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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-184-15**

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

and

**FortisBC Inc.
A Complaint filed by M.W.**

BEFORE: L. F. Kelsey, Commissioner
H. G. Harowitz, Commissioner
K. A. Keilty, Commissioner
D. M. Morton, Commissioner
November 26, 2015

O R D E R

WHEREAS:

- A. On October 7, 2015, a customer (M.W.) of FortisBC Inc. (FortisBC) filed a complaint with the British Columbia Utilities Commission (Commission) concerning a \$100 meter connection charge billed to his account. M.W. disputes this charge because his premise was disconnected but FortisBC did not provide notice to the premise advising that an account needed to be established in order to avoid disconnection (Complaint);
- B. On October 16, 2015, FortisBC provided a response to the M.W. Complaint wherein they stated that the \$100 meter connection fee charged is appropriate;
- C. On October 17, 2015, M.W. submitted additional information to the Commission requesting an order to waive the meter connection charge because he was not provided with notice before the disconnection occurred;
- D. On November 20, 2015, FortisBC provided additional information regarding its disconnection and reconnection processes; and
- E. The Commission reviewed the Complaint and the submissions received and finds it is warranted to waive the \$100 meter connection charge.

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NOW THEREFORE pursuant to sections 63 and 83 of the *Utilities Commission Act*, section 2.1 and Schedule 80 of the FortisBC Inc. Electric Tariff, and for the reasons attached to this order as Appendix A, FortisBC must:

1. Waive the \$100 meter connection charge on M.W.'s account.
2. Review its business practice of providing notice to a premise with an unsigned account before remotely disconnecting the service. FortisBC must provide a report to the British Columbia Utilities Commission on or before January 8, 2016.

DATED at the City of Vancouver, in the Province of British Columbia, this 26th day of November 2015.

BY ORDER

Original signed by:

D. M. Morton
Commissioner

Attachment

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REASONS FOR DECISION

1.0 COMPLAINT OVERVIEW

On October 7, 2015, the British Columbia Utilities Commission (Commission) received a complaint from M.W., a FortisBC Inc. (FortisBC) customer. M.W. purchased a property in Kelowna, BC on September 2, 2015 and his “...office forgot to contact Fortis to arrange for electric service to continue to the property.”¹ FortisBC, in accordance with its current disconnection and reconnection process, did not send notice to the premise that electricity would be disconnected. Service was disconnected on October 6, 2015.² M.W. filed a complaint because he is of the position that the practice of not providing notice before disconnecting service is unacceptable and he is of the view that it must be a requirement to provide notice to the property before disconnecting service (Complaint).³

FortisBC provided a response to the Complaint on October 16, 2015. According to FortisBC:

....it was determined that there was power being used at this property without an associated account as [M.W.] noted in his letter. As there was no contact from any potential account holders we completed a remote disconnect to prevent additional power being consumed without an account holder being financially responsible for the consumption. Once [M.W.] called to set up the account, the service was reconnected and [the] reconnection fee was charged as per schedule 80 of the electrical tariff.⁴

FortisBC’s position is that there is no requirement to provide notice and it is the customer’s responsibility to sign up for service pursuant to section 2.1 of its Tariff. Given that the customer did not sign up for service the company had to disconnect the service to prevent consumption without an account holder responsible for the charges.⁵ Accordingly, the customer is required to pay \$100 upon reconnection for a meter connection pursuant to Schedule 80 and section 2.1 of the Electric Tariff.⁶

1.1 FortisBC’s Disconnection/Reconnection Process

FortisBC explained the disconnect/reconnect process prior to the installation of Advanced Metering Infrastructure (AMI):

¹ M.W. email dated October 7, 2015.

² Ibid.

³ Ibid.

⁴ FortisBC email dated October 16, 2015

⁵ FortisBC email dated November 20, 2015

⁶ Ibid.

“Upon arrival at the premises, the CSP [Customer Service Person] will attempt to determine if the premises is occupied and make contact with the occupants.

