Public Notice of Specified Penalty

Date of issue: **July 22, 2019**	Payment due date: **August 22, 2019**	AUC penalty number: **AUC2019-014**
Entity required to pay: **Direct Energy Marketing Limited**	Total penalty amount: **$1,175** Amount per day (if applicable):	
Amount payable to General Revenue Fund: **$1,175**	Customer name: [redacted] Customer site ID: [redacted]	

Contravention date(s): **May 8, 2019**	AUC rule(s) contravened: **AUC Rule 003, Section 3.4.1(3)**	Contravention(s) within the 120-day rolling period: **Eighth**

Description of conduct that resulted in the contravention	AUC Rule 003, Section 3.4.1(3) states: An ESP must not request the disconnection of a customer unless (a) the customer requests the disconnection; (b) the customer's account is in arrears and the disconnection will occur within the permissible disconnection period; (c) the customer is receiving electricity or gas service but fails to provide information or provides incorrect information for billing purposes and the disconnection will occur within the permissible disconnection period; or (d) the premises or property served by a site reasonably appears to be vacant or unoccupied. Direct Energy Regulated Services (DERS) received a payment and told then customer that the payment was sufficient to stop the disconnection process. The agent did not correctly revoke the de-energize order and disconnected the customer in error on May 8, 2019, contrary to AUC Rule 003, Section 3.4.1(3)(b). The site was re-energized on May 9, 2019.
Facts relied upon	DERS self-reported that the customer was disconnected in error, and paid a $150 service guarantee as required by Section 3.4.2(1) of AUC Rule 003. The Commission is satisfied that a contravention has occurred.
Adjustments made to specified penalty Payment of service guarantee: **Yes** Self-reported: **Yes**	Eighth contravention of AUC Rule 003, Section 3.4.1(3) within 120 days $2,500 Payment of service guarantee to customer ($150) * Reduction for voluntary disclosure ($1,175) **The final adjusted penalty amount** **$1,175** * The Commission has further reduced the penalty by 50 per cent because the contravention was voluntarily disclosed and the actions taken by DERS subsequent to its becoming aware of the contravention.
Commission order	The Commission orders that $1,175 be paid to the General Revenue Fund regarding site ID [redacted] further to Section 63.1(5) of the *Alberta Utilities Commission Act*. Mark Kolesar, Chair Signature: *(original signed)* Date: July 22, 2019
Payment instructions	Payments made to the General Revenue Fund are to be made payable to the "General Revenue Fund c/o Minister of Finance." All payments to the General Revenue Fund are to be made by cheque or certified funds and delivered to the Alberta Utilities Commission at: **1400, 600 Third Avenue S.W., Calgary, Alberta, T2P 0G5** and must reference the AUC penalty number. All other payments are to be made payable to the person(s) named above in "Amount payable to." If the person named above is a customer of the utility, then the amount payable may be credited to that person's utility account. For all other circumstances, including payment to a third party, the amount payable must be made to the person named by cheque, certified funds or electronic funds transfer. A copy of the payment or credit with reference to the AUC penalty number must be provided to the Alberta Utilities Commission by email at enforcement@auc.ab.ca. Questions can be directed to enforcement@auc.ab.ca, 310-4AUC in Alberta, or 1-833-511-4282 outside of Alberta.
Dispute or failure to pay	A party may dispute this notice prior to the payment due date by notifying enforcement@auc.ab.ca. Dispute of this notice or failure to pay the total penalty amount by the due date will result in a hearing or other proceeding before the Commission.