviewed its complaint handling guidelines; transitioned to a new document management system and upgraded its complaint management system.

I also take this opportunity to thank the Airservices Board and Chief of Air Force for their continued support.

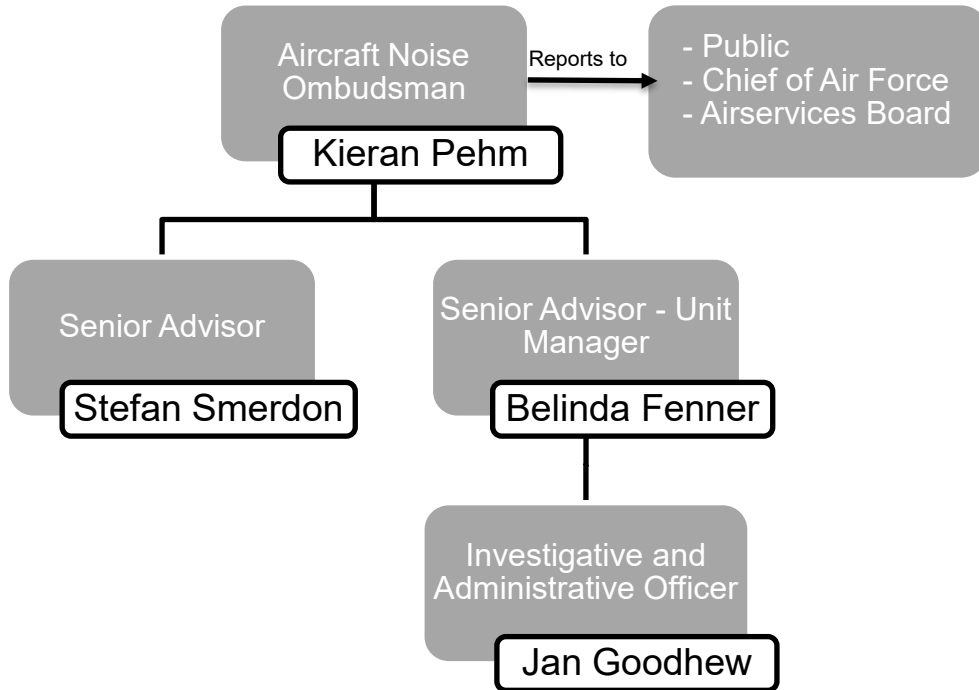


Kieran Pehm

Aircraft Noise Ombudsman

15 August 2023

**ANO Structure as at 30 June 2023**



## 2 Complaints

The ANO received 536 actionable complaints in 2022-23, which represents a slight increase in complaints received, compared to the 509 complaints received in 2021-22. The following image depicts how the complaints were handled.

