

Ontario Energy Board

P.O. Box 2319
2300 Yonge Street
27th Floor
Toronto ON M4P 1E4

Re: **EB-2017-0183.**

OEB File No. EB-2017-0183: Review of Customer Service Rules for Utilities

Thank you for the opportunity to respond to the report issued September 6 2018.

As a participant consumer representative organization we would like to offer the following comments to the review and report. We have added specific comments to each proposed set of changes.

ELECTRICITY V. GAS**OEB Proposal**

- Develop customer service rules (as proposed to be amended), similar to the electricity Rules, for the gas distributors

We support this aligning of the customer service rules. As identified in the report, consumers expect similar rules and have expectations that the rules for one utility are the same for the other.

UNIT SUB-METER PROVIDERS**OEB Proposal**

All proposals made in this Report apply to USMPs except for those relating to the following:

- Equal billing/equal payment plans
- Emergency credit card payments (to avoid disconnections)
- Discontinuing the application of late payment charges on the amount that is covered by the OEB's prescribed Arrears Payment Agreement for residential customers
- Winter Disconnection & Reconnection
- Non-Payment of Account Charges

We look forward to USMP specific regulation in the near future.

SECURITY DEPOSIT

OEB Proposal

- Security deposit requirements should be waived for new residential customers enrolling in the utility's equal billing and/or pre-authorized payment plan as determined by the utility
- Security deposits for small business customers should be returned after three years of good payment history

We support the consistency of security deposit rules and these proposed changes. Pre-authorized payments should never be a condition of provision of service.

BILLING AND PAYMENT

5.2.1 Minimum Payment Period

OEB Proposal

- The minimum payment period before late payment charges can be applied by a utility should be at least 20 calendar days from the date the bill was issued to the customer.

We support this change. We have many clients who do not receive any additional income from the billing date to the due date. The timing of low income transfer payments (Trillium Benefit – 10th of the month, Child Tax Credit – 20th of the month) offer additional opportunities for low income people to be able to make timely payments.

We often get clients who call simply to get a 21 day hold on their account to get them to their Child Tax Credit date.

Equal Billing & Equal Payment Plans

(Note: This Section is not applicable to USMPs)

OEB Proposal

- Distributors should offer non-seasonal residential customers (except customers enrolled with retailers) an equal billing plan
- Electricity distributors should offer equal billing customers the option of making pre-authorized automatic monthly payments, but automatic payments should not be a pre-condition for enrollment
- Equal billing customers choosing the pre-authorized automatic monthly payment option should be provided with a choice of at least two dates within a month for automatic payments to be withdrawn

- Distributors may adjust the methodology for calculating the customer's average monthly bill to account for known changes and/or to accommodate a customer request
- Distributors may adjust the equal monthly billing amount at any time to accommodate a customer request or if the difference between the equal monthly billing amount and the actual amount is extraordinary
- Distributors may cancel the customer's equal billing plan after two missed payments under the plan within an equal billing year
- Distributors should offer the equal billing plan to small business customers subject to the following exceptions:
 - Customers enrolled with energy retailers
 - Customers with less than 12 months' billing history
 - Customers in arrears or whose participation in the plan in the past 12 months was cancelled due to non-payment
 - Customers whose consumption pattern is not sufficiently predictable to be estimated on an annual basis with any reasonable degree of accuracy
- Distributors should communicate the equal billing plan to eligible customers, at least twice a year, through the customer's preferred method of communication, if known, or otherwise through one or more means that are most effective in making customers aware of the plan

Equal billing plans offer low income consumers the best method for managing fluctuations in utility costs throughout the year.

We wish to emphasize that pre-authorized automatic monthly payments should never be a pre-condition for equal billing, payment arrangements or compassionate relief grants or any other condition to maintain connection to utility services.

We would like to see some additional regulations around "estimated meter readings". Recognizing that winter and snow load may prevent actual meter readings over a few months, but continued estimated readings that do not reflect actual consumption, or do not capture an extreme winter (colder or warmer) can leave consumers without an accurate understanding of their "in the moment" consumption.

Regulations denoting how many consecutive months can be estimated would assist consumers adjust their equal billing to avoid large annual discrepancies.

"True-up" balances should be folded into the next year's equal billing amount, not be demanded as immediate payment, should there have been estimated meter readings.

Payment by Credit Card

(Note: This Section is not applicable to USMPs)

OEB Proposal

The credit card payment option should remain at the discretion of the utility subject to the following current Rules:

- Where a distributor has issued a disconnection notice to a residential customer for non-payment, the distributor must, at a minimum, have the facilities and staff available during regular business hours so residential customers can pay overdue amounts by credit card issued by a financial institution
- When a distributor visits a customer's property to disconnect service during or after regular business hours, the distributor must have the facilities or staff available to allow residential customers to pay overdue amounts by credit cards issued by a financial institution

Payment by credit card should always be an option, never a requirement. The additional fees charged by third party processors are extreme and cost prohibitive for low income consumers. If a utility company can process credit cards at a home visit for disconnection, they should also be able to verify an online payment or a debit payment thus not incurring these additional fees.

5.2.4 Allocation of Payment

OEB Proposal

- Utilities should allocate payments between energy and non-energy charges as per the current electricity Rules unless the customer specifically requests otherwise
- A utility should explain to a customer requesting a customized allocation method the potential impact on the customer's electricity service before processing the request

Where multiple utility services are on one bill, the consumer should have the right to assign their payment to the services they wish to make a payment on, at all times.

