

EB-2010-0221

Complainant Witness Binder – Index

Witness AS (Agent MG – Contract number F976610)

Tab	Document
A	Signed contract, if any
B	Any other documents the complaint claims were left with the Complainant
C	Any written complaint to Summitt
D	Any written response from Summitt
E	Any other record of correspondence between the Complainant and Summitt
F	Any written complaint to the Board
G	Complaint Response Form
H	Additional Documents Summitt claims were left with the Complainant
I	Additional communications between Complainant and Summitt

TAB A



SUMMITT

ENERGY

REGISTRATION FORM

COMPREHENSIVE ENERGY PRICE PROTECTION PROGRAM

Summitt Energy, 100 Malvern Dr., Suite 808, Mississauga, ON L5R 4H1

905.366.7050, 1.877.222.9520, fax 905.366.7053, www.summittenergy.ca, customerservice@summittenergy.ca

F976610

ACCOUNT HOLDER INFORMATION		COM108
<input type="checkbox"/> Mr.	[REDACTED]	[REDACTED]
<input type="checkbox"/> Mrs.	[REDACTED]	[REDACTED]
<input type="checkbox"/> Ms.	First Name of Account Holder (from Bill)	Last Name of Account Holder (from Bill)
<input type="radio"/> Business	Business Name	
<input checked="" type="radio"/> Residential	Street Address	
	City	Province Postal Code
	Phone #	Other Phone # [REDACTED] ext.
SUMMITT ENERGY NATURAL GAS PROGRAM (Includes Blend & Extend Option) (License # 2005-0542)		
I agree to the Customer Agreement, and select the following term (the "Term of the Agreement") and price (the "Price"):		
<input checked="" type="radio"/> 5 Years: 34.9 cents/m ³ 32.9 M.9		
<input type="checkbox"/> ENBRIDGE ACCOUNT # [REDACTED]		
<input checked="" type="checkbox"/> UNION ACCOUNT # 3991542512487440		
First 4 Alpha-Numeric (from Name on Bill)		Postal Code (from Bill)
SUMMITT ENERGY ELECTRICITY PROGRAM (Includes Blend & Extend Option) (License # 2005-0541)		
UTILITY ACCOUNT # [REDACTED]		
Utility Name GUELPH HYDRO.		
First 4 Alpha-Numeric (from Name on Bill)		Postal Code (from Bill)
I agree to the Customer Agreement, and select the following term (the "Term of the Agreement") and price (the "Price"):		
<input checked="" type="radio"/> 5 Years: 7.59 cents/kWh		
Effective May 1, 2009 consumers with a time-of-use meter will pay 9.1 cents/kWh for on-peak times, 7.6 cents/kWh for mid-peak times and 4.2 cents/kWh for off-peak times. Consumers on the Regulated Price Plan (RPP) will pay 5.7 cents/kWh up to a certain threshold per month and 6.6 cents/kWh above that threshold. Please see the Customer Agreement with Terms and Conditions for your Consumer's Rights and Buyer's Right to Cancel.		
(I have read the above and understand and agree to the terms and conditions of this Registration Form and Customer Agreement)		
Signature (I have the authority to sign on behalf of the Applicant)		Date Signed 09/04/09
Print Name		Relationship to Account Holder / Title (if applicable)
This Comprehensive Energy Protection Program ("Agreement") is with Summitt Energy LP ("Summitt") which is an Ontario Energy Board ("OEB") licensed electricity and natural gas retailer. For Customers who consume less than 50,000m ³ of gas or 150,000kWh of electricity, this Agreement will not be in effect unless I reaffirm it, see Consumers Rights & Buyers Rights to Cancel. I understand that this agreement is with Summitt Energy and is not with my local electricity or natural gas distributor. Unless agreed to in writing by Summitt, no amendments, either written or verbal, to this Registration Form or Customer Agreement with Terms and Conditions will be accepted. I authorize my utility to provide Summitt Energy my account number, which we may include in the space above.		
Representative Signature	Representative Name	Representative Number
[REDACTED]	[REDACTED]	[REDACTED]

TAB B

TAB C

TAB D



November 25, 2009



Invoice #: 750745
Bill Date: 11/25/2009
Account Number: 39954252487440
Contract ID: F976610

Dear [Redacted],

We are sorry to have received your request for the early cancellation of the price protection program that you signed up for on 09/04/2009. Customers who choose long term protection for their energy will typically gain the greatest benefits over the latter part of their term, and any early termination of your contract may result in missing out on that benefit. Over one million households in Ontario have experienced significant savings over the years with electricity and/or natural gas price protection programs.

Summitt's programs are designed to protect you from any price increases in your electricity and/or natural gas commodity for a period of 5 years, and with Summitt you have the added benefit of our Blend & Extend option. If you want to roll your energy rates into Summitt's current rates for an extended term, Blend & Extend is easy to activate by calling our Customer Service department prior to your yearly anniversary dates.

If you've decided to cancel your protection, you will need to close your account by paying liquidated damage fees, as stated in the Terms and Conditions of your contract with Summitt Energy. This charge is \$0.070 for each cubic meter of your estimated gas consumption and/or \$0.019 for each kWh of your estimated electricity consumption, for the balance of your contract.

Gas Account		Electricity Account	
Liquidated Damages:	\$482.30	Liquidated Damages:	\$950.00
GST:	\$24.12	GST:	\$47.50
Total Due:	\$506.42	Total Due:	\$997.50

If you wish to complete the cancellation of your contract, please send a certified cheque, bank draft or money order for the full amount of the liquidated damages payable to Summitt Energy. Upon receipt of your payment it may take up to 60 days to process the cancellation through your utility(s).

If you require any further assistance, please call our toll free customer service number at 1-877-222-9520.

Regards,

Customer Service Department
Summitt Energy
Phone: 877-222-9520
Fax: 905-366-7063/1-877-222-9520
Email: customerservice@summittenergy.ca

Please detach this portion and return with your payment



Invoice #: 750745
Client ID: 385455

Contract ID	Bill Date	Total Due Gas	Total Due Electricity	Total Due	Amount Paid
F976610	11/25/2009	\$506.42	\$997.50	\$1,503.92	

Certified cheque

Bank Draft

Money order

100 Milverton Drive, Suite 608 Mississauga, Ontario L5R 4H1



December 11, 2009

[Redacted Address]

Invoice #: 769765
Bill Date: 12/11/2009
Account Number: 39954252487440
Contract ID: F976610

Dear [Redacted Name],

We are sorry to have received your request for the early cancellation of the price protection program that you signed up for on 09/04/2009. Customers who choose long term protection for their energy will typically gain the greatest benefits over the latter part of their term, and any early termination of your contract may result in missing out on that benefit. Over one million households in Ontario have experienced significant savings over the years with electricity and/or natural gas price protection programs.

Summitt's programs are designed to protect you from any price increases in your electricity and/or natural gas commodity for a period of 5 years, and with Summitt you have the added benefit of our Blend & Extend option. If you want to roll your energy rates into Summitt's current rates for an extended term, Blend & Extend is easy to activate by calling our Customer Service department prior to your yearly anniversary dates.

If you've decided to cancel your protection, you will need to close your account by paying liquidated damage fees, as stated in the Terms and Conditions of your contract with Summitt Energy. This charge is \$0.070 for each cubic meter of your estimated gas consumption and/or \$0.019 for each kWh of your estimated electricity consumption, for the balance of your contract.

Gas Account		Electricity Account	
Liquidated Damages:	\$474.26	Liquidated Damages:	\$950.00
GST:	\$23.71	GST:	\$47.50
Total Due:	\$497.97	Total Due:	\$997.50

If you wish to complete the cancellation of your contract, please send a certified cheque, bank draft or money order for the full amount of the liquidated damages payable to Summitt Energy. Upon receipt of your payment it may take up to 60 days to process the cancellation through your utility(s).

If you require any further assistance, please call our toll free customer service number at 1-877-222-9520.