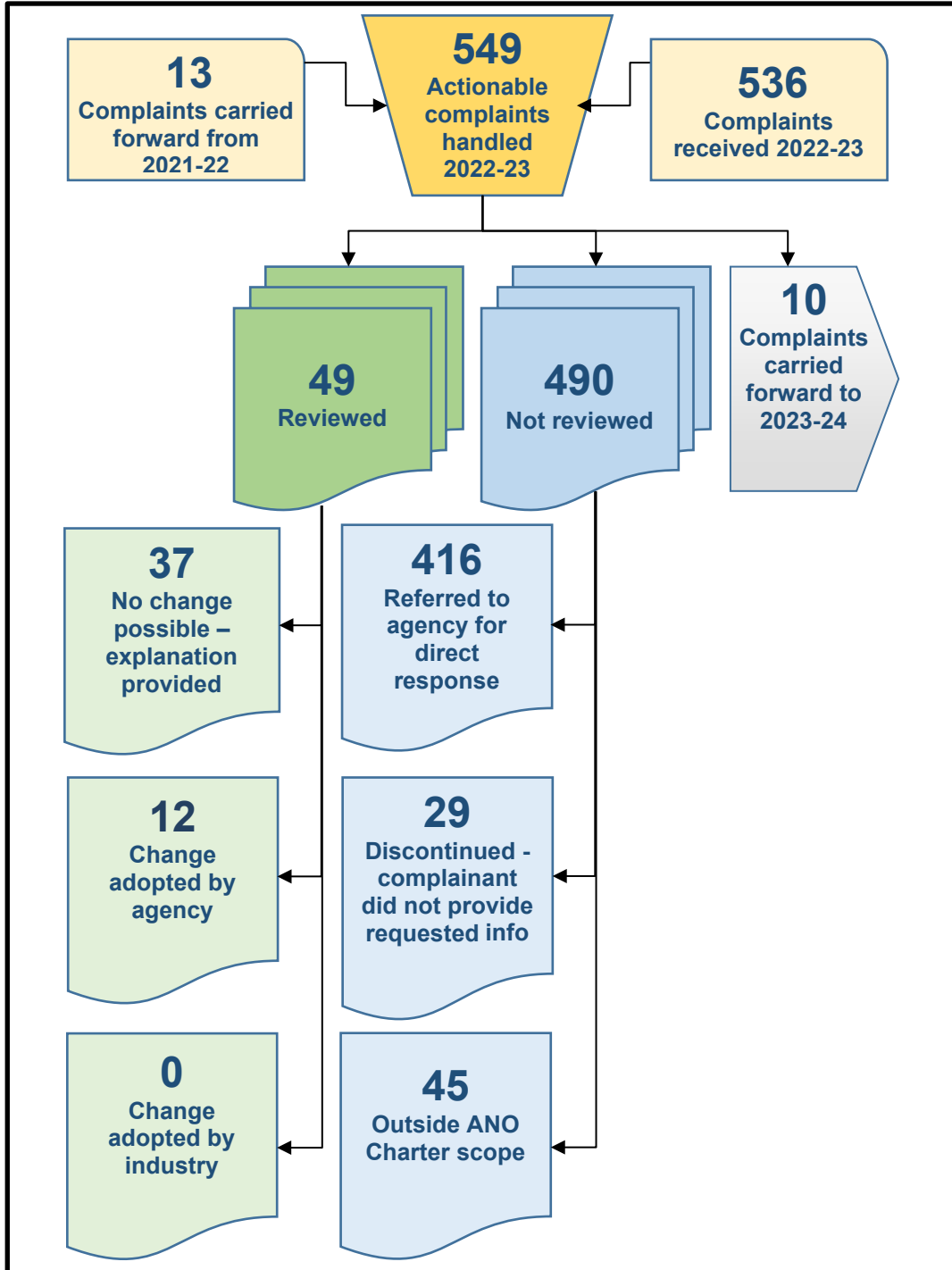


Figure 1: Complaint handling by the ANO between 1 July 2022 and 30 June 2023

The ANO started the financial year with 13 open complaints and received a further 536 actionable complaints during the period. Of the total 549 complaints handled in 2022-23, 539 were finalised during the year. Of these, 49 complaints were reviewed in detail and 416 were referred to either Airservices or Defence to respond to directly – the ANO Charter requires complaints be first made to Airservices or Defence unless there are exceptional circumstances. A further 29 complaints were closed without review due to a lack of information from the complainant and 45 were closed as outside the scope of the ANO Charter. This left 10 open complaints carried forward into the 2023-24 financial year.

The ANO also receives complaints relating to aircraft noise on which it can take no action. Such matters include where the ANO is copied in on complaints to other parties, where the complaint is beyond the remit of the ANO or when the substance of the complaints have been previously dealt with. Upgrades to its complaint management system, which are detailed in Section 6- Governance and systems, have allowed the ANO to report on these complaints commencing in October 2022. As shown in Figure 2 below, of the 3,619 non-actionable complaints received by the ANO from October 2022 to the end of June 2023, 3,453 complaints did not require action by the ANO. The remaining 166 non-actionable complaints required a limited response, generally in the form of referral information.

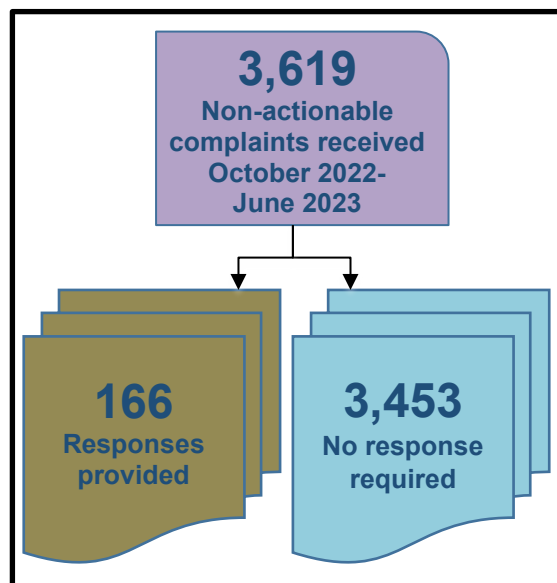


Figure 2: Management of non-actionable complaints by the ANO between 1 October 2022 and 30 June 2023

**Appendix 1** provides a complete account of ANO complaint statistics for 2022-23.

During 2022-23, the ANO did not finalise any reviews which resulted in reports to the Airservices Board or the Chief of the Air Force. The ANO monitored Agency progress on all recommendations from previous reviews that remained open at the start of this financial year. The ANO's assessment of progress against these recommendations is summarised in **Appendix 2**.

## 2.1 Analysis of complaint handling

Figure 3 charts complaints received, closed and carried forward each year for the past 5 years. The high numbers of complaints received since 2020-21 are generated from the introduction of new flight paths for Brisbane Airport. The ANO's investigation of the Brisbane flight paths commenced in December 2020 and was published in October 2021.

The high number of complaints received in 2018-19 reflects the implementation of new flight paths for Hobart and the consultation for the Sunshine Coast Airport’s new flight paths.

The ANO anticipates that it will continue to see periods of high complaint activity associated with any major change to aircraft operations, such as new runways or major airspace designs.

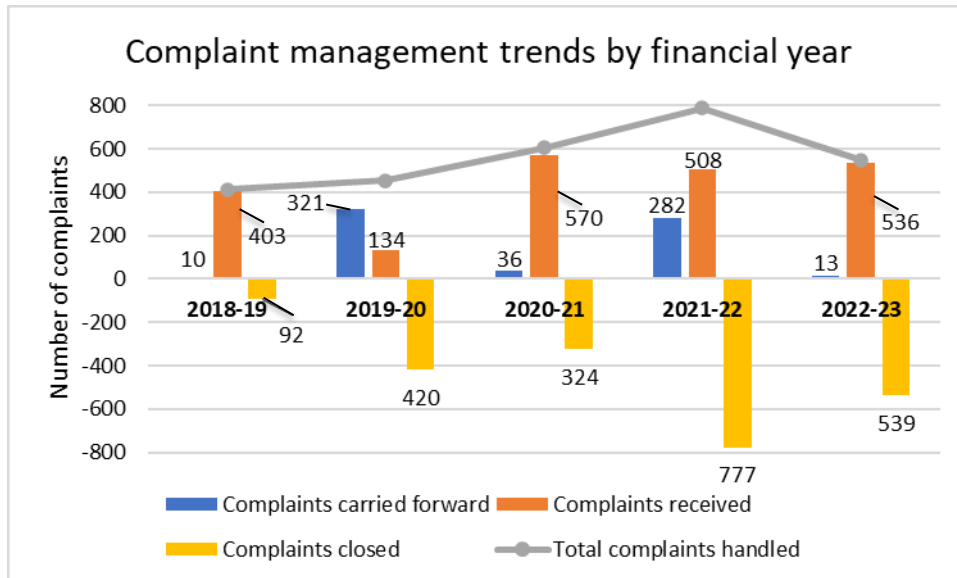


Figure 3: Trends in complaint handling between 2018-19 and 2022-23,<sup>1</sup> with closed complaints in each year shown as a negative value.

Figure 4 below details the changes in the complaints received by the ANO over time, highlighting the complaints received related to Airservices or Defence.

