



Ontario Energy Board
Commission de l'énergie de l'Ontario

Consumer Snapshot



***April to June
2011***

Aussi disponible en français

Introduction

Welcome to the April to June 2011 issue of the Ontario Energy Board's Consumer Snapshot.

Published quarterly, the Snapshot is a simple overview of the energy market and how the OEB is acting in the interests of you, the consumer, to ensure a fair and efficient marketplace.

Inside you will find details on the questions, concerns and complaints raised by consumers to the OEB's consumer relations area. You will also find information and statistics intended to help you better understand the types of issues raised to the OEB by consumers ("**Consumer Contacts**", page 3) and how complaints are handled ("**Consumer Complaints**", page 6).

Our "**Escalated Consumer Complaints**" and "**Compliance Management**" sections (beginning on page 8) identify what the Board has been doing to resolve consumer disputes and ensure that suppliers (retailers and marketers), utilities, and unit sub-metering providers are complying with their legal and regulatory obligations. The Board can also take enforcement action against a licensed or regulated company in appropriate cases.

Informing the public about their rights and responsibilities in the energy sector is an important part of the OEB's work. We work with community groups, utilities, various other agencies and the media to achieve this goal. Check out which communities we've visited recently under the "**Consumer Outreach**" section (starting on page 11) and how you can bring the OEB to your community.

April to June 2011—Quick Facts

- ▶ **8,004** consumer contacts
- ▶ **1,053** complaints registered
- ▶ **304** complaints escalated for further review
- ▶ Approximately **\$100,000** returned to consumers for waived liquidated damages and reimbursements by regulated companies

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Consumer Contacts

Consumers contact the OEB by phone, letter, fax, e-mail or through our internet-based web form. Some consumers have a simple enquiry while others look to raise a concern or file a complaint about a company regulated by the OEB.

Enquiries are general requests for information or clarification about the energy sector.

Examples:

- What are the current time-of-use electricity periods / prices?
- Where can I find information about any applications my utility has before the OEB?
- What should I consider before signing an energy contract?

On occasion, consumers may wish to express their dissatisfaction with an aspect of the energy sector. In some cases the OEB does not have jurisdiction over the area of their concern. In other cases the consumer may not have enough information to register a complaint. For these consumers the OEB registers a **Concern** in our tracking system.

Examples:

- Disagree with smart meters or time-of-use pricing.
- Door-to-door agent gave incorrect information but consumer does not recall what company they worked for.
- Consumer signed a hot water tank rental contract.

The OEB also logs **Complaints** from consumers who claim their supplier, utility, or unit sub-metering company did not follow its legal or regulatory obligations.

Examples:

- Electricity utility charged a greater security deposit than is allowed under OEB rules.
- Supplier did not verify the contract as required under legislation.
- The consumer's electricity and/or natural gas contract was renewed without the consumer receiving a renewal package.

Consumers may raise several issues related to their primary reason for contacting the Board. The OEB notes each issue raised in the consumer's enquiry, concern or complaint. The charts on the following two pages show the top 10 issues raised by consumers for Suppliers and for Utility / Other during the last quarter. Issues raised by consumers are not necessarily indicative of non-compliance.

Top 10 Issues Raised – Supplier

Rank	(Rank Last Quarter)	Issue Raised	Examples
1	(1)	No Copy of Contract	No copy of existing contract, consumer does not recall signing contract, copy of contract not provided when requested
2	(4)	Cancellation Charges	Charge for exiting contract too high, charges unfairly applied (e.g. moving with no service at new location)
3	(2)	Contract Renewal	Did not receive renewal package, renewed after cancellation request, misleading renewal notice
4	(3)	General Contract Issues	Miscellaneous contract issues not otherwise captured
5	(6)	Reaffirmation	Declined contract on reaffirmation call, do not recall receiving reaffirmation call, attempt to reaffirm during 10-day cooling off period, person not authorized to reaffirm
6	(5)	Cancellation Request Not Processed	1—2 billing cycles has passed without cancellation, company has no record of cancellation request
7	(10)	Disputed Signature	Account holder or spouse's name signed on contract but is alleged not to be their signature
8	(7)	Misrepresentation of price	Agent guaranteed savings, consumer told no fee to cancel, agent compared contract price to only a portion of regulated rate (e.g. highest TOU period)
9	(8)	Misrepresentation of Identity	Agent claimed affiliation with government, utility or Ontario Energy Board
10	(--)	Signed by unauthorized person	Contract signed by family member other than spouse, person who does not reside at the address, unauthorized employee or non-account holder roommate / tenant