Regards,

Customer Service Department
Summitt Energy
Phone: 877-222-9520
Fax: 905-366-7063/1-877-222-9520
Email: customerservice@summittenergy.ca

Please detach this portion and return with your payment

[Redacted Signature]

Invoice #: 769765
Client ID: 385455

Contract ID	Bill Date	Total Due Gas	Total Due Electricity	Total Due	Amount Paid
F976610	12/11/2009	\$497.97	\$997.50	\$1,495.47	

Certified cheque

Bank Draft

Money order

100 Milverton Drive, Suite 608 Mississauga, Ontario L5R 4H1

TAB E

TAB F

COMPLAINT FILE SUMMARY

File Number: 2009-0013149

Date Received: 24/11/2009

File Status: Closed

Consumer Information

Name: [REDACTED]

Address 1: [REDACTED]

Address 2:

City: [REDACTED]

Province: [REDACTED]

Postal Code: [REDACTED]

Telephone: [REDACTED]

Fax:

Email:

Utility/LDC Information

Account Number: 39954252487440

Licence Type: Gas Distributor

Utility Name: Union Gas Limited

Marketer/Retailer Information

Licence Type: Gas Marketer

Marketer/Retailer Name: Summitt Energy Management Inc.

Marketer/Retailer (or
Licence) No.: GM-2005-0542

Agent Name:

Wearing ID: No

Provided Business Card: No

Wearing Uniform: No

Privacy Consent
Confirmed: Yes

COMPLAINT FILE SUMMARY**Complaint Information**

Complaint Details: Consumer states she sign, as agent told her he was from Union gas and by signing, after 4 months she would get a refund from Union. States he left her the top copy only and she can barely read english, so she just put it away. Four months have passed and she just approached Union for her refund and they told her she was signed with Summitt. States she never received terms and conditions and was unaware of cancelation options. States she does not recall a reaffirmation call. States she was told there is a reaff. and it would take one month to send her by e-mail.

Consumer requests contract, terms and conditions, copy of reaffirmation and cancelation without penalty and reimbursement.

Requested Action: Cancel Contract Without Penalty

OEB Action: CCR Form sent to Licensee

Classification	Topic	Sub Topic
Contract	Reaffirmation	No copy of call provided - contract cancelled
Agent Conduct	Misrepresentation of purpose	Need to sign to continue supply
Agent Conduct	Misrepresentation of identity	Claim utility representation

TAB G

Date Printed : June 22, 2010
Time Printed: 10:35:44AM

Consumer Complaint Response

2009-0013564

Assignment

Licensee Name
Summitt Energy Management Inc.

Licensee E-mail: compliance@summittenergy.ca

Licensee Phone: +1 (905) 366-7035

CCR Complaint Status

Completed

Licensee Representative

Agent Name

Agent ID

Date Received

12/03/2009

Sent to Licensee Date

12/03/2009

Licensee Date Due

12/24/2009

Licensee Response Date

12/03/2009

Complaint Details

Reference Number

2009-0013564

Consumer Name

[REDACTED]

Representative Name

Energy Type

Electricity

Consumer Address

[REDACTED]

Representative Address

Account Number

00902675-000425980

Consumer Phone

[REDACTED]

Representative Phone

Consumer Email

Representative E-mail

Classification

Contract

Topic

Reaffirmation

Sub-Topic

No copy of call provided - contract cancelled

Synopsis

Consumer states she sign, as agent told her he was from Union gas and by signing, after 4 months she would get a refund from the utility. States he left her the top copy only and she can barely read english, so she just put it away. Four months have passed and she just approached Union for her refund and they told her she was signed with Summitt. States she never received terms and conditions and was unaware of cancelation options. States she does not recall a reaffirmation call. States she was told there is a reaff. and it would take one month to send her by e-mail.

Consumer requests contract, terms and conditions, copy of reaffirmation and cancelation without penalty and reimbursement.

Adding complaint for hydro. Just realized Summitt is also on their Hydro bill

Consumer Resolution Requested

Cancel Contract Without Penalty

Privacy Consent

Approval to share info with OEB

Yes

Approval to share info with stakeholder

Yes

Approval to share info with 3rd party

No

Questions**Answers**

Licensee to review consumer file and Complaint including contract, recorded telesales calls, reaffirmation calls, correspondence with consumer and account history. Details to be provided in response here.

The customer signed the contract on September 4, 2009. The contract was reaffirmed on September 14, 2009. The flow start date was on December 9, 2009.

Call consumer to confirm receipt of Complaint from OEB and discuss complaint details.

Summitt left a message for the customer on December 4, 2009 advising the customer that Summitt is looking into their complaint.

Provide explanation of why the issue was not resolved at the initial contact from the consumer.

The customer contacted Summitt on November 24, 2009 requesting cancellation.

Summitt mailed the customer an exit fee letter on November 24, 2009.

The customer requested a copy of the reaffirmation call on November 24, 2009.

Summitt mailed the customer the reaffirmation call on November 26, 2009.

The licensee resolution including timing and method of communication with consumer.

The customer's electricity account was rejected by the utility and was never assigned to flow.

Detail action to be undertaken within licensee to address systemic issue or clarify position. Include actions such as agent retraining, agent discipline, call centre script changes, etc.

Summitt forwarded the complaint to the sales agent's manager for review and retraining purposes.

What is the timing for resolution to be implemented?

The contract never flowed with Summitt.

Licensee to provide copies of material to consumer. Include copy of contract or telesales recording, terms and conditions, reaffirmation call and any correspondence with the consumer. Provide details on when/how sent to consumer.

Summitt mailed the customer a cancellation letter on December 16, 2009.

Attach same copies as above to OEB.

See attached for a copy of the contract, reaffirmation call and cancellation letter.

Supporting Material

Licensee Closure

Resolution
Agent Conduct

Action
Account Cancelled PreFlow

CCR Completed By
Nmatadin

Reimbursement Amount

Additional Comments

TAB H



**SUMMITT
ENERGY**

REGISTRATION FORM

COMPREHENSIVE ENERGY PRICE PROTECTION PROGRAM

F976610

Summitt Energy, 100 Midway Dr., Suite 808, Mississauga, ON L5R 4H1

905.366.7059, 1.877.222.9520, fax 905.366.7063, www.summittenergy.ca, customerservice@summittenergy.ca

ACCOUNT HOLDER INFORMATION COM108

☐ Mr.

☐ Mrs.

☐ Ms.

First Name of Account Holder (from Bill)

Last Name of Account Holder (from Bill)

☐ Business

Business Name

Street Address

City

Province

Postal Code

Phone #

Other Phone #

Ext.

SUMMITT ENERGY NATURAL GAS PROGRAM (Includes Blend & Extend Option) License # 005-0542

I agree to the Customer Agreement, and select the following term (the "Term of the Agreement") and price (the "Price"):

☒ 5 Years: 32.9 cents/m³ M.G.

☐ ENBRIDGE ACCOUNT #

☒ UNION ACCOUNT #

First 4 Alpha-Numeric (from Name on Bill)

Postal Code
(from Bill)

SUMMITT ENERGY ELECTRICITY PROGRAM (Includes Blend & Extend Option) License # 005-0542

UTILITY ACCOUNT #

Utility Name

First 4 Alpha-Numeric
(from Name on Bill)

Postal Code
(from Bill)

I agree to the Customer Agreement, and select the following term (the "Term of the Agreement") and price (the "Price"):

☒ 5 Years: 7.59 cents/kWh

Effective May 1, 2009 consumers with a time-of-use meter will pay 9.1 cents/kWh for on-peak times, 7.6 cents/kWh for mid-peak times and 4.2 cents/kWh for off-peak times. Consumers on the Regulated Price Plan (RPP) will pay 5.7 cents/kWh up to a certain threshold per month and 6.6 cents/kWh above that threshold. Please see the Customer Agreement with Terms and Conditions for your Consumer's Rights and Buyer's Right to Cancel.

(I have read the above and understand and agree to the terms and conditions of this Registration Form and Customer Agreement)

☒ Signature (I have the authority to sign on behalf of the Applicant)

Date Signed

09/04/09

Print Name

Relationship to Account Holder / Title (if applicable)

This Comprehensive Energy Protection Program ("Agreement") is with Summitt Energy LP ("Summitt") which is an Ontario Energy Board ("OEB") licensed electricity and natural gas retailer. For Customers who consume less than 50,000m³ of gas or 150,000kWh of electricity, this Agreement will not be in effect unless I reaffirm it, see Consumers Rights & Buyers Rights to Cancel. I understand that this agreement is with Summitt Energy and is not with my local electricity or natural gas distributor. Unless agreed to in writing by Summitt, no amendments, either written or verbal, to this Registration Form or Customer Agreement with Terms and Conditions will be accepted. I authorize my utility to provide Summitt Energy my account number, which we may include in the space above.