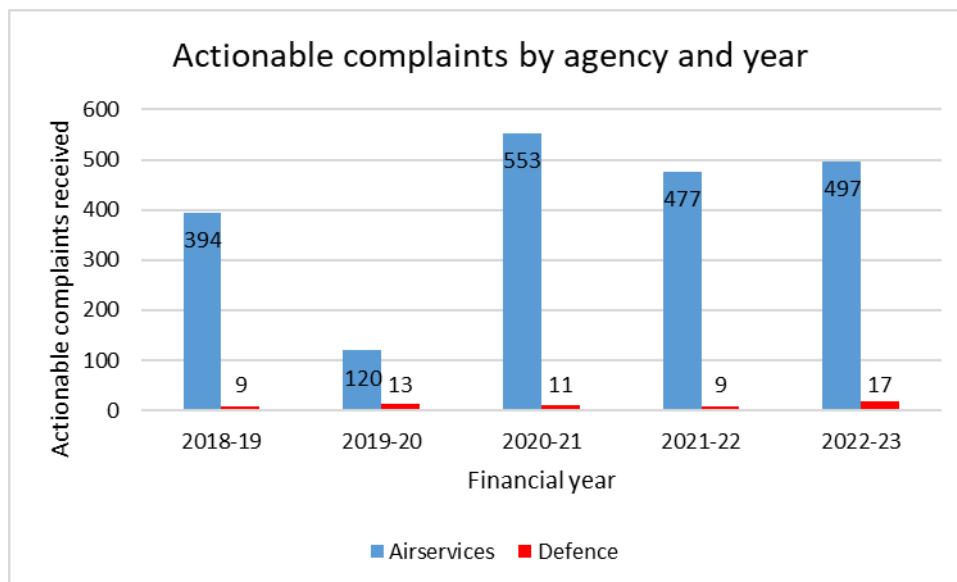


Figure 4: Actionable complaints received by financial year (FY), related to Airservices and Defence.

<sup>1</sup> “Complaints handled” includes all complaints received in the current year or carried over from the previous.

The ANO continued to engage with both Airservices and Defence in relation to complaint handling processes. In addition to formal feedback and outcomes associated with ANO investigations, the ANO office continues to provide feedback and discuss opportunities for improvement with the agencies' complaint handling systems and processes.

Figure 5 shows the total number of actionable complaints closed, including proportion of closed complaints that were reviewed over the last five years. The high levels of complaints reviewed by the ANO in 2019-20 and 2021-22 reflect multi-complaint reviews of both the Sunshine Coast and Brisbane respectively. The smaller number of complaints reviewed by the ANO in other years are individual complaints about separate matters.

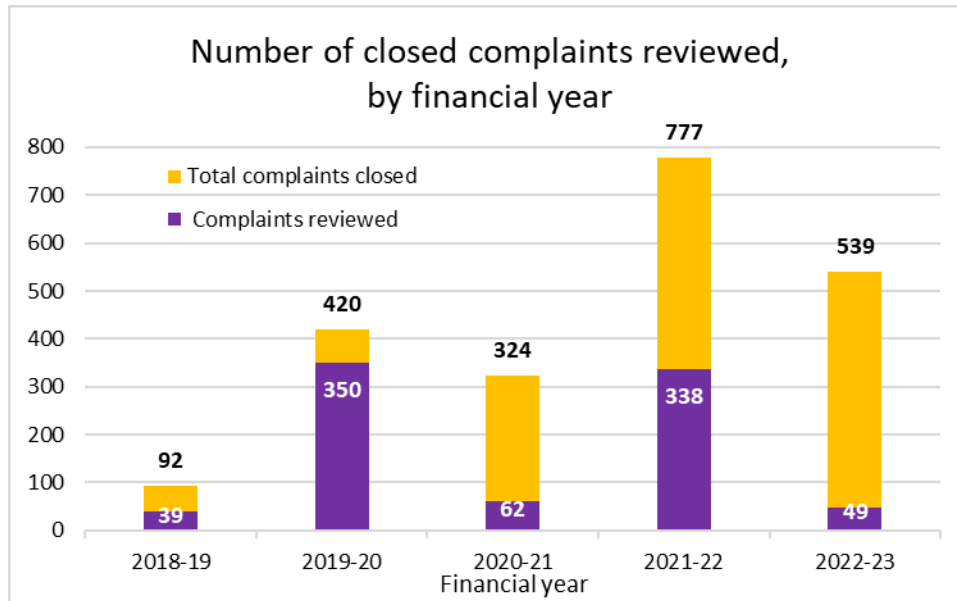


Figure 5: Number of closed complaints reviewed, between 2018-19 and 2022-23.<sup>2</sup>

During 2022-23, 12 of the 49 complaints reviewed led to a change (Table 1). Having investigated the issues for the remaining 37 complaints, the ANO provided a detailed explanation to each complainant about why there was no practical change possible.

Eight of the cases closed with a change adopted related to Airservices, with the remaining 4 cases where a change was adopted associated with Defence. Of the 8 Airservices cases, 5 were the result of the ANO's multi-complaint review related to the Gold Coast, finalised in April 2023. The remaining complaints with a change adopted, generally related to providing additional information to the complainant, changes in complaint handling processes or changes in approach to future information provided to complainants.

Table 1: Outcome of complaints reviewed by the ANO in 2022-23

| Complaints reviewed and closed:           |    | %     |
|---|----|-------|
| No change possible - explanation provided | 37 | 75.5% |
| Change adopted by Airservices/Defence     | 12 | 24.5% |
| Change adopted by airport operator        | 0  | 0%    |
| Change adopted by operator                | 0  | 0%    |

<sup>2</sup> "Complaints reviewed" includes only those where concerns were reviewed, and an outcome provided (others are not reviewed due to being out of scope or need to be referred to the agency in the first instance).



