

Ontario Energy Board accepts Assurance of Voluntary Compliance from ENWIN Utilities Ltd.

TORONTO (November 9, 2020) — The Ontario Energy Board (OEB) has accepted an Assurance of Voluntary Compliance (AVC) from ENWIN Utilities Ltd. (ENWIN), an OEB-licensed electricity distributor, following an inspection into the company's disconnection practices which were found to be non-compliant with OEB rules. Under the terms of the AVC, ENWIN will pay an administrative monetary penalty of \$35,000 and make an additional payment of \$32,648 to the social agency that runs the [Low-income Energy Assistance Program](#) (LEAP) in ENWIN's service territory.

An AVC is a binding commitment by a regulated entity to take measures to rectify or prevent non-compliance. Failure to abide by the terms of an AVC can lead to enforcement action being taken by the OEB.

The OEB's inspection found, and ENWIN admitted, that from May to June 2019, approximately 6,740 disconnection notices were sent to customers that did not fully comply with all of the requirements of the OEB's Distribution System Code (DSC). ENWIN disconnected the electricity service of 263 customers, 155 of whom were charged reconnection fees. Upon being notified by the OEB of the issue in July 2019, ENWIN promptly and voluntarily took steps to reconnect all customers that had received a non-compliant disconnection notice and that remained disconnected, and to refund all reconnection charges paid by the 155 customers.

The DSC requires a distributor to provide a minimum of 10 days' notice to a customer prior to disconnection, to identify in the disconnection notice the earliest date on which disconnection may occur, and to indicate in the disconnection notice the amount that is then overdue for payment.

The non-compliant disconnection notices were based on an incorrect calculation of the earliest date on which disconnection may occur and, as a result, these customers were not given proper notice of their possible disconnection by ENWIN. In addition, the overdue amount for payment incorrectly included amounts for water and sewer arrears, with the result that ENWIN also failed to ensure that its customers who were at risk of disconnection understood the overdue amount they needed to pay for electricity to avoid disconnection for non-payment of their electricity service. The OEB does not allow distributors to disconnect a customer's electricity service for non-payment of charges that do not relate to electricity.

Through the AVC, ENWIN undertakes to send a letter to each of the 263 customers that were disconnected, notifying them of its non-compliance and that they will receive a bill credit of

\$50, and also noting the additional funding provided to the LEAP social agency. ENWIN also assures the OEB that it has taken all reasonable steps to ensure its compliance with its customer disconnection-related obligations under the DSC, including implementing changes to its disconnection notices so that they clearly indicate the amount of electricity arrears that must be paid to avoid disconnection of electricity service.

Quote

“Customers are at risk of harm when their utility doesn’t follow the rules. Utilities must provide accurate information in their disconnection notices so that customers know what they owe and by when they must make payment to avoid disconnection. With the actions we have taken, and ENWIN’s assurance that it is aware of its disconnection process obligations, customers will be better protected.” – Brian Hewson, Vice-President, **Consumer Protection & Industry Performance**

Additional Information and Resources

- Read the [Assurance of Voluntary Compliance](#) – ENWIN Utilities Ltd. (EB-2020-0244)
- Learn about the OEB’s [Customer Service Rules](#) for electricity distributors, including those governing disconnections
- Learn about the OEB’s [Compliance and Enforcement Process](#)
- Understand the OEB’s [Consumer Complaint Process](#)

About the Ontario Energy Board

The OEB is the independent regulator of Ontario’s electricity and natural gas sectors. It protects consumers and makes decisions that serve the public interest. Its goal is to promote a sustainable and efficient energy sector that provides consumers with reliable energy services at a reasonable cost.

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