Representative Signature

Representative Name

Representative Number

NC1721

REGISTRATION FORMS^{AS}

BINDER 1

(Summitt Energy Sales Kit)

TAB 1 (K)

AS

TERMS & CONDITIONS

BINDER 1

(Summitt Energy Sales Kit)

TAB 2 (d.)

AS

CERTIFICATES / BUSINESS
CARDS

BINDER 1

(Summit Energy Sales Kit)

TAB 3 (a)

AS

OEA BROCHURE

BINDER 1

(Summitt Energy Sales Kit)

TAB 4

TAB I

Reaffcalls in mp3

Complainant Name: A.S. [name redacted]
Contract Number: NC1721 MG **F976610-**
5197311959_lwinyi_090914_105737.MP3
Date and Time of Call: 2009/09/14
Transcribed by: Janet White

Summitt May I speak with A.S. [name redacted]

Customer This speaking

Summitt This is Lia calling from Summitt Energy to reaffirm your involvement in our electricity and natural gas price protection program. We had our agent come to your home the 4th of September. Have you address [address redacted]

Customer Uh where are you calling?

Summitt Summitt Energy

Customer Okay

Summitt We had our agent come to your home the 4th of September.

Customer Okay

Summitt Yes. I have your address [address redacted]. Is that correct?

Customer Right correct

Summitt All right and you are the account holder. Correct?

Customer Right

Summitt The agent left behind a brochure and a copy of the agreement you signed.

Customer Right

Summitt All right. Summitt Energy will provide electricity at a rate of 7.59 cents per kilowatt hour. Natural gas 32.9 cents per cubic meter. All rates guaranteed for 5 years. To complete your involvement in the price protection agreement we need your confirmation. Can you please confirm your agreement

by responding with the word yes.

Customer

[Background noise]

Summitt

To complete that for you we need your confirmation. Can you please confirm your agreement by responding with the word yes

Customer

Okay yes

Summitt

All right thank you for choosing Summitt Energy. If you have any questions please call our toll free number and have a great day

Customer

Okay thank you

Summitt

Okay bye

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]
Contract Number: F976610-3
Date and Time of Call: 20091124@11:01 a.m.
Transcribed by: Agnes Sun

Summittt: Thank you for calling Summittt Energy. How can I help you today?
Woman: Hi, my name is A.S. [name redacted]. Registration form is F-976-610.
Summittt: One moment please.
Woman: Okay.
Summittt: Okay, can you also verify your address or security number, please.
Woman: [address redacted]
Summittt: Perfect. What can I help with today?
Woman: I want to cancel everything that I have contract with your company.
Summittt: Okay. You have gas at Hydro? Do you have a pen? I can tell you what the cancellation fees are.
Woman: Cancellation fee? I don't have started account ... cancellation fee. The person coming to my house at late 9 o'clock and he lied to me ... he told me I coming from Union Gas. I never knew he is with your company. They're coming ...
Summittt: There is going to be a cancellation fee. There is no debate.
Woman: I don't want to pay this cancellation fee.
Summittt: Then, the contract will not be cancelled.
Woman: I want to go to court for this.
Summittt: Then, speak to a lawyer.
Woman: But, this is for what I have to pay cancellation? How much is it?
Summittt: The cancellation fee is ... one moment. Just for the gas only, it's \$482 plus GST and for the hydro cancellation fee, it's \$950 plus GST.
Woman: Okay, just hang on a second.
Summittt: Okay.
Woman: \$400 for gas, \$900 for
Man: Hello? Listen to me, somebody from your office come and lied to me at.

You don't come to my house and lie to me from Consumer Gas and let my wife sign it. I want to cancel my contract with you guys. We haven't ...

Summitt: I just repeat everything I just told it to your wife. You wish to cancel a contract ...

Man: No, we haven't paid nothing to you yet. But, still ...

Summitt: You don't need to pay something.

Man: Yeah

Summitt: The contract has start on the ...

Man: Listen to me. I want to speak to a supervisor.

Summitt: You know what? Have a nice day.

Man: F___!

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]
Contract Number: F976610-2
Date and Time of Call: 20091124 @ 11:26 a.m.
Transcribed by: Agnes Sun

Summitt: Summitt Energy Services
Man: Yeah, is there a M.G. [agent name redacted]?
Summitt: There is no M.G. [agent name redacted] here. It's probably an agent you're talking about.
Man: Yeah, it's a representative. Is there a supervisor there I can speak to.
Summitt: I am a supervisor here at Summitt Energy. How can help you, Sir ?
Man: I would like to cancel my registration form
Summitt: You want to cancel your registration form. When did you sign the registration form.
Man: It's signed four months ago. It hasn't start with you guys yet, we are still with Union Gas. I haven't start anything with you guys yet.
Summitt: Okay, no problem. Can I get your phone number, Sir, please.
Man: It's [telephone number redacted]
Summitt: Give me one second, please, okay.
Man: Okay, I'll give you the account.
Summitt: Hello, Sir, may I verify the name and address please.
Man: [address redacted] . The name is S.S. [name redacted]
Summitt: S.S. [name redacted]
Man: Yeah
Summitt: Okay. There you go. So you wanted to cancel your agreement, right?
Man: Yeah
Summitt: Basically, you spoke to another agent a while back ...
Man: Yeah
Summitt: He requested a cancellation package to be sent to you already, Sir, okay?

Man: Well, could I have a confirmation number ...

Summitt: I'll give you a confirmation number for the cancellation that we sent to you, okay? 750744

Man: 7-5-0 7-4-4 And, what's your name?

Summitt: My name is John, employee number 7935

Man: J h o n, John. Employee number?

Summitt: Employee number 7935

Man: 7935. So the cancellation is already in effect.

Summitt: The cancellation is not in effect. At this point, there was a phone call which was made to, on 09 14 2009, where you did accept the program, at this point upper management has to review that call and if, if at any point you did accept the program because we already went and purchased the electricity and gas for you so there will be a cancellation fee applied ...

Man: You know what happened. I want you to honestly know what happened. This guy by the name of M.G. [agent name redacted], I spelled out his name. He came to the house late at night. My wife was there alone and she just bought the house, right? and she understands that this person come from Union Gas and she has to sign these paper. She didn't understand anything, she thought she had to sign these paper.

Summitt: But, after 10 days, we called.

Man: I didn't understand that. I wasn't aware of that. I was busy at work and things like that.

Summitt: Okay

Man: My wife doesn't speak English too properly ...

Summitt: Okay, the thing is, okay, your wife does not speak too well English. The best thing right now is when we review that call, if at any point we feel that she does not understand what she said yes to or, you still there, at that point, we will cancel it, okay?

Man: So what guarantee do I have? Because I don't ...

Summitt: There is no guarantee at this point because it takes about 7 to 10 days and our quality assurance has to listen to that call and you know we do have guidelines ...

Man: I'm talking the same thing to you right now. John, I'm talking to you right now. Okay? With that, my wife thought it was from Union Gas and she didn't know up until today when she called Union Gas and called for a refund back after four months and that's what the guy told her, come after 9 o'clock as though I was not without work and he made this conversation with my wife, she has to sign this she already paid Union Gas the money, the contract which is already with Union Gas, she didn't

understand because there was a previous owner there and she just bought the house. She didn't know anything about it and because everything ...

Summitt: When we called on September 14, 2000, and who was the person who answered the phone? A.S. [name redacted]. That's yourself?

Man: Yeah

Summitt: So you answered the phone ...

Man: I didn't understand what was going on

Summitt: But, we said we were from Summitt Energy.

Man: I didn't hear that. I thought it was Union Gas because I thought we have always been with Union Gas.

Summitt: Okay, because if you did accept the program, then, a cancellation fee will be applied, Sir. Because we went and pre-purchased the gas and electricity for you already. Let us review the call first ...

Man: What ... what guarantee do I have because ...

Summitt: There's no guarantee at this point, Sir. If you want to cancel right away, at this moment you have to pay the cancellation ...