### 3 Trends and observations in complaints received

Actionable complaints received are classified by the ANO office under one of three themes - aircraft noise issues; agency specific issues (where the complaint is about the conduct of the relevant agency in their dealings with the complainant) and other issues outside of the remit of the ANO. Figure 6 shows the distribution of the issues raised, with aircraft noise related concerns the most common.

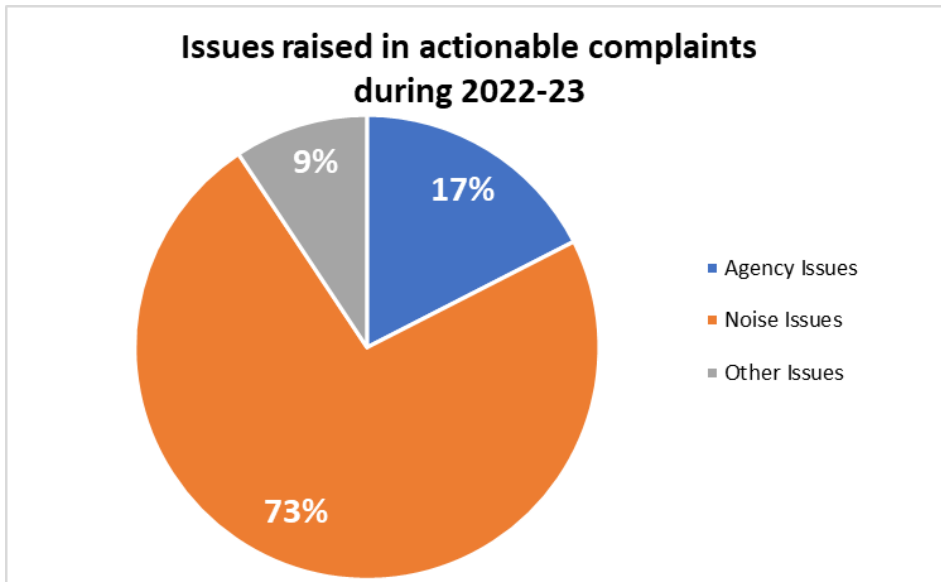


Figure 6: Issues raised in complaints received by the ANO, 2022-23 FY

As shown in Figure 7, complaints about community engagement and flight path changes were the most common under Agency issues and Noise issues, respectively. In this financial year, these concerns related predominantly to a combination of concerns about activities associated with the new Brisbane flight paths Post-implementation Review (PIR), with a smaller proportion related to the Sunshine Coast PIR and implementation of the Hobart PIR recommendations.

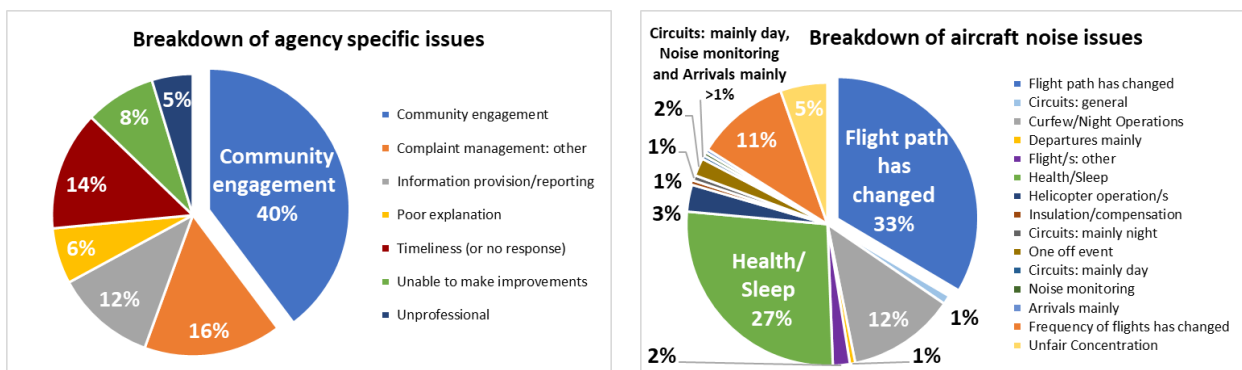
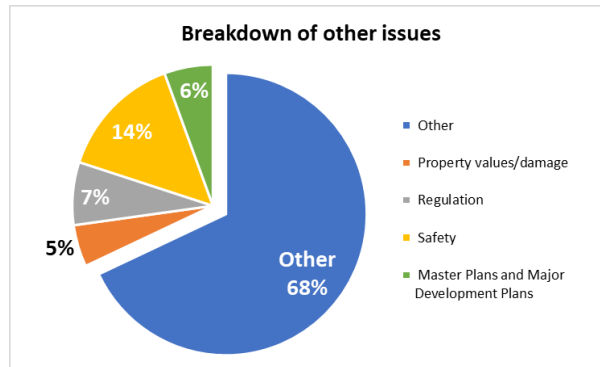


Figure 7: Agency-specific issues (left) and aircraft noise related issues (right) raised in complaints received by the ANO, 2022-23

Health and well-being concerns, including reported aircraft noise impacts on mental health and sleep are a consistent concern raised with the ANO. Both in 2021-22 and 2022-23, Health/Sleep issues represented 19% of all issues raised.

Figure 8 below shows other issues raised by complainants that were outside the remit of the ANO. During the last financial year, “other” issues raised was the most common with the majority of these requesting action by government or politicians.



**Figure 8: Issues outside of the ANO’s jurisdiction, raised in complaints received by the ANO, 2022-23**

During the past year, the ANO saw an increase in requests for greater regulation, enforcement of existing noise abatement procedures or fly neighbourly agreements, or dissatisfaction with existing aviation regulation. To more effectively capture and report on this issue going forward, a new issue category called “Regulation” was introduced in late April 2023. Since this category was introduced, 9 complaints included this issue. Including all occasions where regulation was a key concern in this financial year, it was raised over 100 times and represents 7% of all issues raised with the ANO.

## 4 Community engagement and information provision

---

In 2022-23, ANO staff continued to attend community meetings. ANO staff attended 6 meetings or events involving community stakeholders over the year.

