

COMPLAINT ACTIVITY REPORT Case # 1270389

Better Business Bureau of Mainland B.C.

Consumer Info: Coupland, Calum
7276-209A Street
Langley, BC V2Y 2E4
- 604 518-4530

Business Info: B C Hydro
11 Fl 6911 Southpoint Dr
Burnaby, BC V3N 4T8
604 528-1600

The above-named consumer has agreed to the following:

- I give my consent to the BBB of Mainland B.C. to forward my correspondence to the business involved in this dispute, and for the business involved in this dispute to respond and address my complaint with the BBB. Failure to consent to this term will result in the BBB not handling or reporting this complaint.
- I give my consent to the BBB of Mainland B.C. to forward my correspondence to law enforcement/regulatory/government agencies or other BBB's for complaint handling, processing or for their information.
- I give my consent to the BBB of Mainland B.C. to forward my name, complaint and personal information directly pertaining to this complaint to the media for their usage.

Location Involved: (Same as above)

Consumer's Original Complaint :

Re: Account 9136917 Calum S Coupland, 5172 Mar St, Port Alberni, BC, V9Y 1P5,

BC Hydro invoice of November 24, 2014 to me of \$862.93.

When I sent in payment for this I stated that payment was enclosed because I did not want to have it affect my credit rating, but I wish to appeal it.

The circumstances of this property are as follows.

I brought this property in 2007, and at no time has the Hydro bill been in my name. Most of the times it is rented, thus Hydro in tenant's name. However on March 30th, 2014 my existing tenant moved out. Hydro was told by the tenant that they are moving and no longer need the Hydro. BC Hydro decided to keep the power on till late September when they disconnected.

In doing a check on this property in October 2014, I decided that it is time to update the bathroom, clean yard etc. Due to this I had to phone in to hook up the power. On November 3rd at 8:20 am I phoned in, to hook up the power. I was told the following. BC Hydro did not disconnect the power when the tenant moved out in late March, but it was only disconnected in September 18, 2014. Due to this as the owner I had to pay the hydro for this time period. Let's make no mistake here, I was not told the Hydro was still on, or if it was that I was responsible for it.

Here are the following three reasons Hydro told me I was responsible for the Hydro during my November 3, 2014 phone call. My reply to your reasons is below each one.

1) "That my property insurance mandates that I must keep it on".

BC Hydro does not know if my property insurance mandates it, and in checking my property insurance afterwards, it is not on it.

2) "I was told that because I pay property taxes on it to the City of Port Alberni, that I am responsible for the Hydro."

Under no circumstances does me paying property taxes on this property with the City make me responsible for paying the Hydro when it was in my tenant's name, and when Hydro failed to disconnect it.

3) "I was told that BC Hydro decided to keep in on from late March till September, due to Safety risk."

If BC Hydro felt it is such a safety risk to turn it off, why did they turn it off in September without making anyone aware that they were turning it off? Because it was not a safety risk, and they felt confident to turn it off in September without a risk.

In reading BC Hydro Terms and Conditions, the following are reasons on why I should not be charge from April 1, 2014 till September 18, 2014.

5.2. Billing

1., Bills will be rendered on the basis of actual consumption (referred to as Regular Billing) and, where applicable, the demand, registered by a meter or meters, in accordance with the Rate Schedule under which the Customer takes service, except:

BC Hydro did no billing to me for over 7 months. For that reason I should not be responsible for paying from April 1, 2014 till September 18, 2014.

5.8. Back-Billing

1. Back-billing means the re-billing by BC Hydro for services rendered to a Customer Because the original billings were discovered to be either too high (over-billed) or too low (under-billed). The discovery may be made by either the Customer or BC Hydro, and may result from the conduct of an inspection under provisions of the federal statute, the Electricity and Gas Inspection Act ("EGI Act"). The cause of the billing error may include any of the following non-exhaustive reasons or combination thereof:

- (a) stopped meter
- (b) metering equipment failure
- (c) missing meter now found
- (d) switched meters
- (e) double metering
- (f) incorrect meter connections
- (g) incorrect use of any prescribed apparatus respecting the registration of a meter
- (h) incorrect meter multiplier
- (i) the application of an incorrect rate
- (j) incorrect reading of meters or data processing
- (k) tampering, fraud, theft or any other criminal act.

BC Hydro cannot back bill me, because it is stippled the reasons you can. Your failure to do any billing for 7 months is no fault of mine.

Following are reasoning that should void this bill for that 7 month period.

(A) At no times when this rental suite has been vacant since 2007, has BC Hydro felt they had to invoice me. And it has been vacant as Port Alberni is a slow rental market.

(B) To not invoice me while the electricity is on for seven months, is not fair and normal practice. I think any reasonable person, mediator, or judge would see it in the same light.

(C) I did not ask for the Hydro to be on, nor was I told by your billing department that it was on, from the period April 1, 2014 till November 3, 2014; for a total of 8 months.

I hope BC Hydro will see my points, and realize I strongly feel about it. What I want is the sum of Money I paid from April 1, 2014, to September 18, 2014 refunded. As I explained when I sent in full payment, I disagree with it, but I cannot have any outstanding bill payments on my credit report.

It is the point of being fair, and I think I am being fair and understanding with the actions taken thus far. That is why I did not disagree with your Service Reconnection fee of \$125. When I phone in the afternoon of November 3, 2014, I was told that it would not be charged to me, and it was not on your \$1,988.10 bill of November 10, 2014, but only added on your second bill of November 24. But that is 100% fine, as it makes sense.