Man: Why would this person come to my house at 9 o'clock with my wife here and fabricated the story that they're from Union Gas ...

Summitt: Sir, the thing is we didn't fabricate anything. The registration form your wife signed clearly states Summitt Energy.

Man: She can't read English properly.

Summitt: She can't read English, why then did she sign something she didn't understand?

Man: I have told you that the person tell him she had to sign this from Union Gas. I wasn't there so she had to sign it.

Summitt: But, then, did she show it to you?

Man: I didn't check any bills. I'm busy over work all afternoon and I'm tired and coming in late I'm not interested ... oh, yeah, yeah, ...

Summitt: Why did you answer the phone ...

Man: I didn't answer the phone. She's probably the one who answered the phone. This is way back, I can't understand what you're saying to me. It's a long time, I don't recollect.

Summitt: So, let us review the phone call first and we'll get back to you 7-10 days and if you do have any issues, give us a call back.

Man: December 1st is coming in and you guy are going to start on December 1st which I don't want you to start with you guys.

Summitt: The thing is, at this point, we have to send it ... management has to review it.

Man: You aren't going to give them this information that I gave to you?

Summitt: I'm going to give them all the information that you have given me right now. You know, basically, quality assurance has it, they are going to listen to that phone call, okay, and we're going to get back to you as fast as possible. It doesn't usually take 7 to 10 days. It takes 4 to 5 days normally.

Man: How much do we have before December 1st? less than 10 days and this thing is going to start on December 1st.

Summitt: Okay, Sir, so you just figured out right now that ...

Man: Because I told you, because Union Gas, Union Gas ...

Summitt: Okay, Sir, we're going to do as fast as possible at this point. But, you know, there is procedures we have to follow ...

Man: Yes, procedures you have to follow. Now, I'm up I'm taking things into consideration for myself now because I said how could she do something like this because she told me the guy come from Union Gas. If you went to another country, and you purchased a house and things, and somebody told you he's from there ...

Summitt: I understand exactly what you are telling me, Sir. But, your wife, she should have communicated that information to you. I don't know ... I cannot ...

Man: She told me somebody come from Union Gas. I said good.

Summitt: So, you've never seen the registration form ..

Man: I've never seen that.

Summitt: She never showed you the registration form?

Man: No.

Summitt: So, if she doesn't show you the registration form, is that our fault, Sir? We did call you after 10 days.

Man: Not your fault but it was not my fault either. It's not her fault either ... somebody said he came from Union Gas. If somebody has a search warrant and you don't understand and they start searching your house, what can you do if they rob you?

Summitt: Sir, at that point, she shouldn't have opened the door ... you can ask me anything and it might make sense to you; it might make sense to me but the matter of fact is your wife did sign it and somebody reaffirm for it.

Man: In the phone call, the other person answers to say what?

Summitt: They will say clearly we are calling you from Summitt Energy on this date we came to the door, you signed the registration form for us to

supply for five years. These are the same words that we have been used and then we say, do you want the program?

Man: And the person say what?

Summitt: At that point, if you do say yes, then, we go and pre-purchase the gas and electricity.

Man: You're the person to say yes. You have recording voice ...

Summitt: Yes, that's correct, we do have a recording voice ...

Man: So, why do you keep telling me that now?

Summitt: I'm telling you because I told you there was a phone call which was made and that's why we are sending it to our upper management to review the phone call. If you do wish ... the thing is at this moment the procedure has already started, we did send it out today. They are reviewing it once they have everything

Man: Can I have the phone number for upper management?

Summitt: Unfortunately, they don't take phone calls, Sir.

Man: I want to pass on this information to upper management ...

Summitt: I will pass on all this information to them.

Man: I am not going to pay this bills with you guys. I want to cancel it.

Summitt: If you do not pay the gas and electricity bills like once it starts, then, they will cut off your electricity and gas.

Man: Cut it then we will go back with Union Gas.

Summitt: Unfortunately, then, if cancellation fees do apply, then, it will go to collection.

Man: Then, take me to collection agent and I'll go to court.

Summitt: Okay, you can go to court, Sir.

Man: It's because my wife tell him she didn't want this man's fabricated story, coming to my home after 9 o'clock and a fabricated story when I'm not here, just not right and I want you to give or have your information and I have you on tape and I'm going to court with it ...

Summitt: So you have been taping me all this time ...

Man: Yeah, I have been taping you all this time.

Summitt: Okay, Sir, by law I can hang up the phone right now. Okay, have a wonderful day.

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]
Contract Number: F976610-1
Date and Time of Call: 20091124 @ 11:53 am
Transcribed by: Sophina Wong

Summitt: Good morning Summitt Energy Service
Woman: Hello?
Summitt: Hello? Yes
Woman: Hi, can I speak to your manager or supervisor?
Summitt: That was myself who was speaking to your husband, correct?
Woman: Yes.
Summitt: Yeah, I was speaking to him and he told me that he was recording the phone call.
Woman: Right we are on record.
Summitt: Okay, because you have to inform us when you record something ma'am.
Woman: Yes. This is on record now.
Summitt: Okay, that's fine. If he had told me that he was recording at the beginning that he was recording I would not have ended the call. Now, you are calling a call center, it's okay. It automatically records by law. We have to record those.
Woman: Right.
Summitt: But when you call a bank, you're recorded automatically. But when a citizen trying to record somebody,
Woman: Just a minute,I don't hear.... what happen, right now this is on record, please don't worry for that.
Summitt: No, it's not that, at the end of the conversation he said he was going to take me to court and this and that.
Woman: No, you know what there's this one person come and trick me.
Summitt: Ok, let me try to get back to the account, okay?
Woman: Ok, no problem.
Summitt: Can I get the phone number again?

Woman: [telephone number redacted]
Summitt: So [telephone number redacted]
Woman: No [telephone number redacted]
Summitt: Ok, give me one second.
Summitt: Hello? I informed your husband that what the procedure is now that we did send it to quality assurance. There was a phone call which was made on September 14, 09 but..
Woman: September 14th if you say, there's nobody at home because I was working and my husband working.
Summitt: So September 4, 2009 is when someone came to the door, correct?
Woman: Yes.
Summitt: And then on the 14th, a person was at your house.
Woman: At late at night and I was alone and he told me I am from Union Gas, you have to sign this paper and rushing me, he never let me look through the papers and this is not fair.
Summitt: I understand ma'am. At this point, what we did, there was a phone call made, is there anybody else than yourself or your husband at the house?
Woman: I think he only want to make all his money and he have to come to people's house and talking like this. He can't be very honest and say he comes from Summitt Energy and I have an offer like this and this and that...not like this coming I'm from Union Gas you have to sign these papers. You don't get no papers from Union Gas. Lots of talk about Union Gas. He never tells me he was Summitt Energy.
Summitt: But ma'am, when you signed the registration form, it clearly states, it doesn't state Union Gas. It states Summitt Energy.
Woman: What he put it...you don't understand what I'm saying. When I sign it I never look at the top, he said sign here I have to go.
Summitt: Ma'am, I understand, you know you did sign it but I think...
Woman: Listen to what I'm saying, he put all my name, information...and he just says right now, just sign it and that's it. I never for one moment thinking that this is from Summitt Energy. I Honest to God.
Summitt: There was no brochure or anything left for you?
Woman: Nothing
Summitt: Ok but we called you and told you that day.
Woman: I don't answer the phone I told you nobody call me.
Summitt: Ok is there anybody else in your household that can answer the phone

Woman: No

Summitt: Because we asked for..

Woman: No, I only have a small baby.

Summitt: We asked for A.S. [name redacted]. Basically on the 14th somebody answered the phone and said "yes" to the program.

Woman: I don't know who

Summitt: So we have to be sure, yes that phone call was recorded. We're going to review it. If any person or your husband did accept the program, cancellation fees will be applied to the account.

Woman: Right now, I'm reading these terms and policies, I never see for a cancellation fee.

Summitt: So you're reading right now the terms and conditions?

Woman: I'm reading right now.

Summitt: So, you just told that there was no...nothing left behind.

Woman: Nothing left behind, I'm reading right now.

Summitt: So where you're reading it from?

Woman: I said its the form that he give me.