Further to the community stakeholder events above, ANO staff attended 8 airport Community Aviation Consultation Group (CACG) (or equivalent) meetings, across 7 airports. Attending these meetings as observers enables the ANO staff to monitor the effectiveness of community engagement undertaken by Airservices including their presentation and distribution of aircraft noise-related information. Additionally, these meetings provide the ANO staff with direct knowledge of emerging aircraft noise management issues, as well as fostering a broader understanding and awareness of the ANO's role and aircraft noise management issues.

The ANO focussed on expanding the range of airport CACGs that staff attended, in the past year, supported by the increased availability of technology. In the year ahead, the ANO will continue to leverage the opportunities that online meeting software offers to increase the office's attendance and reach. Doing so will allow ANO staff to attend CACGs for geographically diverse airport locations, and increase their attendance at Royal Australian Air Force (RAAF) community meetings, where possible.

In October 2022, staff from RAAF's Headquarters Air Command (HQAC) visited the ANO office. This visit offered staff from the ANO an opportunity to discuss and gain a greater understanding of the processes and approaches to aircraft noise and complaint management undertaken by Defence. The ANO was also able to share with HQAC how it considers and manages complaints received, as well as share key learnings from recent reviews.

Over the past year, the ANO met with the project staff for the Aviation White Paper, announced by the federal government in 2022, to discuss the ANO's submission ([available here](#)). The ANO also discussed potential amendments to the role of the ANO in the context of the White Paper. The ANO has also received briefings from the Western Sydney Airport project team.

## 5 Key performance indicators

The following sections detail KPI compliance levels for the 2022-23 financial year, in relation to the complaint handling processes. A summary of compliance against these KPIs is available in **Appendix 3**.

KPIs for complaints received by the ANO office are divided based on whether the complaint is a single complaint or part of a multi-complaint review.<sup>3</sup> Regardless of whether a complaint is part of a multi-complaint review or not, the ANO office aims to finalise all complaints within 12 months and 50% within 6 months.

### 5.1 Acknowledgement of complaints

The ANO has a KPI of 2 days and 3 days to acknowledge complaints related to single complaints and multi-complaints, respectively. During the financial year, 100% compliance was achieved against this KPI as shown in Figure 9.

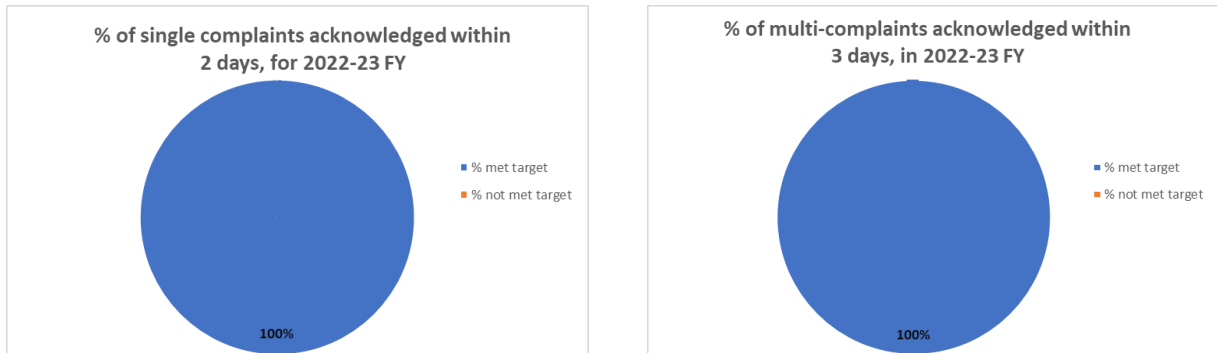


Figure 9: % of single and multi-complaints acknowledged within target period, for 2022-23.

### 5.2 Determination of complaints

Once a complaint is received, the ANO has 14 days for single complaints, or 21 days for multi-complaints, to determine whether the complaint is within the scope of the ANO Charter. As shown in Figure 10, 99% compliance was achieved for the single complaints KPI. Due to the Christmas shutdown of the ANO office, 3 complaints were submitted and became due for a decision during that time, and as a result, are shown as a failure against the single complaint KPI. Full compliance against the KPI for multi-complaints was achieved.

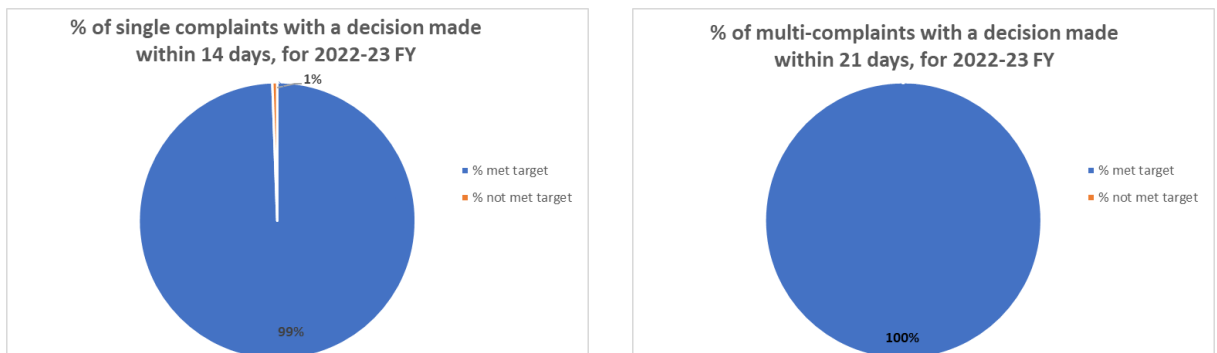


Figure 10: % of single and multi-complaints with a decision made within target period, for 2022-23.

<sup>3</sup> Separate KPI's for complaints within a multi-complaint review reflect the more complex nature of multi-complaint reviews and that they generally involve consideration of large amounts of evidence.

### 5.3 Progress reports to complainants

The ANO office provides regular updates to complainants on progress, during the course of an investigation.<sup>4</sup> As shown in Figure 11 below, there were some occasions during the past year where the 28 day target was not achieved for a complainant update.