Top 10 Issues Raised – Utility & Other

Rank	(Rank Last Quarter)	Issue Raised	Examples
1	(1)	Billing	Errors in billing amount, no bills received, transfer of arrears from other customer
2	(3)	Smart Meters / Time of Use	Do not want a smart meter, concern with TOU prices or periods, increased bill amount with TOU prices
3	(4)	Meters	Meter read incorrect, new meter registering higher consumption, dispute meter testing results
4	(--)	Utility Service Quality	Frequency of power outages, damage to property, no response to letters / calls, long phone wait times, not notified of planned outages
5	(2)	Rate Issues	Concern with changes to rates, incorrect rate applied, late payment charges
6	(--)	Disconnection / Reconnection	Disagree with disconnection policy, disconnected without cause, concern with reconnection schedule or charges
7	(--)	OEB Bill Insert	Questions on content of insert (concern insert meant they have moved to TOU prices without notification)
8	(6)	Security Deposits	Disagree with amount requested, consumer feels deposit requested after disconnection for non-payment is unfair, additional deposit requested by utility, not provided option to pay over 4 billing periods
9	(7)	Current Electricity Rates	General questions about electricity rates in Ontario, what are the current rates, when will the new rates be announced, why are rates changing
10	(--)	Disconnection Notice	Notice received less than 10 days prior to disconnection, no posted in a conspicuous location, did not provide required information, notice not received

Consumer Complaints

The OEB encourages consumers with a complaint about their supplier, utility, or unit sub-metering provider to contact the company first to try and resolve the complaint.

If the consumer has contacted the company but the complaint has not been resolved to the satisfaction of the consumer, the consumer may file the complaint with the OEB's Consumer Relations group. Consumer Relations will first assess whether the OEB has authority or jurisdiction in the area of the consumer's complaint, and advise the consumer of the complaint resolution process.

Once a consumer complaint is filed on a matter within the Board's authority, the OEB contacts the company, providing them with a summary of the consumer's complaint and asking for the company's response. Generally companies have 21 days to respond.

The following chart shows the broad categories of complaints received by Consumer Relations for the months April to June 2011.

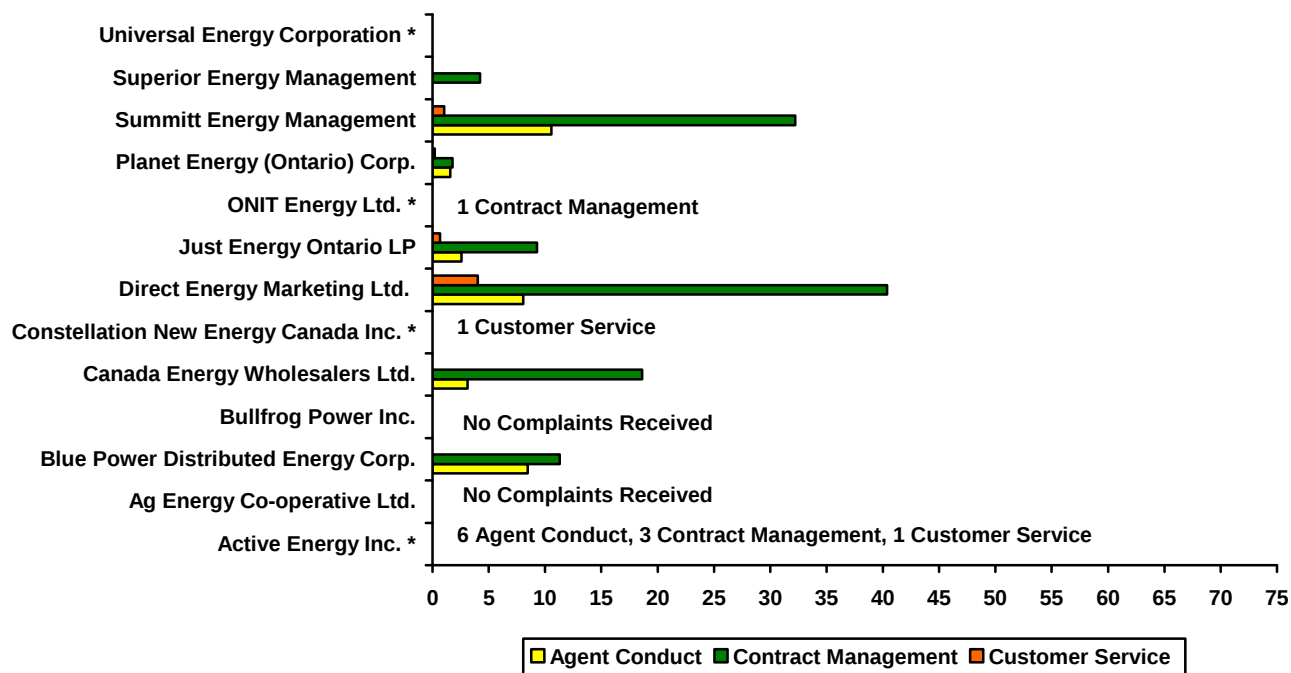
Supplier—Contract Issues	579
Utility —Customer Service	139
Utility – Billing / Metering	131
Supplier—Agent Conduct	123
Supplier—Customer Service	30
Other	29
Utility – Facilities	12
Utility – General	10
Total	1,053