Summitt: Huh?

Woman: The form, the registration form I have only. I don't have nothing else, I'm talking very honestly with you, I don't have anything else.

Summitt: I ..

Woman: I never lie. If you want to believe or not believe, it's up to you. I have only one religion

Summitt: Ma'am, there's nothing for me to believe here because the fact is that there was a phone call which was made on September 14 and we asked for A.S. [name redacted]and that person said yes to the program, then our company went on and purchased the gas and electricity for the next 5 years. At this point as it stands, somebody did accept the program. What I have done right now, I've send it to quality assurance.

Woman: How can somebody say yes because I'm at work and I can get one letter from my work that at that time, I work.

Summitt: Could it be your husband?

Woman: My husband cannot be, because he is working too. I can get one letter for my husband and one letter for myself.

Summitt: You can get, but we do have a phone conversation recorded, so who was at your house at that time.

Woman: May be, my sister-in-law I don't know.

Summitt: Right now, you told me you're the only people living in the house and now you're telling me you're sister-in-law?

Woman: Exactly three months ago, I don't know who come to this house or don't. I'm telling you everything is true. I don't know, and I think the name is Mark, I don't know exactly...here writing [agent name redacted]

Summitt: [agent name redacted] But that's the agent that came to the door but there was a phone call.

Woman: That day, that night he just come in and he's just rushing.

Summitt: So during that time now you're telling me may be that there could have been anybody else at your house to answer the phone and said yes to the program when he asked for A.S. [name redacted]

Woman: Who would be like this, coming from Summitt Energy and saying coming from Union Gas?

Summitt: Ok, we clearly state that we are from Summitt Energy when we made the phone call. We say, this is Summitt Energy calling you back, we were at your door on September 4, 2009

Woman: I think that night after 9pm the person come and say he's from Union

Summitt: But I don't know what happen at the door because I don't know exactly what happen with the conversation with you and Mark but I just want you to understand that there was somebody at your house on the 14th who accepted the program.

Woman: It wasn't me.

Summitt: So at this point, I've sent it to quality assurance and they're going to review that call and if at any point if you said no to the program, we will cancel it.

Woman: If I say right now, no, what's wrong?

Summitt: Unfortunately, I won't be able to do that because we already pre-purchased the gas and electricity there would be a cancellation fee which will be applied to the account.

Woman: Why like this? it is not fair. The person coming to the door have to explain everything, I'm coming from Summitt Energy and not Union Gas and if you accept right now you have to take cancellation fee and explain everything at the door.

Summitt: Ok ma'am, at this point, we did make the phone call, we did follow procedure.

Woman: But it is completely different and said different things.

Summitt: I do not know what was informed to you at the door but there was phone call where we tell you clearly

Woman: Before they sell me these things. I don't even see this coming. I get this thing from on the door.

Summitt: Ok.

Woman: Nobody sending letter for me. This person coming at the door starting problem for me.

Summitt: Ok, at this point, I already sent it to upper management, they're going to review the call and we're going to contact you in 7 to 10 days, ok? And I will tell you if there's a cancellation fee or not.

Woman: If you have family, you would know.

Summitt: Ma'am, I do have a family I understand, but I tell to ..

Woman: It is not fair, I swear to God honestly, I don't understand this is Summit Energy. Today I understand Summitt Energy. I called Union Gas for my money back, and say you haveyou listening to me? Someone say coming from Union Gas say to me you have 4 months to get your money back, they say they never send anybody from Union Gas to my home. Then I say how come I have this letter and say you have to sign it and you'll get your money back. Then they say no, no, no, it's not from Union Gas. That's why today, I figure out what's going on. If I understand this thing long time ago, I would be calling. When today I understand? Because I'm call and after 4 months I call Union Gas, you'll get your money back. I just waiting 4 months past, and then I called. Union Gas say we never send nobody to your home on the door for Union Gas, say from Union Gas, your money back only for twelve months after we respond to you. That's why I figure out this is different company.

Summitt: Ok ma'am at this point, I'm not able to cancel it.... I understand, I actually understand all this but at this point I have to go through

Woman: I don't want to go through trouble and go to this person and that person. I just tell you because you're a supervisor. I know you can do this for me, please.

Summitt: Ok the thing is, above me there are more people but I did right now, I've put a rush on the account. We're going to listen to that phone call. You have to wait a few days, we're going to listen to that phone call.

Woman: Which call

Summitt: You know that one where we call you at home and apparently you weren't home? If that was your sister-in-law or somebody else who answered the phone...

Woman: Right now, I'm telling you. Nobody can say I am A.S. [name redacted], I have no answer, right? I am at work. Right now, I'm telling you, if you want to get to the court, I say no.

Summitt: Now the thing is,

Woman: Why you don't write down my name is A.S. [name redacted] and I gave you all the information you need.

Summitt: I cannot do that because that was done on September 14th.

Woman: I know what you say. You can't ... waiting on someone call you.

Summitt: Ok the thing is we call you and left you 10 days to discuss this program with your husband and after 10 days we normally call by law, we have to call you and we ask you if you want the program and somebody in your household said yes to it.

Woman: No, right now I'm saying..

Summitt: No unfortunately I won't be able to have the information right now, it was accepted three and a half months ago ma'am.

Woman: I'm asking you, please, can you? You're a supervisor.

Summitt: Unfortunately, my roll as supervisor can only do so much. At this point I indicated to my manager already the whole file. They're going to review the phone call and they are going to get back to you in about 7 to 10 days. I don't know if the cancellation fee is applicable at this point. But, as far as I know, you're telling me you were not the person at your house on that date, correct?

Woman: I'm saying I swear to God I never said on the phone 'yes'.

Summitt: Then don't worry about it, so don't worry. Let me review the phone call first, ma'am. You know there's hundreds of customers calling us to review the phone call. It's not like I can you in front of the files but I am going to put your call as a priority and try to do this as fast as possible I understand that you're starting the account on December 1st so I do understand that fully so we're going to do a rush on to this. Ok?

Woman: Thank you very much so you can't cancel right now.

Summitt: Unfortunately my roll as supervisor in this company only takes me so and I won't be able to cancel anything, ok, I don't have the power to make that decision, ok?

Woman: But you're a supervisor, you can't do these things?

Summitt: Even my supervisor does not have the permission. It has go to a meeting and they have to decide with owners of the company.

Woman: But I told you everything.

Summitt: I understand you told me the whole truth but at this point I'm indicating this in my notes and sending it to upper management, ok ma'am.

Woman: Ok, thank you very much so after 10 days, they'll call me back?

Summitt: 7 to 10 days, if you want an answer before that time, give me a call in 5

days and ask to speak to John, ok.

Woman: Ok

Summitt: Ok, bye.

Woman: Thank you.

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]
Contract Number: F976610-8
Date and Time of Call: 20091124@12:58 p.m.
Transcribed by: Sophina Wong

Summitt: Thank you for call Summitt Energy, how can I help you.
Woman: Are you John?
Summitt: No
Woman: My name is A.S. [name redacted] and my address is [address redacted]
Summitt: Ok.
Woman: Can I speak to John?
Summitt: You want to speak to John?
Woman: Yes please.
Summitt: Oh, can I place you on hold. Let me check to see if he's in the office, thank you.
Woman: No problem.

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]

Contract Number: F976610-7

Date and Time of Call: 20091124@1:01 p.m.

Transcribed by: Sophina Wong

Summitt: Thank you for being on hold. A.S. [name redacted] what I can do is have you transferred over to the extension and in case he doesn't answer you can leave him a message and he will give you a call back.

Woman: I want to listen to my record.

Summitt: I think A.S. [name redacted] you might want to talk to John about that. I'll give you his extension as well.

Woman: o.k.

Summitt: It is 7935.

Woman: Hang on, 7935.

Summitt: 7935 and if you can be online, I can just have you transfer over to that extension as well.

Woman: Alright.

Summitt: If he picks up you can speak to him or if not, you can leave him a detailed message and he would give you a call back.

Woman: Ok, if you can, put me to 79

Summitt: 7935, please be on the line.

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]

Contract Number: F976610-6

Date and Time of Call: 20091124@1:47 p.m.

Transcribed by: Sophina Wong

Summitt: Thank you for calling Summitt Energy, this is Frank speaking. How can I help you?