Three individual complaints (2%) and two multi-complaints (9%) failed this target for one scheduled update. For two of these complaints, this was due to an unplanned outage of the ANO’s complaint management system for a week in July 2022. The remaining 3 complaints failed one update, as a result of human error, with the update sent a maximum of 2 days late.

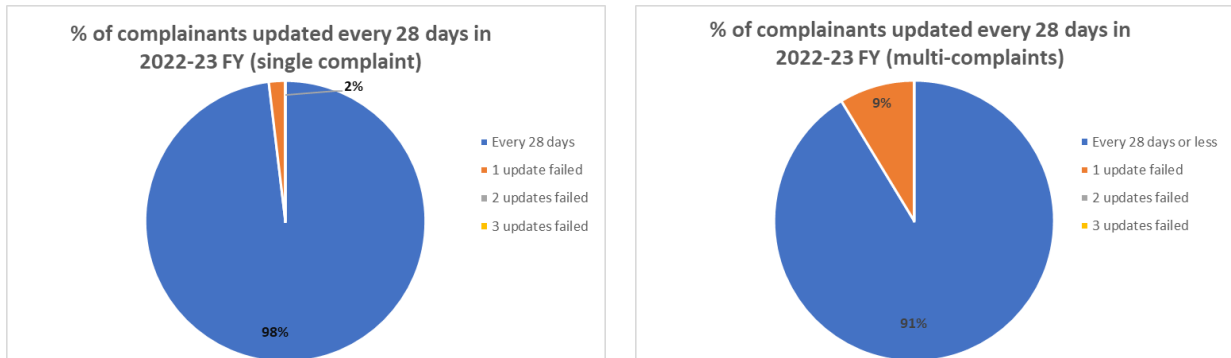


Figure 11: % of single and multi-complainants updated within target period, for 2022-23.

### 5.4 Time taken to finalise complaints

As shown in Figure 12 below, all single complaints were closed in the identified target windows, with 99% closed within 3 months of receipt. During the year, 3 complaints (1%) remained open between 3-6 month and a further 3 complaints between 6-12 month, with all 6 closed within the set KPI time-period of 12 months.

The ANO’s objective is to complete and close multi-complaint reviews in 12 months or less, with a target for 50% of complaints to be closed within 6 months. The ANO closed 100% of multi-complaint reviews within 6 months.<sup>5</sup>

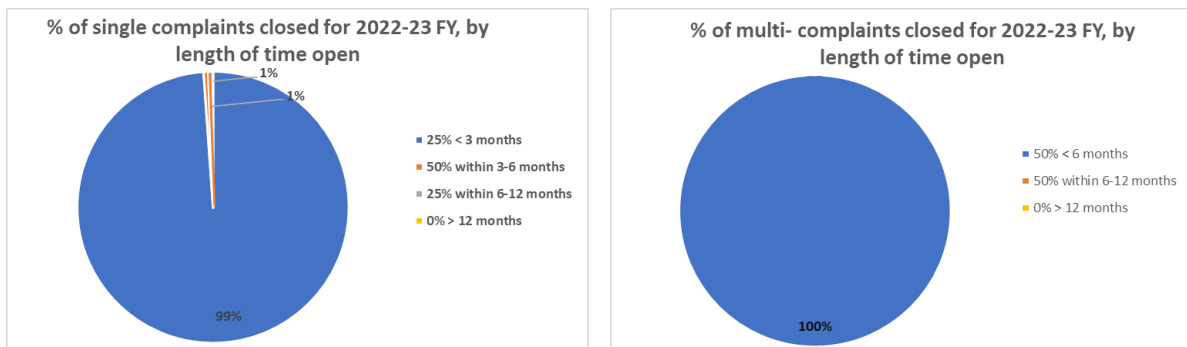


Figure 12: % of single and multi-complainants closed in the 2022-23, by length of time open<sup>6</sup>

<sup>4</sup> For both individual complaints and multi-complaint reviews, the KPI target is for updates to occur every 28 days or less.

<sup>5</sup> Where the ANO provides its assessment of a complaint to Airservices or Defence and they take time to resolve the complaint, this time is not included in calculating the time taken by the ANO.

<sup>6</sup> Rounding may result in some charts equalling more or less than 100%.

## 6 Governance and systems

---

During the 2022-23 financial year, the ANO office has continued to make improvements to its systems and processes to better manage the anticipated increase in demand into the future.

### 6.1 Upgraded case management systems

In late April 2023, the ANO Complaints System (ANOCs) was upgraded to include several efficiency improvements. As part of the upgrade, the list of options was expanded for both outcomes of reviewed cases and reasons for not reviewing a case. This will improve reporting of closed cases going forward. While introduced in the final quarter of 2022-23, reporting against the expanded options will begin for complaints closed from 1 July 2023 onwards.

From 1 October 2022, the ANO office introduced the capability to track and report on complaints which although assessed, do not require further action or management by the ANO, referred to as non-actionable complaints. The majority of these are complaints where the complainant expresses a grievance about aircraft noise, but the complaint is clearly directed to another party, such as the responsible Minister or another agency, and the correspondence is copied to the ANO. This category also includes complaints where the subject matter has previously been reviewed by the ANO and no further action can reasonably be taken under the ANO Charter. Complaints requiring substantial action and management, referred to as actionable complaints, include new complaints raised by an individual complainant, and complaints requiring referral to another agency or review by the ANO office. Complaints by existing complainants which raise issues distinct from their previous complaint(s) are also recorded and managed as new actionable complaints. Historically, the ANO has reported only these matters as complaints. While actionable complaints remain the main function of the ANO, reporting since the October-December 2022 Quarterly report has also included trend information for non-actionable complaints.

### 6.2 Complaints about the ANO

One complaint about the ANO was received in February 2023. The complaint related to inaction by the ANO office on matters outside of the ANO Charter, and the complainant was appropriately advised.

