



**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER G-199-12**

SIXTH FLOOR, 900 HOWE STREET, BOX 250  
VANCOUVER, BC V6Z 2N3 CANADA  
web site: <http://www.bcuc.com>

TELEPHONE: (604) 660-4700  
BC TOLL FREE: 1-800-663-1385  
FACSIMILE: (604) 660-1102

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

and

**Hemlock Utility Services Ltd.  
General Service Rate Schedule**

**BEFORE:** A.A. Rhodes, Commissioner December 20, 2012

**O R D E R**

**WHEREAS:**

- A. By Order G-66-12 dated May 24, 2012, the British Columbia Utilities Commission (Commission) approved, with some modifications, Hemlock Utility Services Ltd.'s (Hemlock, the Utility) November 30, 2010 application for an increase in electricity rates, pursuant to sections 59 to 61 of the *Utilities Commission Act* (Act);
- B. On October 11, 2012, the Commission approved Hemlock's General Service Rate Schedule effective September 1, 2012. The General Service Rate Schedule provides that monthly consumption less than or equal to 124 kWh is billed a fixed energy charge of \$24.00. Monthly consumption greater than 124 kWh is billed a fixed energy charge of \$24.00 plus a variable energy charge of 23.00 cents per kWh for each kWh in excess of 124 kWh;
- C. Subsection 61(3) of the Act states: "The rates in schedules as filed and as amended in accordance with this Act and the regulations are the only lawful, enforceable and collectable rates of the public utility filing them, and no other rate may be collected, charged or enforced";
- D. Section 63 of the Act states: "A public utility must not, without the consent of the commission, directly or indirectly, in any way change, demand, collect or receive from any person for a regulated service provided by it, or to be provided by it, compensation that is greater than, less than or other than that specified in the subsisting schedules of the utility applicable to that service and filed under the Act";
- E. On December 17, 2012, the Commission received a complaint from a customer stating that Hemlock was not billing customers in accordance with the approved General Service Rate Schedule;

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F. On December 20, 2012, the Commission obtained confirmation from Hemlock that it inadvertently was not billing customers in accordance with the approved General Service Rate Schedule.

**NOW THEREFORE** pursuant subsection 61(3) and section 63 of the *Utilities Commission Act*, the Commission directs:

1. Hemlock to charge its customers in accordance with its approved General Service Rate Schedule.
2. Hemlock to amend all incorrect bills within 21 days of the date of this Order.
3. Hemlock to refund all amounts collected in excess of its approved General Service Rate Schedule to those customers who were overcharged, within 45 days of the date of this Order.
4. Hemlock to provide a copy of this Order and the approved General Service Rate Schedule to each ratepayer in its service area within 21 business days of the date of this Order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 20<sup>th</sup> day of December, 2012.

BY ORDER

*Original signed by:*

A.A. Rhodes  
Commissioner