Woman: Hi, my name is A.S. [name redacted]. My address is [address redacted]

Summitt: And your phone number please?

Woman: [telephone number redacted]

Summitt: Thank you. Just a moment please. Can I get the name of the account.

Woman: A.S. [name redacted]

Summitt: Ok, can I get your address please.

Woman: I told you [address redacted]

Summitt: Ok and what city and postal code is that.

Woman: [address redacted]

Summitt: And what city is that.

Woman: What's that?

Summitt: I said city and what postal code. You gave me your postal code, what city please.

Woman: [address redacted]

Summitt: Thank you very much and how can I help you today.

Woman: I just want to cancel my contract because it's starting from December, it starts? And I never know this is a contract. I just figure out today this is a contract so I just want to cancel it.

Summitt: Ok but now, I see the information I have for you is the same one as they have on the 24th of November. The account we already reaffirmed on the phone that there was a signed agreement done. If you want to cancel there would be liquidated damages. Your gas and electricity have been purchased already for the next 5 years. That is the same information that you got from ...

Woman: But I have paid from Union Gas and Hydro.

Summitt: I'm sorry, say that again.

Woman: I said I have with Union Gas and the Hydro.

Summitt: Right, you have to have the utility to have gas and electricity, that's correct. Now there was an agreement signed with Summit Energy to provide gas and electricity to you. Now then after that, there was a signed agreement at the door and then after we called you back again on the 14th of September and again you agreed to have the gas and electricity.

Woman: Can I hear my record?

Summitt: Ah well, I can request that to be, if you want I can send it out to you by email.

Woman: No I want to hear my record.

Summitt: Again, would you like me to email it to you instead?

Woman: Email?

Summitt: Yeah, you can get it by email. Let me send this out to our QA department, get them to hear the call and they'll email it to you. What's your email address?

Woman: A.S. [name redacted] 2004@yahoo.com

Summitt: yahoo.com. Can you tell me the first part again of your email?

Woman: A.S. [name redacted]

Summitt: d a n, ok, perfect. Ok, I'll have that call emailed to you then.

Woman: And I don't want to pay for no cancellation fee because I have this letter, doesn't show when you want to cancel, you have to pay for cancellation fee.

Summitt: Right, right.

Woman: And at the person coming to my door, say coming from Union Gas. Never tell me he's coming from Summit Energy. He tricked me and I'm very very disappointed.

Summitt: Ok, do you have the agreement there that you signed with that agent at your door.

Woman: He writing with his pen, I can't prove this thing is not my write. He do everything even writing my name. I just sign it.

Summitt: Well that's not a problem. The signature is what goes. If you signed the agreement you signed to whatever he wrote on there. Did you read your

Woman: I should never open door at night over 9 o'clock. He come and says he's coming from Union Gas and he didn't say he's coming from Summit Energy or different company.

Summitt: So now when, ok so now when they called you, when Summitt Energy called you to confirm, to reaffirm that you...

Woman: Listen, listen, I have a problem I can't go to human rights, I go to big, big court, big lawyer, I can't do it for myself everything. What I'm saying, it's not right, it's not fair doing with me like this. Someone treated like this. And they never tell me if you want to cancel this agreement you have to pay money over \$1,500 for this thing.

Summitt: Ok there is..

Woman: It's not jungle everybody can do anything because I found something, this person tricked me after 9 o'clock come to my house and do everything he wants to do and sign it and do it fast and say you have to sign this paper, I'm from Union Gas. Until now today, I never know this is not Union Gas after I call today for my money back for after 4 months, he tell me call Union Gas and ask for my money.

Summitt: But you notice on the agreement that you signed says Summitt Energy on top and it says...

Woman: That's what I tell you, he's holding Summitt Energy in hand and I never read the paper.

Summitt: Well, why didn't you read it?

Woman: He never let me read it.

Summitt: Even after he left at the door, I mean you had the paper in your hand you can read it and it says that we are a licensed marketer.

Woman: You know what happen, he tricked me, he put this paper between the bill for Union Gas and fold it and say it's for Union Gas because I'm very busy I have to go to work I don't have time reading this paper since it's coming from Union Gas. I never read it and just sign and thought it was for Union Gas, never explain to me about Union Gas. I just fold it and put it in my drawer and until today, I'm looking for my money back from Union Gas, I figure out, I'm not foolish waiting 4 months I call.

Summitt: Well what about when they call you from Summitt Energy.

Woman: That's what I want to know... something I don't remember, that's why I want to hear my record voice.

Summitt: You don't remember?

Woman: I never, I'm sure 100% I never speak to nobody and say I accepted.

Summitt: Ok, do you have a spouse, perhaps he was the one that accepted?

Woman: He can never say I am A.S. [name redacted]

Summitt: Well, no your spouse can agree on it.

Woman: No, he suppose to be at work. I can get letter from my work and he too. Nobody answered the phone and say 'yes'.

Summitt: Ok, let me see the one who answered the call.

Woman: Ok.

Summitt: A.S. [name redacted], that's the person that answered the call, the reaffirmation call. And that was done on October 14th at 10:59 a.m.

Woman: You tell me something and I tell you something. I said I ask, request for this record.

Summitt: Ok I never said you weren't going to get it ma'am.

Woman: Ok.

Summitt: I'm just letting you know the information that I have in front of me. You said you wanted to cancel, well I'm letting you know that there will be liquidated damages. You want the email, I'm sending the email up to you.

Woman: If I want to cancel, I don't want to pay money for cancellation fee.

Summitt: Unfortunately, that's not possible ma'am.

Woman: Ok, and I told you it's not jungle anything anybody can do here.

Summitt: That's fine, exactly.

Woman: I'm going to go to human rights, no problem.

Summitt: Ok.

Woman: They can't get one penny from me.

Summitt: Ok so, alright, I'm going to send out the call. I'm going to send you the call by email ok. Did you have any other questions ma'am?

Woman: Yes I have a question if you say this is registration form, you have to do this, right now, I did it today, I reading this paper and I have one question and I never find no cancellation fee for this year.

Summitt: Do you have the brochure there?

Woman: No I never have these thing, nobody give me brochure.

Summitt: Ok, now one of the questions during the reaffirmation call was do you have the signed agreement from the representative as well as the brochure and if you said yes,

Woman: I have no brochure, I only have registration form, I ask you one thing, in the contract there's no cancellation fee.

Summitt: Ok , can I finish?

Woman: Ok.

Summitt: Ok, if during that reaffirmation call, you said no, I don't have it, then someone here will mail it out to you and we will call you back when you received the brochure. If you said yes, you do have it, we assume that

by you saying yes I have it, means that the brochure is in your hands.

Woman: I don't have a brochure.

Summitt: I haven't heard the call yet I'm not sure what was said but someone here from QA will hear it. We will email it to you as well.

Woman: But I don't get nothing from my mail, how come. It doesn't come in that night to me...I haven't one contract anything by law. If contract on it, have to sign it, then right in here cancellation fee must be on it.

Summitt: Well, yes and that's why we ask if you have the brochure and the signed agreement.

Woman: I have no brochure. If I have the brochure, I never ask this stupid question.

Summitt: Ok, well someone will I mean, you did sign without you even reading this, so when someone calls you and says do you have these things with you and if you said yes, then

Woman: That's why I request for my record.

Summitt: So ok I'll send it out to you.

Woman: You sending right now for me?

Summitt: I'm making the request to be sent out to you. I don't have your recording here and as I said to you before I don't, I haven't heard it.

Woman: How long do I get this thing?

Summitt: I don't know, it depends when they sent it out.

Woman: Because they say from December I'm with your company

Summitt: Whether it's December or now, the account is not going to be cancelled now.

Woman: No, no, no I'm saying before, this is not December. You cannot cancellation, because I'm not going to pay for cancellation fee.

Summitt: Ok, you're right, it's not going to be cancelled then.

Woman: I'm saying before I'm starting with your company, if is starting and I get one bill, two bills from your office doesn't make sense how come you don't know its Summitt Energy until now today I call because from Union Gas I want to get my money back that's why I figure out it's difference company.

Summitt: Money back?

Woman: Yes.

Summitt: From us?

