



June 11, 2024

Sent via email

**Letter L-14-24**

**Re: Pacific Northern Gas Ltd. – Complaint filed by J.M. – British Columbia Utilities Commission Decision**

Dear [REDACTED],

The British Columbia Utilities Commission (BCUC) writes regarding your complaint, submitted on March 27, 2024, concerning Pacific Northern Gas Ltd. (PNG)'s gas back-billing adjustment occurring following a fault in PNG's meter for your premises. In your complaint, you state that the back-billing adjustment was a result of a PNG error, over which you had no control, and therefore you believe you should not be responsible for the associated cost.

When the BCUC reviews complaints, it uses the criteria of whether the utility reasonably responded to the customer's concern(s) and whether the utility followed its approved Tariff and the *Utilities Commission Act* (UCA). As an administrative tribunal, the BCUC follows its own process for a number of procedures, including complaints. The BCUC is not a mediator of disputes; rather, it is an independent regulatory agency of the Provincial Government that operates under and administers the UCA. Based on our review of your Complaint and related correspondence provided in this matter, the BCUC is satisfied that PNG has not breached the terms of its Gas Sales Tariff<sup>1</sup> (Tariff) and the UCA.

This letter outlines the BCUC's review process, and then provides a summary of your complaint, the issues raised, the BCUC's review of each issue, and potential next steps you can take.

### **Review Process**

In reviewing PNG's responses, under the BCUC Customer Complaints Guide<sup>2</sup>, the BCUC has, amongst other things, referred to PNG's approved Tariff, which contains the terms and conditions of service between PNG and its customers, to ensure PNG's actions were in accordance with the approved Tariff.

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<sup>1</sup> The current version of [PNG's Tariff](#) was approved by Order G-127-11, which came into effect July 18, 2011. PNG's Tariff is set through a formal BCUC proceeding. In the Tariff, rates for each class or type of customer (residential, commercial, industrial) and terms and conditions are designed through a public consultation process to cover the cost of supplying customers in that class.

<sup>2</sup> [BCUC Customer Complaints Guide](#)

## **Complaint**

### **J.M.'s Position**

In your complaint, you submitted concerns with PNG's handling of a meter issue at your premises, which resulted in a six-month back-billing adjustment of \$217.92, noting that you had no control over the error and should not be responsible for the associated costs. You explain that on March 11, 2024, you received an email from PNG regarding a billing correction. You then requested further details and received a response from PNG noting that the meter at your premises was not calibrated correctly, and you had been underbilled for gas consumption. PNG informed you that you would be "billed for a portion of the difference." You stated concern with this cost, noting that it occurred due to a fault by PNG and its certification contractors.

After filing your complaint with the BCUC, you submitted several statements in response to PNG's submissions. You outline your view that Section 16.8 of PNG's Tariff allows back-billing regardless of the cause, which would allow PNG to conduct work with limited quality control resulting in errors and costs transferred to the customer. Additionally, you requested that the cost of this error be covered by PNG.

### **PNG's Position**

In response to your complaint, PNG maintains that it acted appropriately under the circumstances and in accordance with its Tariff.

PNG states that it identified a meter reading calibration error in early January 2024, affecting 18 customer accounts in Thornhill, BC. PNG notes that it initiated its automated meter reading (AMR) pilot in Thornhill BC in 2019 to compare the effectiveness with manual methods. PNG's certification partner installed the wrong devices on some meters, with the result that affected customers were underbilled for natural gas service by approximately 50 percent since the inception of the AMR pilot. Further, the utility states that this error persisted for the entire period your account has been active, from commencement of service on July 16, 2021 to January 12, 2024.

PNG submits that it upheld the terms of Section 16.2(h) and 16.8 of the Tariff, as the back-billed amount charges you for the actual natural gas consumed in the six-month period from July 18, 2023 to January 12, 2024. PNG states that its back-billing provisions are in place to protect all of PNG's customers, including the Complainant, who in this instance is protected by the limitation for back-billing to a period of six months. Further, PNG notes that back-billing your account to July 16, 2021 (commencement of your service) would have resulted in additional charges of approximately \$985 plus GST.

### **Determination**

The BCUC does not act as an arbitrator for financial compensation claims between utilities and their customers. As a result, having reviewed all the material submitted regarding your complaint, this determination focuses only on regulatory matters over which the BCUC has jurisdiction and does not address your request to waive the actual consumption cost included in your complaint.

The BCUC agrees that you were not responsible for the meter calibration error. However, you benefited from the gas service and associated gas consumption from July 16, 2021 to January 12, 2024. You are benefiting even more because PNG's back-billing provisions limit it to recovering charges for the six-month period from July 18, 2023 to January 12, 2024, instead of the entire duration of the error (in your case, since July 16, 2021).

The BCUC finds that PNG acted in accordance with the General Terms and Conditions of its Tariff. PNG acted appropriately to notify you of the billing error through the inclusion of the back-paid consumption figure for the six-month billing period of July 18, 2023 to January 12, 2024.

Based on the above, the BCUC finds that PNG's actions have been consistent with its duties and responsibilities as set out in its Tariff and the UCA.

Accordingly, the complaint is dismissed and your file is now closed.

### **Office of the Ombudsperson**

If you have concerns about how the BCUC handled your complaint, you may wish to contact the Office of the Ombudsperson. The Office of the Ombudsperson receives enquiries and complaints about the practices and services of public agencies within its jurisdiction. Their role is to impartially investigate complaints to determine whether public agencies have acted fairly and reasonably, and whether their actions and decisions were consistent with relevant legislation, policies and procedures.

If you decide to file a complaint with the Ombudsperson, they will review the BCUC's process to ensure it was fair. Though this may not result in a different outcome for you, the office could request that the BCUC reopen its investigation.

Provided is a link to the Office of the Ombudsperson's website: <https://www.bcombudsperson.ca>.

Sincerely,

*Original signed by Jessica O'Brien for:*

Patrick Wruck  
Commission Secretary

AS/jm

cc: Pacific Northern Gas Ltd.