

January 30, 2012



Feedback – Providing Information About Retailers

This feedback relates to an issue touched upon by the MSA in our Q1/11 Quarterly Report. The MSA recently had a discussion with a customer regarding his ability to access a list of the retailers actively operating within the Rural Electrification Association (REA) in which he resides. After contacting the REA for that information, he was appropriately directed to the Utilities Consumer Advocate (UCA). The UCA maintains on its website a list of electricity retailers licensed to conduct business in the province. However, the list does not necessarily clarify which retailers are also registered to provide services within a particular area, the question the customer was asking. (A licensed retailer must also have entered into a distribution access agreement with the wire owner, in order to provide electricity services in that service area.) That more detailed information is known to the wire owner, but may not always have been provided to the UCA. It is thus understandable that the customer became frustrated. Interestingly, the MSA has on more than one occasion had a related question from a wire owner looking for clarity regarding what information could be provided to such a customer inquiry about retailer choices.

The electricity *Code of Conduct Regulation* (Code) seeks to ensure a level playing field for retailers, toward facilitating competition in the retail market. Recognizing that a customer will naturally turn to his wire owner or regulated rate provider for information, the Code requires that information provided about retailer choices must refer the customer to a source where he can obtain the current list of licensed retailers. Further, the information should not be given in a manner that encourages the customer to contact one retailer in preference to other retailers. These requirements would naturally cause a wire owner such as an REA, with the best of intentions, to only refer the customer to the list of licensed retailers and go no further.

Section 18 of the Code is the applicable provision here. In response to the concerns and questions raised, the MSA clarified its view that the Code provisions can reasonably be read so as to facilitate customer efforts to make retail choices. It is natural for a customer to want to know which retailers are available in his or her area. Thus, in addition to referring the customer to the UCA, the MSA believes it fair that a wire owner would also clarify (without preference) which retailers are currently registered to provide services in the customer's area.

We would be remiss if we did not mention the cooperation and assistance given by REAs and the UCA toward resolving the issue, including a contemplated UCA initiative to request updated information about registered retailers on a periodic basis. The information would then be posted to the UCA website and be available to customers from there also.

Note to reader: This feedback does not constitute a formal guideline or opinion of the MSA. However, within the parameters of the applicable facts and absent any superseding view, we consider ourselves bound by feedback given. Views expressed by the MSA do not supplant the role and authority of the courts, the Alberta Utilities Commission or other adjudicative body with jurisdiction over a given matter. Questions or comments regarding this feedback can be sent to the MSA through the Contact Us link on our website.