Woman: From Union Gas because I paid

Summitt: Oh from Union Gas.

Woman: Yes, that's why I called and Union Gas said they never sent someone to your door and say you are Union Gas you have to sign this paper. It's different company. When I go back and I search all over for this paper and I find it is a different company, its tricked.

Summitt: The money back you're not saying because of Summit Energy right? Oh that's a separate problem.

Woman: No, no they say for 12 months, they're holding for bills, this is for new accounts and hydro and gas do for like this for one year. After one year, they give money back to account person. Like me, I get money back after 12 months.

Summitt: Ok, are you talking about the equal billing that they have.

Woman: No, no I'm saying until now I never know this is different company. I called Union Gas just for my money back they say who tell you this that you get your money back after 4 months. Our system won't come at your door and say I'm from Union Gas I give your money back after 4 months and the person from Union Gas say we never, never send nobody at your house and say from Union Gas, it's a different company.

Summitt: Right.

Woman: Until today when I go and figure out this is Summitt Energy is not Union Gas. The person tricked me say by I'm from Union Gas after I signed the paper.

Summitt: But you know, when someone gives you a piece of paper and someone tells you they're from Union Gas, but someone gives you a piece of paper that says a different company there, I would assume the person's lying to me, I would have called right away and say, look this is what happened. This happened in September, we're almost at the end of November, December.

Woman: That's what I'm saying, this I go through my bills and I never noticed Summitt Energy that's why I'm waiting for 4 months finish and I ask for my money back. If he tell me after one month, three months I figure out this is not Union Gas. Until today I thought this is Union Gas, today I opened this paper, I'm searching for this paper I see this is different company and this is not Union Gas, it's different company, that's why I call over and over for anyone.

Summitt: Ok, so you're telling me that you go ahead and read your paper now, almost 2 months after you signed the agreement and you want to cancel 2 months after because you just read it now.

Woman: I don't ever suggest it to read it now because it says Union Gas.

Summitt: That doesn't make sense to me. If you're going to sign something ma'am, you read it. Simple.

Woman: The guy says he from Union Gas, coming door to door to door ...

Summitt: You had time to read it, you had time to read and you never read it.

Woman: That's what I'm saying he folded for me and he said this is from Union gas. That's why I don't know this has happened. This is anytime may be happen for anyone.

Summitt: I'll tell you something. If 2 months later you're reading it because somebody told you to read it.

Woman: Nobody tells me to read it. I told you about these things.

Summitt: Well they told you it's a different company.

Woman: That's what I'm saying and he tells to me after 4 months, call for your money back. After 4 months I call and figure out that this is different company. And I called Union Gas and they say you can't cancel it because it's not starting with Union, it's starting with Summitt Energy. It's starting from December.

Summitt: Right, right.

Woman: And my paper doesn't show you have to pay for cancellation fee and they say you have right to cancel for this contract.

Summitt: Oh yeah, you have a right to cancel absolutely.

Woman: Yeah, but doesn't show we will charge you for cancellation fee.

Summitt: On the brochure that was left at your house..

Woman: I never see no brochure.

Summitt: Well again, I haven't read hear your reaffirmation call. I don't know if you did say yes you do have it, the brochure or not. So I really can't say that you know, I can't say anything about it as I'm not sure. But we will listen to the call and see what happens. So you will be getting it by email. Ok.

Summitt: Was there anything else I can do for you today.

Woman: Nothing.

Summitt: Ok, thanks for calling, bye bye.

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]
Contract Number: F976610-5
Date and Time of Call: 20100310@3:56 p.m.
Transcribed by: Agnes Sun/Isla Warren (from page 3)

Summitt: Summitt Energy, Tamara speaking.
Woman: Hello
Summitt: Hello
Woman: Hi, is that Tamara?
Summitt: Tamara, Hi,
Woman: You're Tamara?
Summitt: Yes, my name is Tamara
Woman: Hi, my name is A.S. [name redacted]. I just left a message at, I think, 12 o'clock for you. Did you get my?
Summitt: Oh, hi, yes, I did and I just called you back and left a message as well.
Woman: I left my original message at this and I forgot to please call me. I called you and someone said Summitt Energy and that I had a problem with this, your company because I explained everything that happened. On September, I think it's end of August, someone coming to my door and this person was like not a specific choice Summitt Energy. He told me I'm from Union Gas, go get your bills, did you pay the money, did you pay this bill I buy house. I don't know nothing about this and late at night 9:30 I should never open door for him. You know, after he told me this is a program energy, and this is good for you, lots of explain to me about, like, this is about meter and stuff like that and I just listening to him. His name is Mark with Union Gas. Give me your bill and I explain to you, without the consent with me, he took my all account number and writing a contract that I never know what it is. He just took everything without consent
Summitt: (sneezed) excuse me
Woman: No problem. He write down all my information, my first name, last name, my account number, everything, without consent with me and he told me after just four months you call Union Gas ask for your money back. What is money back because I have no account, I told him I buy just house and than I am new account I have to pay first and last to Union

Gas, right? He told me to call back and ask for your money back. I said okay. Just sign it here they will be coming to your home from Union Gas. I said okay. I just sign it and they don't let me read what is. They said don't worry, just sign it, and finish and said thank you very much

Summitt: Did he talk to you about electricity?

Woman: No

Summitt: Okay

Woman: He just said show me about Union Gas. He never speak to me about nothing else. Just said Union Gas, Union Gas, Union Gas ... I never heard nothing about electricity, hydro, anything, never I showed him something from Union Gas and what happened I just ... after four months, I just listen to him I called Union Gas and I spoke with one agent at Union Gas, she told me they never send anyone to your home. It is a different company. She said did you sign something, I said yes, I said this is not fair, it's not fair with me if someone coming late at night to my home and I trust him and he never explained to you what is there in the contract, do you want coming from Union Gas transfer to Summitt Energy, he never explained nothing and I called and explained everything and after I go to 3 or 4 energy I come to explain and ... one person, my husband and he never know these things. They just come and explain about Union Gas and about saving program energy. It's not fair. If someone comes to your door and you don't know about this program, you don't know what is going on. It's a crook.

Summitt: Did the agent give you a copy of the agreement that you signed?

Woman: He give to me and folded with my Union Gas bill and I trust him and I never open up for 4 months. Union Gas told me just open it and read it. And I said, this I for Summitt Energy. It's a different company, Summitt Energy. And said right now, from December, you have to be with Summitt Energy. Its not fair.

Summitt: Do you have a copy with you right now? A copy that was signed?

Woman: Yes, I have it with me.

Summitt: Do you have electricity selected on your house?

Woman: Selected, he check it for me.

Summitt: You check it first.

Woman: Yes, yes

Summitt: But he never ...

Woman: And I never never put my account number because he don't ask me for electricity

Summitt: Did we call you for your account number?

Woman: No

Summitt: No?

Woman: What happened, he got it from Union Gas. I don't know how he get and I go to Hydro, I explained to manager everything, she told me don't worry, we are not going to let Summitt Energy get these things from you and you just make sure for me every month call me and I make sure for you everything all right for you.

Summitt: Okay

Woman: I explained everything to Ontario Board Energy. I don't want Summitt, I know it is a good company and then I explained my problem, right away, say no problem we cancel for you and over and over they're sending these things to me, you have to take cancellation because I don't have no money and just my husband don't work, I just work half job. I get the money from there. It's not fair with me, I just have enough money I buy this house and the rest is paid from mortgage, it's not fair that I have to pay cancellation fee and I don't have no experience about this part of what's going on, someone come, so I just figured out from here.

Summitt: So what about when we called you to confirm that you wanted to go ahead with it, do you remember that call?

Woman: Exactly. Yes, I remember that call and I'm listening because I am rescinding this thing for me. If you're listening to this voice record ... I never know what is Summitt Energy. Honest to God. And my baby beside me said what's going on. I say okay, okay, okay and I don't know what is that.

Summitt: Hmm, hmm.

Woman: That's all. I tell you everything true.

Summitt: Okay.

Woman: For what I signed I'm not sick or retarded I say, you know what I'm saying.

Summitt: Hmm hmm.

Woman: And I have this record my voice with Union Gas. I spoke with someone in Union Gas. I explained what happened. This person come and say we this is not Union Gas. If I know who is this for what I ask Union Gas can you give me my money back, then you give me say how come say after one year past. I said who tell you that I say this thing happen for me. They have my voice on record.