Complainants may request an internal review by the Ombudsman and/or external review by the Commonwealth Ombudsman. During 2022-23, the ANO office received no requests for a response to any complaints made about it from the Commonwealth Ombudsman.

### 6.3 Records management

The ANO has made significant progress in transitioning both historic paper and electronic records to a new document management system consistent with Airservices' protocols. The new document management system has simplified and improved the management of the ANO's records.

### 6.4 Strategic planning

The current ANO strategic plan expires on 30 June 2024. The ANO will develop a new strategic plan including revised Key Performance Indicators for approval by the Board and Chief of Air Force by February 2024.

## 7 Financial results

The ANO operates autonomously in managing its financial accountabilities, with a three-year funding cycle which provides the office with the flexibility to manage expenditure peaks and troughs that may occur across financial years. For the current funding cycle, this included additional funding for temporary staffing as required, to accommodate sudden changes in complaint numbers. In line with the ANO Charter, the ANO independently determines how funds and resources are allocated within the budget provided by Airservices and Defence.

During 2022-23, the ANO’s actual expenditure was 37% below the budget allocation. The total operating expenditure of the office was \$566,566 against a total budget of \$903,851. This under-spend compared to budget reflects reduced expenditure on travel costs throughout the financial year and that to date, the ANO office has not used the available surge funding, to employ temporary staff to support the office.

Figure 13 below depicts the ANO budget and actual expenditure over the last five years.

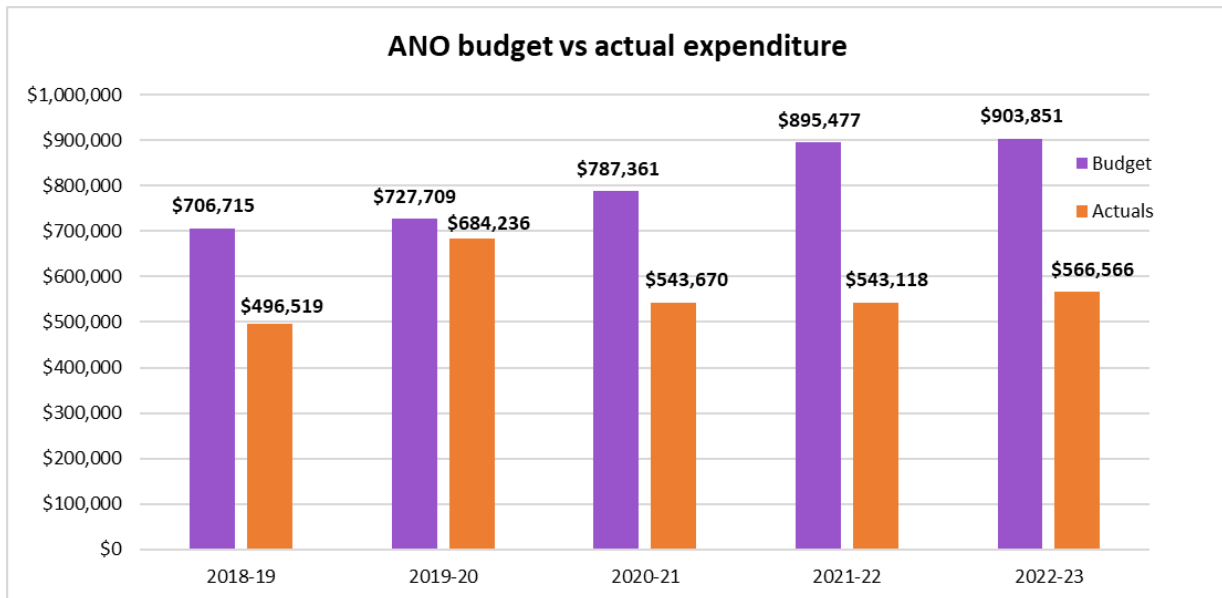


Figure 13: ANO budget and actual expenditure 2018-19 to 2022-23

## Appendix 1 ANO Complaint Statistics

The following summarises the ANO complaint statistics for 2022-23.

|  | Airservices  | Defence   | Unidentified | TOTAL        |
|--|--------------|-----------|--------------|--------------|
| Actionable complaints carried forward from 2021-22                                 | 10           | 3         | 0            | 13           |
| Actionable complaints received   | 497          | 17        | 22           | 536          |
| <b>Total actionable complaints handled in 2022-23</b>                              | <b>507</b>   | <b>20</b> | <b>22</b>    | <b>549</b>   |
| Non-actionable complaints – no response required                                   | 3,452        | 1         | 0            | 3,453        |
| Non-actionable complaints – response provided                                      | 164          | 2         | 0            | 166          |
| <b>Total non-actionable complaints received between October 2022 and June 2023</b> | <b>3,616</b> | <b>3</b>  | <b>0</b>     | <b>3,619</b> |
| <b><u>Closed complaints – reviewed</u></b>   |              |           |              |              |
| No change possible - explanation provided  | 34           | 3         | 0            | 37           |
| Change adopted by Airservices or Defence   | 8            | 4         | 0            | 12           |
| Change adopted by airport operator   | 0            | 0         | 0            | 0            |
| Change adopted by operator   | 0            | 0         | 0            | 0            |
| <b>Total complaints reviewed and closed</b>  | <b>42</b>    | <b>7</b>  | <b>0</b>     | <b>49</b>    |
| <b><u>Closed complaints – not reviewed</u></b>                                     |              |           |              |              |
| Referred to agency to respond to directly  | 404          | 8         | 4            | 416          |
| Complainant did not provide further information                                    | 23           | 1         | 5            | 29           |
| Outside Charter scope  | 32           | 0         | 13           | 45           |
| <b>Total complaints not reviewed and closed</b>                                    | <b>459</b>   | <b>9</b>  | <b>22</b>    | <b>490</b>   |
| <b>Complaints closed during 2022-23</b>  | <b>501</b>   | <b>16</b> | <b>22</b>    | <b>539</b>   |
| <b>Actionable complaints carried forward to 2023-24</b>                            | <b>6</b>     | <b>4</b>  | <b>0</b>     | <b>10</b>    |



## Appendix 2 ANO assessment of action on recommendations

During the 2022-23 financial year, the ANO continued to monitor one recommendation Airservices' had outstanding from the ANO's East Melbourne review (July 2021) and a further 3 recommendations from the ANO's Brisbane review (October 2021). Of these recommendations, all 3 Brisbane recommendations were closed during the year. The open recommendation related to the East Melbourne review remains open.

