

ORDER NUMBER 2634

PROVINCE OF BRITISH COLUMBIA
OFFICE OF THE COMPTROLLER OF WATER RIGHTS

IN THE MATTER OF

the Water Utility Act and the Utilities Commission Act

and

Corix Multi-Utility Services Inc. – Canadian Lakeview Estates

**For Approval of
Tariff Amendments to Water Tariff No. 5**

BEFORE:

Bryan Robinson, Deputy Comptroller of Water Rights
PO Box 9340 STN PROV GOVT
Victoria, BC V8W 9M1

ORDER 2634

Dated this 6th day of December 2023

Reference No: 7908

Whereas:

1. Corix Multi-Utility Services Inc. (“Corix”) owns and operates the Canadian Lakeview Estates Water Utility (“CLE” or “Utility”) which provides water utility service to Canadian Lakeview Estates in Vernon, British Columbia. In addition to CLE, Corix also owns and operates five other water utilities regulated by the Comptroller of Water Rights (“Comptroller”) under the *Water Utility Act* and the *Utilities Commission Act*. Under the *Water Sustainability Act*, the Deputy Comptroller of Water Rights (“Deputy Comptroller”) is authorized to exercise the powers and perform the duties of the Comptroller.
2. On December 7, 2022 Corix filed an application seeking approval to amend certain terms and conditions of CLE’s water tariff by including a section that addresses back billing as well as a few other minor changes (the “Application”). If approved, the amendments would become effective on the 1st of the month following the issuance of the final Order. No changes to the existing rates were proposed.
3. On December 15, 2022 Corix advertised the Application by sending Notices to all its customers with a deadline of January 31, 2023 to submit questions or comments. No customer submissions were received.
4. Corix proposes to add a new section in the tariff to address back-billing. Back-billing means the re-billing by the company for services rendered to a customer because the original billings were discovered to be either too high (over-billed) or too low (under-billed). The discovery may be made by either the customer or the company and may result from the conduct of an inspection. Reasons provided for the cause of the billing error may include the application of an incorrect rate, fraud, theft or any other criminal act. Interest is applicable in each circumstance.
5. The applicable interest in each circumstance of under-billing and over-billing is set out in the tariff. In section 24.5 (under-billing), Corix proposes to calculate the interest normally charged on unpaid accounts from the date of the original under-billed invoice until the amount under-billed is paid in full. In section 24.7 (over-billing), Corix proposes to calculate simple interest at the short-term bank loan rate applicable to the Utility on a monthly basis.
6. The same applicable interest rate should be applied to the over-billing and under-billing subsections of Section 24, Back-billing. The proposed method of calculating the interest for under-billing would result in a higher interest charge to customers compared to the short-term bank loan rate applicable to CLE in section 24.7 (over-billing).
7. The Deputy Comptroller determines that the proposed wording for section 24.5 should be amended as follows:

“Under-billing resulting from circumstances described above will bear simple interest, computed at the short-term bank loan rate applicable to the Utility on a monthly basis from the date of the original under-billing invoice until the amount under-billed is paid in full.”

NOW THEREFORE, the Deputy Comptroller orders that the proposed tariff amendments together with the amended wording for under-billing is approved and the revised sections of Water Tariff No. 5 are effective January 1, 2024.

Dated at the City of Victoria, in the Province of British Columbia, this 6th day of December 2023.



Bryan Robinson
Deputy Comptroller of Water Rights