



September 25, 2019

Sent via email

Letter L-49-19



Re: Customer Choice Program – [REDACTED] /Access Gas Services Inc.

Dear [REDACTED]:

The British Columbia Utilities Commission (BCUC) is in receipt of your Customer Choice dispute and has considered the evidence relating to this matter. The BCUC's findings are outlined below.

Nature of the dispute

The customer filed the dispute on the basis of misrepresentation of identity.

Evidence and other considerations

According to the customer, the sales representative misrepresented the potential savings as well as her identity by stating that she represented FortisBC Energy Inc. (FEI). Further, the customer states that he feels taken advantage of due to a language barrier.

Prior to filing the dispute, the customer was advised by Access Gas Services Inc. (Access Gas) that he has the right to cancel the agreement on the next anniversary date with payment of an early exit fee. Access Gas states that it has not been successful in contacting the customer after the dispute was filed.

Access Gas considers the agreement valid and binding.

During the Third Party Verification (TPV) call, which was recorded and provided to the BCUC as evidence in this dispute, [REDACTED] confirms that he:

- is the owner of [REDACTED];
- has authority to bind agreements for his organization;
- has been provided with a copy of the signed agreement;
- agreed to a price of \$5.89 for a term of five years; and
- has the right to cancel without penalty within 10 days.

As the matter has not been resolved directly between the customer and the gas marketer, the BCUC has reviewed and adjudicated the matter.

BCUC determination

There is insufficient evidence to support the customer's statement that the sales representative misrepresented her identity. During the TPV call, the signatory confirms his understanding of the rate, the cancellation terms, and that he may not save money by entering into the agreement. The agreement and TPV are compliant with the requirements under the Code of Conduct for Gas Marketers. For these reasons, the BCUC finds the agreement valid and binding.

Access Gas will remain the natural gas provider. The customer has the option to cancel the agreement prior to the end of term in accordance with the agreement terms and conditions.

Sincerely,

Original signed by:

Patrick Wruck
Commission Secretary

OK/aci
Enclosure

cc: Ms. Megan Sedawie
Unbundling Supervisor
Access Gas Services Inc.
megans@accessgas.com

Mr. Charlie Barrotta
Vice President
Access Gas Services Inc.
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An application for reconsideration of this determination can be made following the guidelines enclosed.