Summitt: Okay, now I see that you called us on November 24th before you got a bill from Union Gas. Is that because you called Union Gas?

Woman: No, no. Excuse me?

Summitt: You called Summitt Energy on November 24th.

Woman: Exactly. I called. I just want to explain to them ... I spoke with someone I don't remember ...

Summitt: So, how did you know that's when you called Union Gas? You found out that ...

Woman: Exactly. Union Gas explained to me what he did on the door. You signed contract without you know what you doing and my eyes opened. Then say when you just call Summitt Energy and you say I don't want and I called Summitt Energy what happened and don't want listening to me. Say you don't want this contract I say different things. When on yesterday someone called me say my name is Chris from Summitt Energy. Can you confirm with me your address? I say I never give you no information and I don't want to speak with you but then I called and say from which department you call. Say from Collection.

Summitt: From Collection?

Woman: Yes, say I'm going to call you tomorrow which means today again. I say I don't answer your question.

Summitt: Okay, what to do is when Chris calls you; if he calls you, tell him that you speaking to Tamara at Compliance and Tamara is dealing with your file. Okay?

Woman: Okay. Because...

Summitt: So that nobody calls you.

Woman: Ya, and because he was very, very rude with me last night and told me I'm sure if you want to call they going to transfer for me. And I just say I don't want to answer you questions. I just hung up the phone. Because they do very bad with me I don't want to speak to him. It's not fair because I receive my bill every month is too high for me. Union Gas, I have to pay for Summitt Energy. How much I make money? I have to pay twice. It's not fair.

Summitt: Okay, let me...the thing about it is that once you sign the contract and then you receive a call and you confirm it, then it becomes a binding contract. Right? We cannot really verify what Mark said to you when he came to your house that night.

Woman: I just want to tell you something. If I know who is this, for sure I get him on record I get all his voice recording. But I never realized what was going on.

Summitt: I know and I'm not saying that I don't believe you and that you're not telling the truth but when I'm reviewing your account I have to let my manager know what's going on. So, it's very had for me to prove to them that that is what he said to you because there's no way for us to verify that right? So, what I would need to do. I need a couple of days for me to speak to my manager and explain to her what you've told me. Okay? So, Chris called me today and Chris told me to give you a call

and I called you so you might get a voice message I left for you maybe about half an hour ago I called.

Woman: Okay.

Summitt: So, I'm going to let Chris know that I will working with you to try and resolve it and if today is Wednesday, I'm going to call you back by Friday.

Woman: By Friday – okay. I'm just telling you I don't want Summitt Energy and I don't have this money for cancellation fee.

Summitt: Okay.

Woman: Honest to God you think I understood what I do.

Summitt: What I'm going to give you to do though is you said that your husband is not working.

Woman: Yes, my husband not working.

Summitt: If you can provide me with, like a, proof of that then I can tell my manager – listen, you know, she cannot afford to do this, she has kids, her husband is not working and then I can ...

Woman: And I have a part time job. And I have too much bills.

Summitt: Do you think you can send me proof of that?

Woman: Proof of my husband no working?

Summitt: Your husband not working and you on a part time – like a letter from your job saying that you're part time.

Woman: Yes.

Summitt: Okay, so if you can send that to me, then I can speak to my manager and have them cancel it for you.

Woman: Thank you very much. I really appreciate. No problem. Only I just have to send it by fax to you.

Summitt: Can you send it by email? Or, by fax.

Woman: No problem. At work I can send it for you by email or by sending to you ..

Summitt: Okay, so the emails that we sent you at shand..shah...sorry...shadan_sh2004@yahoo.com that's your email right?

Woman: Exactly right.

Summitt: Okay, so what I'm going to do right now is I'm going to send you an email so you have my email address.

Woman: Right. And just in case, give me your name, because Summitt Energy is sending me email I don't want it to come through.

Summitt: Okay. So, I'm doing it right now. Tamara Simpson and this is in the subject line. Summitt Energy. So, I'm sending you my email address. When you get a chance if you can send me a copy of proof that your husband's not working and proof that you are part time and then I can cancel it for you.

Woman: Thank you, I really appreciate it. Thank you very much.

Summitt: Alright, but I will...if you want I can...when do you think you can send it to me? Tomorrow?

Woman: Tomorrow? I have to check because by tomorrow I can't promise, for Monday I can't promise because I working part time and as of 5:00 tomorrow I don't go to work and until I have to see my manager, if I don't see him in case I have to get something in writing from him for me. I just want to make sure I see my manager.

Summitt: No problem. If you need anything or you want to talk about anything you can call me on this number, that's my direct line, so you don't have to go through Customer Service and wait and all that stuff. Okay, so just call me, if you don't get me, leave me a message. Probably when you called me earlier I was probably at lunch. 12:00 to 1:00 I'm at lunch. Just leave me a message and I'll get back to you. Okay?

Woman: Okay. I really appreciate it.

Summitt: No problem. So you have a nice day. I look forward to you email.

Woman: Thank you very much. Take Care. Bye, bye.

Summitt: Bye.

OEB Order EB-2010-0221

Complainant Name: A.S. [name redacted]

Contract Number: F976610-4

Date and Time of Call: 20100315@2:16 p.m.

Transcribed by: Isla Warren

Summitt: Summitt Energy, Tamara speaking.

Woman: Hello?

Summitt: Hello.

Woman: Hi Tamara, how are you?

Summitt: I'm okay, how are you?

Woman: Thank you good. My name is A.S. [name redacted] if you remember me. I just left a message to talk to you yesterday.

Summitt: Oh you did? Sorry about that. I'm just a little bit busy today.

Woman: I know.

Summitt: Ya.

Woman: What happened. I get my letter from my employer and my husband...because I told you my husband don't working. He's in WSIB and I tried sending...no problem...I have his T4 and I can send it both together but I don't have your address. I don't know because I never received your email.

Summitt: Oh, you didn't get it?

Woman: No.

Summitt: OK.

Woman: That's why I just calling today. I have everything I don't have your fax number or email address.

Summitt: Okay. Maybe faxing might be better.

Woman: See I faxed it but already it is not with me but I don't know because right now I coming to work.

Summitt: Okay.

Woman: I don't know. Maybe tomorrow I send it to you.

Summitt: Okay, okay. Let me give you my fax number today and then when you get a chance tomorrow you can send it.

Woman: No problem.

Summitt: Okay. It's [fax number redacted]

Woman: [fax number redacted]

Summitt: [fax number redacted]

Woman: [fax number redacted]

Summitt: [fax number redacted]

Woman: [fax number redacted]. This is your fax number or no?

Summitt: Yes it is.

Woman: Okay don't put attention Tamara on.

Summitt: Ya, put attention Tamara on there.

Woman: Oh okay. I put attention. No problem. And what is your email address?

Summitt: It's tsinson@summittenergy.ca.

Woman: I don't like this Summitt.

Summitt: You don't like what?

Woman: Summitt Energy name. They do bad with me.

Summitt: They do bad with you, yeah.

Woman: Yeah.

Summitt: Okay, so you'll send it out between today, well tomorrow and I will look at it.

Woman: Any time I reach home I'm going to send it by email or fax by Tamara because any time you go to work tomorrow you get it.

Summitt: Okay, no problem.

Woman: If you have any time, can you can you send me your email for me.

Summitt: You want me to send my email?

Woman: Yes. I don't get it. I check.

Summitt: You know what, you need to do as well, check your junk mail because maybe it doesn't like my email address – it doesn't identify it – what is your email again?

Woman: [email address redacted]@yahoo.com

Summitt: Ya, that's where I sent it. I'll send it again.

Woman: I don't know.

Summitt: Ya, I'm going to send it again but check your junk mail as well okay?

Woman: Okay. I'm going to check it. I wish I get your fax number or something counting down because only I have your phone number. Right no I get

your fax number, I'm going to send it for you.

Summitt: Okay, no problem. I sent you another email. I hope you get it this time.

Woman: Thank you very much.

Summitt: Thank you.

Woman: Take care, have a good day.

Summitt: You too.

Woman: Thank you very much. Bye, bye.