- If the premises appears occupied and contact is not made, the CSP will “tag” the door with a disconnect notice with an option to call FortisBC to activate the service;
- If contact is made with the new occupants, the CSP will advise them of the need to activate the service;
- If the premises do not appear occupied at the initial visit, or if the new occupants fail to activate the service after being notified to do so, the meter is disconnected and a tag left advising occupants on how to reconnect.”⁷

FortisBC also provided its current process now that AMI has been implemented:

1. Services at premises will not be disconnected for 10 business days after premises becomes vacant unless the electricity consumption exceeds a minimal electricity usage threshold (initially set at 250 kWh) The usage threshold is intended to represent a level of consumption below which it is unlikely that the premises is occupied or that any significant use of electricity is occurring.
2. If the 10 business day limit or usage threshold is exceeded, the premises will be remotely disconnected.⁸

2.0 LEGAL FRAMEWORK

2.1 Utilities Commission Act

Section 63: A public utility must not, without the consent of the Commission, directly or indirectly, in any way charge, 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 this Act.

Section 83: If a complaint is made to the Commission, the Commission has powers to determine whether a hearing or inquiry is to be had, and generally whether any action on its part is or is not to be taken.

2.2 FortisBC Electric Tariff

Section 2.1. Application for Service (in part)

Applications for Service shall be made via the Company’s contact center, online at www.fortisbc.com, or by other means acceptable to the Company. Applicants for Service shall pay the connection or other charges required pursuant to these Terms and Conditions and rate schedules...

⁷ Ibid.

⁸ Ibid.

Schedule 80 – Charges for Connection or Reconnection of Service, Transfer of Account, Testing of Meters, and Various Customer Work (in part)

The charge for a meter connection, transfer of an account involving either a meter connection or reconnection of a meter after disconnection for violation of the Terms and Conditions contained in this Tariff will be \$100.00

3.0 COMMISSION DETERMINATION

The Commission has reviewed the information provided by FortisBC and M.W. and determines that, **for the reasons set out below, in accordance with sections 63 and 83 of the *Utilities Commission Act* and section 2.1 and Schedule 80 of the FortisBC Electric Tariff, FortisBC must waive the \$100 meter connection charge on M.W.’s account.**

The question at issue in this complaint is whether it is reasonable for FortisBC to remotely disconnect service for M.W. without notice and to charge a meter connection fee after that disconnection. FortisBC’s process for disconnecting vacant sites prior to implementation of the AMI program was manual and included a step where notice was provided to occupants through the customer service person “tagging” the door or advising the occupants at the premise consuming electricity of their need to apply for service. The current process since AMI implementation is that service is disconnected remotely and no notice is given to occupants prior to disconnection. The meter connection fee was established in FortisBC’s tariff prior to AMI implementation.

M.W.’s evidence is that it was unintentional that he did not sign up for service and the Commission is not persuaded otherwise. Thus, in M.W.’s case, he forgot to sign up for service, service was remotely disconnected without any notice that that was to occur, and when he went to apply for service he was charged a \$100 meter connection fee which he would not have been charged if he had applied for service before disconnection. Given that M.W.’s failure to sign up for service was unintentional, that he was given no notice that his electricity would be disconnected, and that disconnection occurred remotely, it is unreasonable for FortisBC to charge the \$100 meter connection charge in this situation.

Prior to implementing the remote disconnect/reconnect functionality of AMI meters, FortisBC undertook a comprehensive procedure to identify if a premise was in fact vacant or not, prior to effecting the disconnection. However, with the current remote disconnect/reconnect functionality it appears as though the notification steps have been removed from the process altogether. This is a concern to the Commission. Accordingly, the Panel requests FortisBC to review its notification process in light of this decision with consideration of the Panel’s view that it is reasonable to provide disconnection notice to a vacant premise to remind occupants to apply for service and that service disconnection is reasonable if those occupants do not apply for service after notice is sent by FortisBC. The Panel notes that FortisBC’s current disconnection process appropriately includes a time and electricity consumption threshold to limit unsigned consumption. FortisBC must provide a report on this matter to the Commission on or before January 8, 2016.