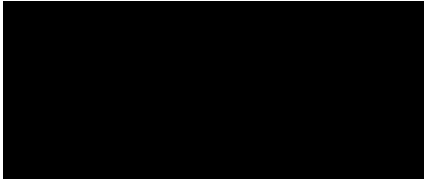


November 20, 2020

Sent via email

Letter L-68-20



Re: Customer Choice Program – Dispute [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 a misrepresentation of the rate.

Evidence and other considerations

The Agreement, dated September 11, 2019, came into effect November 1, 2019. The Customer filed the dispute on October 20, 2020.

According to the Customer, Access Gas Services Inc. (Access Gas, Gas Marketer) led her to believe, "the rate would not fluctuate and would remain at the lowest possible rate." The Customer also states, "never was I aware that I could not cancel at anytime."

Access Gas informed [REDACTED] that she could contact Access at anytime to cancel by paying the applicable exit fee. Further, as per the Rules and Regulations of the Customer Choice Program, the cancellation would take effect on the next anniversary date.

Access Gas considers the Agreement valid and binding.

During the Third-Party Verification (TPV) call, which was recorded and provided as evidence in the dispute, [REDACTED] confirmed that [REDACTED]:

- is [REDACTED];
- has authority to bind agreements for her organization;
- has been provided with a copy of the signed agreement;
- agreed to a price of no more than \$3.89 for a term of five years;
- understands that [REDACTED] may or may not save money in the Customer Choice Program; and

- has the right to cancel the Agreement without penalty within 10 days.

As the matter has not been resolved directly between the Customer and the Gas Marketer, the BCUC has reviewed, investigated, and adjudicates the matter.

BCUC determination

There is insufficient evidence to support the Customer's statement that Access Gas misrepresented their rates or cancellation policy. During the TPV call, the signatory confirmed her understanding of the key points of the Agreement, including the term and rate, that she may not save money by entering into the Agreement and the 10-day cancellation rights. The Agreement and TPV call 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:

Marija Tresoglavic
Acting Commission Secretary

AS/dg

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

Mr. Charlie Barrotta
Vice President
Access Gas Services Inc.
charlie.barrotta@accessgas.com

An application for reconsideration of this determination can be made following the guidelines enclosed.