The charts on the next page show complaints against Suppliers broken out by energy sector and company based on the number of complaints received per 1,000 new enrollments and renewals in the period. Information on enrollments and renewals used for this purpose are reported by the suppliers and may not have been independently reviewed or audited by the OEB.

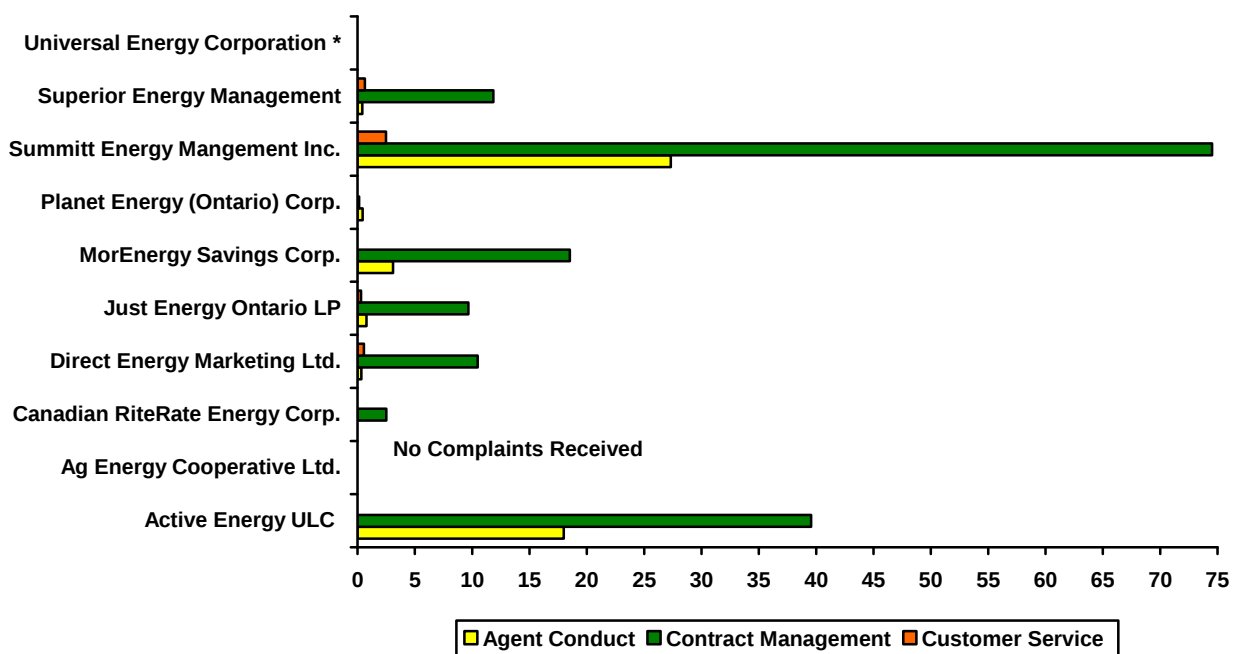
If the supplier did not enroll or renew any consumers during the reporting period, the chart will show the actual number of consumer complaints received over the period.

