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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER      A-11-12**

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**IN THE MATTER OF  
The Utilities Commission Act, R.S.B.C. 1996, Chapter 473**

**and**

**Active Energy Corp. – Compliance Inquiry  
Customer Choice Program**

**BEFORE:**      L.F. Kelsey, Commissioner  
                 N.E. MacMurchy, Commissioner      July 25, 2012  
                 A.A. Rhodes, Commissioner

**ORDER**

**WHEREAS:**

- A. On March 8, 2012, the British Columbia Utilities Commission (Commission) issued Order A-5-12 that established a Compliance Inquiry into 24 customer disputes against Active Renewable Marketing Ltd. (Active Energy). The Inquiry was established to investigate the disputes alleging forgery or unauthorized signatures, and the steps taken by Active Energy in dealing with these allegations. Business Practices and Consumer Protection Authority (Consumer Protection BC) was retained to complete an Inquiry report (Report);
- B. On June 18, 2012, the Commission received the Report from Consumer Protection BC;
- C. On June 27, 2012, the report was sent to Active Energy with a letter stating the Commission would be in contact with further process in due course;
- D. The Commission has considered possible review processes and considers that comments from Active Energy would assist in determining the further process. A copy of the supporting documentation to the Report is being sent to Active Energy with this Order.

**NOW THEREFORE** the Commission orders as follows:

- 1. Active Energy is to provide comments to the Commission, by Tuesday, August 14, 2012 on:
  - i. The specific sections and findings in the Report with which Active Energy agrees or disagrees; and

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- ii. Active Energy's suggested process for review of the disputed sections and findings in the Report and for the Compliance Inquiry as a whole, including:
- a timetable for answering Commission Information Requests;
  - whether a public hearing should be held and Interveners allowed to participate; and
  - whether the hearing should be conducted in two phases proceeding first with determinations on liability and then proceeding to a penalty phase, if necessary.

**DATED** at the City of Vancouver, in the Province of British Columbia, this      25<sup>th</sup>      day of July 2012.

BY ORDER

*Original signed by:*

L.F. Kelsey  
Commissioner