In December 2014, I asked BC Hydro in a letter on how I could appeal this invoice, they did not reply to me.

In January 2015, I sent in a registered letter stating the above. They returned my call, but gave zero options on getting my money refunded.

Thus the step of getting the Better Business Bureau involved.

Consumer's Desired Resolution:

What I want is the sum of Money I paid from April 1, 2014, to September 18, 2014 refunded.

BBB Processing

2015-02-08	web	BBB	Complaint Received by BBB
2015-02-14	EDO	BBB	AB Complaint Validated - Use OTTO
2015-02-14	Otto	EMAIL	Confirmation Letter to Consumer
2015-02-14	Otto	EMAIL	AB - Inform Business of Complaint
2015-03-03	Otto	BBB	AB - No Response from Business
2015-03-03	VGR	BBB	Phone Call to AB
2015-03-06	CMD	BBB	RECEIVED BUSINESS RESPONSE : Hi Jennifer,

We have left several messages for the customer to call us back as we believe the response would be better explained and received via phone call. However, as we haven't hear back from the customer, our response is provided below.

I write in response to the file noted above regarding a BC Hydro invoice issued on November 24, 2014 for consumption during a period of vacancy and have completed our assessment of the inquiry.

A review of the account indicates that on March 31, 2014 an account at 5172 Mar Street, Port Alberni was closed and new application was not received.

BC Hydro leaves the service on between tenants as a courtesy. Since the power is left on, there is the potential for power consumption regardless if the premise is vacant or not. Landlords or employees acting on behalf of the owners are required to ensure the service is put under the owner's name for the vacant period.

On April 8, 2014 an Application for Service Notice was sent to the premise advising that an application is required to prevent service disruption. Section 2.1, of BC Hydro's Electric Tariff outlines:

"Application for service can be made in person, by telephone, online at www.bchydro.com, or in writing. Applicants may be required by BC Hydro to complete and sign a service agreement. However, except where a theft of service has occurred, a contractual relationship shall be established by the taking of Electricity in the absence of an application for service or signed service agreement."

On August 29, 2014 BC Hydro's Credit Department sent an Application for Service Final Notice as consumption was registering on the meter and an application had still not been received.

As there was not response to the notices, the service was disconnected on September 19, 2014. Our records indicate that on November 3, 2014 the consumer contacted the Care Centre and requested the service to be reconnected. Section 2.2, of the Electric Tariff outlines:

"Unless otherwise specifically provided in these Terms and Conditions, the Rate Schedules, or any service agreement between BC Hydro and the Customer, the term of service and obligation to pay the rates under the applicable Rate Schedules and any charges pursuant to these Terms and Conditions shall commence:

(a) in the case of Premises requiring physical connection or re-connection of service, on the day when BC Hydro's service is connected to the Point of Delivery for the purpose of supplying Electricity; or

(b) in the case of already connected Premises, on the day the Customer's right to possession of the Premises commences..."

As such, an application was required for the vacant period effective April 1, 2014. Unfortunately, it is not possible for BC Hydro to adjust the consumption for the billing periods from April 1, 2014 to September 18, 2014 as we must adhere to Section 63, Schedules of the Utilities Commission Act which prevents us from reversing, writing off or waiving registered consumption.

I trust that the information provided addresses the points raised to the Better Business Bureau.

Sincerely,

Daren Sanders
Senior Manager, Customer Service Operations

c: Calum Coupland via regular mail to 7276 209A Street, Langley, BC V2Y 2E4

2015-03-06 CMD EMAIL Forward Business Response to Consumer

2015-03-19 WEB BBB RECEIVED CONSUMER REBUTTAL : (The consumer indicated he/she DID NOT accept the response from the business.)

I have received BC Hydro explanation through the Better Business Bureau, and I reject there response fully.

In their response they have not addressed (or even raised) the reasons why I should not be charged as per "BC Hydro Terms and Conditions"

2. Billing

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BC Hydro cannot back bill me, because it is stippled the reasons you can. Your failure to do any billing for 7 months is no fault of mine.

Because BC Hydro has not addressed my specific concern, it is obvious to me that they do not have an answer to that, and the funds I have paid should be refunded.

Also in there reply BC Hydro has stated that they leave the service on between "tenants as a courtesy". BC Hydro was told there service was no longer need. They choose to keep the Hydro on, and due to that, under no circumstances as the owner should I have been charged.

Lastly as per their reply to the BBB, they replied that they have tried to leave messages for me to call them back. I have had a phone conversation with them on November 3, 2014, and I was told the following reasons why I had to pay the power bill

- 1) "That my property insurance mandates that I must keep it on".
- 2) "I was told that because I pay property taxes on it to the City of Port Alberni, that I am responsible for the Hydro."
- 3) "I was told that BC Hydro decided to keep in on from late March till September, due to Safety risk."

Their reasons in a verbal phone call, are falsehoods, and I find whenever a Business or Crown Corporation takes that route, to tell me falsehoods; that the only proper communication from onwards be in writing.

I will proceed with legal action in this matter to get these funds refunded to me.

I would also like to thank the Better Business Bureau in trying to get this resolved.

2015-03-19	TRM	EMAIL	AB - Forward Consumer Rebuttal to Business
2015-04-06	Otto	BBB	No Response from Business re: Consumer Rebuttal
2015-04-30	TRM	BBB	BBB Administratively Closed Complaint
2015-04-30	Otto	EMAIL	Inform Consumer Case Closed Answered
2015-04-30	Otto	EMAIL	Inform Business - Case Closed AC
2015-04-30	Otto	BBB	Case Closed AC