The following tables set out the status of all recommendations open during 2022-23 and the ANO's assessment of action against each. Recommendations that were previously reported as closed have been removed.

### *Airservices – Investigation into complaints about flight paths over East Melbourne (July 2021)*

| Ongoing recommendations   | ANO assessment of agency response  |
|---|--|
| <p><b>Recommendation 1</b> – I recommend Airservices continue its efforts to engage with the complainants to resolve their complaints including careful consideration of the alternate flight path suggested by them.</p> | <p><b>On hold:</b> Airservices advised that they continue to work with the East Melbourne Group (EMG) on the EMG's suggestion. The suggestions (3) have been assessed to determine if they are safe and flyable. Airservices have confirmed that the proposed changes are at the stage where community and industry consultation would be required.</p> <p>Due to Melbourne Airport's Major Development Plan (MDP) and Master Plan 2022 (MP) consultation (January – May 2022), Airservices have advised that this work is on hold until after that consultation activity, including confirmation of any changes to the MDP reflecting community feedback, is complete. While the MDP has been submitted, approval is currently outstanding.</p> |

### *Airservices – Investigation into complaints about the flight paths associated with the Brisbane Airport new parallel runway (October 2021)*

| Ongoing recommendations   | ANO assessment of agency response  |
|---|--|
| <p><b>Recommendation 1:</b> Airservices Post Implementation Review of the Brisbane flight paths includes a community engagement process that provides reasonable opportunities for community contributions and the consideration of community suggested alternatives to the current flight paths.</p> | <p><b>Closed:</b> In October 2022, the draft PIR report was released and included additional opportunities for community feedback, both through written submissions and in-person community sessions. The final PIR report was released on 14 December 2022 and incorporated details of extensive community feedback as well as consideration and analysis of the feedback provided.</p> <p>Airservices has also committed to continue to engage with the community throughout implementation of the PIR recommendations.</p> <p>Given the action taken by Airservices, this recommendation has been acquitted and closed.</p> |

| Ongoing recommendations   | ANO assessment of agency response  |
|---|--|
| <p><b>Recommendation 2:</b> Airservices review the effect of its managerial separation of flight path design, environmental assessment and community engagement, and implement a management structure that includes these functions under the same manager or demonstrate how effective community engagement is incorporated into the flight path change process under the current structure.</p> | <p><b>Closed:</b> Airservices provided details of its progress against this recommendation in late April, that it did not intend to alter its management structure, however that it had undertaken internal reforms such as the Airspace Governance Group and other cross division mechanisms designed to include the consideration of environmental and community concerns at earlier stages of flight path design.</p> <p>Since that time, the Trax International final report has been released which included a number of suggestions towards the same end as the ANO’s recommendation. Airservices’ response identified that actions would be taken to enhance community engagement frameworks, establish a communications coordination group and a senior-level oversight group including government, community and industry. These commitments are also reflected in the Airservices’ draft PIR Report which was released on 21 October 2022.</p> <p>Based on information presented including both internal and external management structures proposed, the ANO considers that the intent of this recommendation has been met, and as a result was closed in the July-September 2022 ANO Quarterly report.</p> |
| <p><b>Recommendation 3:</b> Airservices update its Third-Party Framework to ensure that Airservices’ obligations regarding community engagement are properly acquitted when it enters into cooperative arrangements for community engagement with third parties.</p>  | <p><b>Closed:</b> Airservices met with the ANO in October 2022 to discuss a draft of its updated framework. The final updated Framework was published in November 2022. The ANO also received and provided feedback on Airservices’ new draft national Community Engagement Standard, which will complement operation of the Framework.</p> <p>This recommendation has been satisfied and was closed in the October-December 2022 ANO Quarterly report.</p>  |

## Appendix 3 ANO Key performance indicators

The following table summarises the performance of the ANO against the identified complaint handling KPIs for the 2022-23 financial year. KPIs which met the specified target have been highlighted green, while any failed KPIs are red.

| Complaint type                         | Key performance indicator  | Benchmark               | % Met target (2022-23 FY) |
|--|--|-------------------------|---------------------------|
| Single complaint                       | Acknowledgement of complaint   | Within 2 business days  | 100%                      |
|  | Decision on whether complaint is within jurisdiction within 14 business days | Within 14 business days | 99% <sup>7</sup>          |
|  | Update to complainant on progress of complaint                               | Every 28 days           | 98%                       |
|  |  | 1 update failed         | 2%                        |
|  |  | 2 updates failed        | 0%                        |
|  |  | 3 updates failed        | 0%                        |
|  | Time from complaint received to closed                                       | 25% < 3 months          | 99%                       |
|  |  | 50% within 3-6 months   | 1%                        |
|  |  | 25% within 6-12 months  | 1%                        |
|  |  | 0% > 12 months          | 0%                        |
| Complaints in a multi-complaint review | Acknowledgement of complaint   | Within 3 business days  | 100%                      |
|  | Decision on whether complaint is within jurisdiction                         | Within 21 days          | 100%                      |
|  | Update to complainant on progress of complaint                               | Every 28 days or less   | 91%                       |
|  |  | 1 update failed         | 9%                        |
|  |  | 2 updates failed        | 0%                        |
|  |  | 3 updates failed        | 0%                        |
|  | Time from complaint received to closed                                       | 50% < 6 months          | 100%                      |
|  |  | 50% within 6-12 months  | 0%                        |
| 0% > 12 months                         |  | 0%                      |                           |

<sup>7</sup> As detailed in Section 7.2, this failure related to the Christmas shutdown.