5.2.5 Arrears Payment Agreements

OEB Proposal

- Distributors should not charge residential customers additional late payment charges on the amount that is covered by the OEB-prescribed APA23
- Utilities should offer reasonable payment arrangements to small business customers unable to pay their bill. In the event a small business customer fails to perform its obligations under a previous payment plan and the utility terminates the plan, the utility may require that the customer wait 12 months after termination before entering into another payment plan

APAs should not incur late payment or interest charges on any outstanding balance.

5.3 DISCONNECTION FOR NON-PAYMENT

5.3.1 Content of Disconnection Notice

OEB Proposal

- The Rules should expressly state that a disconnection notice issued to a residential customer should include the information prescribed by the Rules, otherwise it is invalid, and any disconnection following such an invalid notice would be unlawful
- Implement housekeeping amendments to the Rules to separate the requirements that apply to all utilities from those that may not apply to all utilities

The use of the word “disconnection” brings panic and fear to people who are struggling to pay their bills. Customers also need to be clearly educated on their consumer rights, and consumer groups should be informed of the correct process for advising people they are at risk of disconnection. Regular audits of utility company practices should take place in regard to their disconnection notices and on the ground practices.

5.3.2 Disconnection Notice Period and Timing

OEB Proposal

- Utilities should provide customers with an “account overdue notice” at least 14 calendar days before the notice of disconnection is issued
- Before disconnecting a customer’s service for reasons of non-payment, a utility should provide the customer with 14 calendar days’ notice
- Where a disconnection notice is sent by mail, the disconnection notice should be deemed to have been received by the customer on the fifth calendar day after the date on which the notice was printed by the utility
- Utilities should disconnect services within 14 calendar days after the applicable minimum notice period
- Utilities should not disconnect a customer on a day when the utility is closed to the public to make payment and/or reconnection arrangements or on the day preceding that day

Disconnection notices should always be either through the mail or hand delivered. Use of email is unreliable for the customer as many do not have access to high speed internet, computers or wifi at home.

To the last bullet, it needs to be clear financial institutions also need to be open to the public on the days the utility is open as well. Some utility companies are providing Saturday customer service. This should be noted as exceptional and not the norm and therefore not considered standard. The “no Friday disconnections” was proposed to ensure that social agencies were also available to assist should someone come home from work to a disconnected home. Social agencies are not open on the weekends or statutory holidays.

Winter Disconnection & Reconnection

(Note: This Section is not applicable to USMPs)

OEB Proposal

- Current electricity distribution licence conditions relating to winter disconnection ban to remain in effect subject to changing the required reconnection date from November 15th to December 1st.
- Develop winter disconnection and reconnection rules for the gas distributors based on the current licence conditions in effect for electricity distributors as proposed to be amended.

We would prefer the disconnection period remain as it is now: November 15th to May 1st. As we experience climate change to a greater degree, there are many November nights that are extremely cold.

As a charity that provides utility supports, we know we can impose a 21 day hold on action accounts, so we note the actual relief day as October 25th, not November 15th. Anyone who reaches out to us after October 25th will not be disconnected until May regardless.

Due to the publicity surrounding the November 15th date, changing the date at this point may catch some people unaware.

6. NON-PAYMENT OF ACCOUNT CHARGES

(Note: This Section is not currently applicable to USMPs)

OEB Proposal

- The late payment charge be prescribed as follows: *1.5% per month (effective annual rate 19.56% per annum or 0.04896% compounded daily rate)*
- Distributors should clearly describe in their conditions of service their late payment policy including the time from when late payment charges apply

We do not have a concern with this rate, and welcome utility companies to remove late payment costs as part of payment arrangements to enable repayment of past due funds when working with a social agency.

6.2 COLLECTION OF ACCOUNT CHARGE

OEB Proposal

Remove the Collection of Account charge from electricity distributors' approved Tariff of Rates and Charges

We approve this fee removal.

6.3 INSTALL/REMOVE LOAD CONTROL DEVICE

OEB Proposal

Remove Install/Remove Load Control Device charge from electricity distributors' approved Tariff of Rates and Charges

These devices were banned in the winter moratorium on disconnections. We are unclear at this time if this rule change means they will be allowed in winter. We applaud the removal of the charge, regardless.

We would like to see additional rules around load control devices regardless of the time of year implementation of these devices. In rural communities with no access to natural gas, a load control device doesn't provide enough power for a furnace AND a hot water tank AND a fridge AND a well pump and a well pump heater. Thus the control device doesn't provide enough power for life sustaining basics and therefore should not be utilized outside and urban environment.

6.4 DISCONNECT/RECONNECT CHARGE

OEB Proposal

- Change the name of the charge from "Disconnect/Reconnect" to "Reconnection"
- Distributors should apply the charge to the bill following the reconnection and allow residential customers to pay it in equal installments over a period of three months following the reconnection
- Distributors should waive the charge for eligible low-income customers

We agree with the name change and the opportunity for the charge to be paid in installments. It should also not be a requirement for reconnection. Social agencies have often agreed to pay an outstanding bill only to have the reconnection charge paid in advance as a condition of reconnection.



The United Way of Bruce Grey appreciates the opportunity to comment on these pending rule changes and applauds the Ontario Energy Board's comprehensive consultation in regards to these pending changes.

The United Way of Bruce Grey will remain available for consultation, input as well as a low income subject matter experts to the Ontario Energy Board and the companies it regulates.

Submitted with joy

A handwritten signature in blue ink, appearing to read "Francesca Dobbyn".

Francesca Dobbyn

Executive Director
execdir@unitedwaybg.com

United Way Bruce Grey
Change starts here.

380 9th Street East Owen Sound ON N4K 1P1
519 376 1560 | 800 794 1728
www.unitedwayofbrucegrey.com

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