Low Volume Consumer Complaints Received by the OEB (per 1,000 new and renewed customers enrolled)

Electricity Sector



Natural Gas Sector



*no new or renewed customer enrolment numbers reported– total number of complaints received by OEB shown

Escalated Consumer Complaints

Consumer complaints are escalated when no resolution has been reached through the initial complaint process.

Staff may make enquiries and gather information, as appropriate, to mediate or resolve the complaint.

During this process, staff determines whether there are reasonable grounds to suggest that a licensed or regulated company has contravened or is likely to contravene any of its legal or regulatory obligations (see “**Compliance Management**” on next page).

	Supplier	Utility	Unit Sub-Metering Provider	Total
Complaints Escalated	249	50	5	304
Percent of Total	82%	16%	2%	

Escalated complaints typically involve the following types of issues:

Suppliers – contract management and processing issues and sales agent conduct complaints.

Natural Gas and Electricity Utilities – billing practices such as estimation practices, meter readings and late payment charges, as well as other customer service issues.

Unit Sub-Metering Providers – billing practices and other customer service issues.

During the quarter, staff closed **854** first level complaints that were resolved through the complaints process. These were comprised of 727 supplier complaint responses and 127 utility complaint responses¹. Staff also monitored responses from licensed and/or regulated companies to these complaints to ensure consumers received an appropriate response.

¹ These statistics are based only on consumer complaint responses managed through the e-Service Portal. Major utilities began using the e-Service Portal in May 2011.

Compliance Management

Compliance files can originate from a staff inspection into the activities of a regulated company (see further information below in relation to the *Energy Consumer Protection Act, 2010*), an allegation made by a third party, or a general concern related to a licensed or regulated company's activities.

Staff reviewing and/or attempting to resolve an escalated consumer complaint may identify an issue that could impact many consumers, or encounter a situation where the licensed or regulated company disputes any wrongdoing. In these cases, a formal compliance file may be opened.

Incidents that involve more serious allegations of wrongdoing, like a disputed signature, may also automatically result in the opening of a formal compliance file.

When a formal compliance file is opened, staff will assess whether, and to what extent, a licensed or regulated company may have breached a legal or regulatory obligation. In other words, staff determines whether there is sufficient evidence to suggest that a company may not be complying with its legal or regulatory obligations.

The following table shows the number of active compliance cases under review during the quarter, including those that have been completed this quarter and the number that are ongoing.

	Electricity	Natural Gas
Open from previous quarter	2	3
Opened in this quarter	12	17
Completed in this quarter	1	5
Open at end of this quarter	13	15

Most compliance cases underway or completed during the quarter involved an allegation of a disputed signature on a supplier contract.

During the quarter, suppliers reported the cancellation of **85** contracts resulting in a total reimbursement amount of approximately **\$100,000**.

Enhancing Consumer Protection

The *Energy Consumer Protection Act, 2010* (the ECPA) and consequential amendments to other legislation came into force on January 1, 2011. Suppliers must provide residential and small business consumer with accurate information that helps them make informed decisions before they sign long-term energy contracts. The Board has developed Disclosure Statements and Price Comparisons (with a section to be completed by the supplier) that must accompany all contracts. These are available on the Board's website at www.ontarioenergyboard.ca

Amendments to the *Ontario Energy Board Act, 1998* (the Act) that also came into force on January 1, 2011 provide for new conditions on licences issued to suppliers, including the requirement for suppliers to file a certificate of compliance and receive a written acknowledgment from the Board before they can enter into, renew, extend or amend any contracts. The certificates and the Board's acknowledgement letters are available on the Board's website at www.ontarioenergyboard.ca

Inspections to confirm that suppliers who filed a certificate of compliance have processes and controls in place to ensure they are able to meet the new legal and regulatory requirements set out in and related to the ECPA commenced in the first quarter of 2011. Board staff is reviewing the findings and the evidence gathered during the inspections. All information, documents and records obtained by an inspector are confidential except as provided in the Act, and may be admitted in evidence in a proceeding under the Act.

