



Public Notice of Specified Penalty

Date of issue: January 23, 2020	Payment due date: February 24, 2020	AUC penalty number: AUC2019-260
Entity required to pay: ENMAX Energy Corporation	Total penalty amount: \$500 Amount per day (if applicable):	
Amount payable to General Revenue Fund: \$350 Amount payable to [REDACTED]: \$150	Customer name: [REDACTED] Customer site ID: [REDACTED]	

Contravention date(s): March 26, 2019, April 25, 2019, May 28, 2019	AUC rule(s) contravened: AUC Rule 003, Subsection 3.4.1(2)	Contravention(s) within the 120-day rolling period: First
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Description of conduct that resulted in the contravention	<p>AUC Rule 003: <i>Service Standards for Energy Service Providers</i>, Subsection 3.4.1(2) states: An ESP must not issue (a) an incorrect customer bill; (b) a late customer bill; (c) an unexpected customer bill; or (d) more than one customer bill in a calendar month unless it has a reasonable explanation for issuing multiple bills. Subsection 1.3(f) of that rule defines an unexpected customer bill as a bill issued by an energy service provider to a person who is not financially responsible for the bill.</p> <p>[REDACTED] is the owner of the property with site ID [REDACTED] (the site), and stated that location was rented out to [REDACTED] from June 1, 2016 to April 25, 2019. In an email dated November 25, 2019, ENMAX Energy Corporation (ENMAX) staff confirmed that on January 23, 2019, [REDACTED] was dropped by a competitive retailer for non-payment, and the site was then serviced by ENMAX as the regulated rate provider. Effective as of that date, ENMAX began charging [REDACTED] for electricity services for the site until a new tenant applied for service on May 18, 2019.</p> <p>Subsection 103(9) of the <i>Electric Utilities Act</i> stipulates that when a customer is not enrolled with a retailer, the customer is then deemed to have elected to purchase electricity from the regulated rate provider. Subsection 3.4(a) of ENMAX's Customer Terms and Conditions states that while a property owner will automatically revert to being a customer when there is no longer a tenant, the owner will not be responsible for charges incurred by tenant while the tenant is a customer for the premises.</p> <p>[REDACTED] was dropped by his previous electricity retailer using the de-select reason code 0002, signifying that the retailer had dropped the customer. Conversely, the previous retailer did not use de-select reason code 0001, meaning that ENMAX ought to have known that [REDACTED] had not moved and was still the customer at the site. ENMAX issued unexpected customer bills to [REDACTED] even though she was not financially responsible for those bills.</p>
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Facts relied upon	The information provided to the AUC demonstrated that ENMAX had issued unexpected customer bills contrary to AUC Rule 003, Subsection 3.4.1(2). The Commission is satisfied that a contravention has occurred.
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Adjustments made to specified penalty	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">First contravention of AUC Rule 003, Subsection 3.4.1(2) within 120 days</td> <td style="text-align: right;">\$500</td> </tr> <tr> <td>Payment of service guarantee to customer</td> <td style="text-align: right;">(\$0)</td> </tr> <tr> <td>Reduction for voluntary disclosure</td> <td style="text-align: right;">(\$0)</td> </tr> <tr> <td>The final adjusted penalty amount</td> <td style="text-align: right; border-top: 1px solid black;">\$500</td> </tr> </table>	First contravention of AUC Rule 003, Subsection 3.4.1(2) within 120 days	\$500	Payment of service guarantee to customer	(\$0)	Reduction for voluntary disclosure	(\$0)	The final adjusted penalty amount	\$500
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Payment of service guarantee to customer	(\$0)								
Reduction for voluntary disclosure	(\$0)								
The final adjusted penalty amount	\$500								
Payment of service guarantee: No									
Self-disclosed: No									

Commission order	<p>The Commission orders that \$350 be paid to the General Revenue Fund and \$150 be paid to [REDACTED] further to Section 63.1(5) of the <i>Alberta Utilities Commission Act</i>.</p> <p>Douglas A. Larder, QC, General Counsel Signature: <u> (original signed) </u> Date: <u>January 23, 2020</u></p>
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<p>Payment instructions</p>	<p>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.</p> <p>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.</p> <p>Questions can be directed to enforcement@auc.ab.ca, 310-4AUC in Alberta, or 1-833-511-4282 outside of Alberta.</p>
<p>Dispute or failure to pay</p>	<p>A party may dispute this notice prior to the payment due date. To register your dispute, please visit the AUC website at www.auc.ab.ca and log in to the eFiling System. 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.</p>