To learn more about the Board's compliance and enforcement policies and processes, visit the OEB website at www.ontarioenergyboard.ca

Market Participant Enquiries

An important element in achieving compliance is ensuring that licensed and regulated companies are aware of and understand their legal and regulatory obligations. To facilitate the informal resolution of potential issues, the Board has established a process through which market participants will receive a timely response from Board staff to any questions they may have.

The following table shows the total number of such enquiries received by OEB staff in the quarter.

January	February	March
72	72	56

The principal areas of enquiry included:

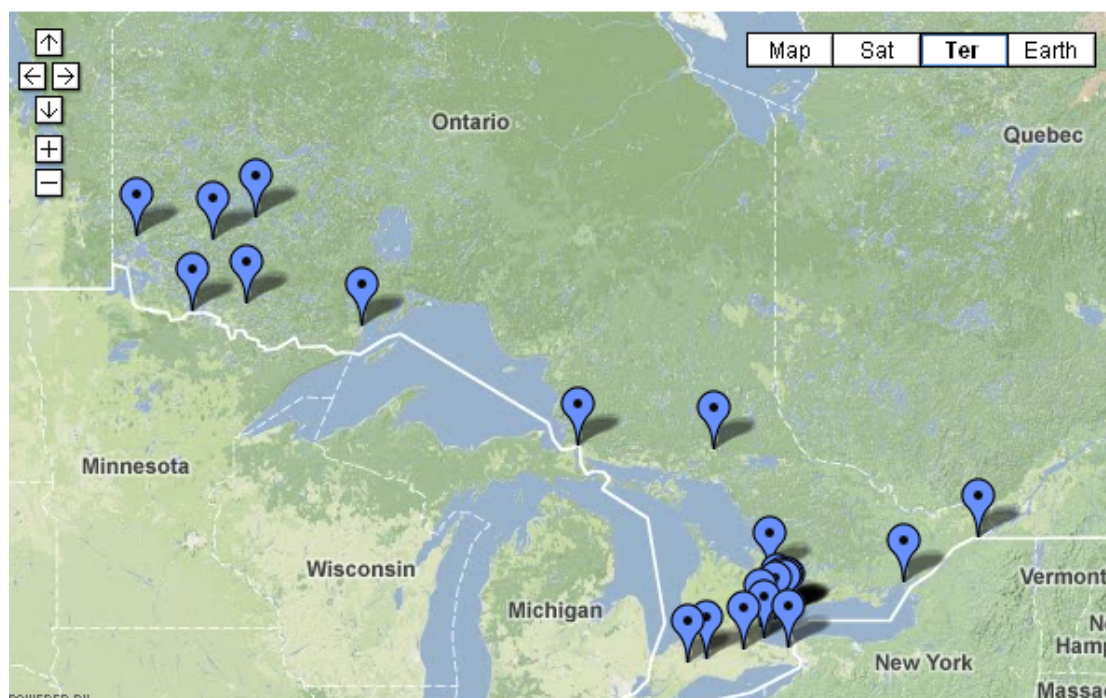
- Audit/Accounting Practices
- Reporting Requirements
- Licensing Requirements

Consumer Outreach

The OEB's consumer outreach work is aimed at informing residential and small business consumers about the energy sector, their options for energy supply and the OEB's role in facilitating the resolution of consumer issues. Efforts have included trade shows, government services fairs, legal clinics, social agency events, library presentations, community tour days. Meetings are regularly held with staff at MPP constituency offices and utilities to discuss consumer issues. We have also developed a series of 'Take Charge' consumer brochures explaining energy bills, time-of-use electricity pricing and energy contracts under the new Energy Consumer Protection Act.

Over the next year the OEB plans to continue delivering information directly to consumers so they can become more engaged and informed energy consumers. This year's initiatives include a number of new information brochures, more online tools and community outreach throughout the year. Our online energy bill calculators continue to be among the OEB's highest visited web pages.

If you would like an OEB representative to provide your region or group with useful information on topics like how energy prices are set, participating in Board processes or how to make an informed choice on energy contracts please contact us using the information below.



Recent OEB consumer outreach locations.

How to Contact the Ontario Energy Board

Consumer Relations:

1-877-632-2727 (toll-free within Ontario)

416-314-2455 (within the GTA or outside Ontario)

consumerrelations@ontarioenergyboard.ca