



October 31, 2025

Sent via email

Letter L-31-25

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Re: Corix Burnaby Mountain DE Limited Partnership – Complaint filed by Strata Plan [REDACTED] – British Columbia Utilities Commission Decision

[REDACTED]:

The British Columbia Utilities Commission (BCUC) writes regarding your complaint, submitted on May 27, 2025 on behalf of Strata Plan [REDACTED] (Strata), concerning late payment charges (LPC) applied by Corix Burnaby Mountain DE Limited Partnership (Corix) for unpaid February and March 2025 invoices (Complaint). In the Complaint, you claim that invoices for February and March 2025 were not received by Rancho Management Services (BC) Ltd.'s (Rancho), the Strata's property manager, and request that the associated LPCs, including January 2025, be waived. You further allege that the LPCs were not calculated correctly under Corix's Thermal Energy Services Tariff for UniverCity (Tariff).¹

When the BCUC reviews complaints, it considers whether the utility reasonably responded to the customer's concern(s) and whether the utility followed its approved tariff and the *Utilities Commission Act* (UCA). The BCUC is an independent regulatory agency of the Provincial Government that operates under and administers the UCA.

Based on our review of your Complaint and related correspondence provided in this matter, the BCUC is satisfied that Corix has acted in accordance with its Tariff and the UCA. This letter outlines the BCUC's review process, and provides a summary of your Complaint, the issues raised, the BCUC's review of each issue, and potential next steps you can take.

Review Process

In reviewing Corix's response to your Complaint under the BCUC Customer Complaints Guide,² the BCUC has, among other things, referred to Corix's approved Tariff, which contains the terms and conditions of service between Corix and its customers, to ensure Corix's actions were in accordance with the Tariff.

¹ The current version of the Tariff was approved by Order G-348-24 and came into effect March 1, 2024. Tariff retrieved from https://www.cdn.fortisbc.com/libraries/docs/default-source/about-us-documents/regulatory-affairs-documents/gas-utility/fortisbc_generaltermsandconditions.pdf?sfvrsn=202bc0bf_39.

² BCUC Customer Complaints Guide retrieved from <https://docs.bcuc.com/documents/Complaints/Customer-Complaints-Guide.pdf>.

In particular, the BCUC has assessed Corix's actions in light of Sections 12(e) and 14 of the Tariff, as well as the "Late Payment Charge" provision set out in Section D of the Tariff, which provide as follows:

12. Billing

(e) Bills will be rendered as often as deemed necessary by the Utility, but generally on a monthly basis. The due date for payment of bills shown on the face of the bill will be the first business day after: (i) the 21st calendar day following the billing date; or (ii) such other period otherwise agreed in writing by the Customer and the Utility.

14. Late Payment Charge and Collection Charge

If the amount due on any bill has not been paid in full on or before the due date shown on such bill, the bill rendered as part of the next bill cycle will include the overdue amount plus a late payment charge as set out in the Standard Fees and Charges Schedule. Notwithstanding the due date shown, to allow time for payments made to reach the Utility and to co-ordinate the billing of late payment charges with scheduled billing cycles, the Utility may, in its discretion, waive late payment charges on payments not processed until a number of days after the due date.

Section D – Standard Fees and Charges Schedule

Late Payment Charge: Interest on outstanding balance equal to the lesser of 1.5% per month (19.6% compounded annually) and the maximum legal interest rate allowable.

The BCUC initiated the complaints process on May 27, 2025 following receipt of the Complaint. Both parties filed additional correspondence with the BCUC from June 6, 2025 to July 8, 2025.

Complaint

Your position

You submit that the invoices for February and March 2025 were not received and that the LPCs applied to those billing periods, including those associated with the January 2025 billing cycle, should therefore be waived. You acknowledge that the January 2025 invoice was received and later paid, but you contend that the absence of proactive notice from Corix contributed to the missed payments for the February and March 2025 billing periods.

You further rely on Corix's discretion under Section 14 of the Tariff to request that all LPCs be reversed. You also dispute how the LPCs were calculated, asserting that Corix applied the LPCs in a manner inconsistent with the Tariff. Specifically, you assert that the language in Section D of the Tariff (i.e. "[i]nterest on outstanding balance equal to the lesser of 1.5% per month [19.6% compounded annually] and the maximum legal interest rate allowable") means that charges should accrue as interest on principal only, not on amounts that themselves include prior LPCs. You further contend that charges should begin after the due date (NET21), not from the invoice issue date. On this basis, you state that Corix's calculations overstated the LPC amounts charged for the January to March 2025 billing cycles.

Corix's position

Corix submits that the invoices were mailed to the address on file and that it has no record of returned mail for the February and March 2025 invoices. Corix maintains that the LPCs were calculated and applied in accordance with Section 12(e), Section 14, and Section D of its Tariff. Specifically, (i) Section 12(e) states, in part, that payment is due 21 days following the bill date; (ii) Section D applies 1.5 percent per month as an LPC on the

outstanding balance; and (iii) Section 14 states, in part, that the LPC is to be shown in the next bill in the following billing cycle.

Finally, Corix acknowledges it has discretion to waive charges under Section 14 of the Tariff but explains that this discretion is applied on a limited basis, noting a prior one-time waiver granted to the Strata in June 2024. Corix states that further waivers are not warranted in this case given the Strata's history of late payments³ and that it would not be fair to other customers who pay on time. Corix states that customers are ultimately responsible for monitoring their accounts, including through Corix's online customer portal,⁴ and that Rancho's delay in registering for the portal contributed to the missed payments of the February and March 2025 invoices. Corix notes that customer portal registration instructions were initially provided to Rancho on December 31, 2024, and confirms that registration was completed on March 13, 2025.

Corix states it has adequately responded to all alleged claims in the Complaint and acted in accordance with its Tariff. Accordingly, Corix submits that the BCUC should not direct Corix to issue a refund of the LPCs paid by the Strata in 2025.

Determination

The BCUC has reviewed the Complaint and the submissions provided by the parties and finds that Corix has correctly applied the relevant provisions of its Tariff.

The BCUC finds that Corix's calculation of the amount of the LPCs for the period from January to March 2025 is consistent with the provisions of Section D of the Tariff, and that Corix's application of LPCs in this case is consistent with the requirements set out in Sections 12(e) and 14 of the Tariff. Section 12(e) states, in part, that the due date for payment of bills will be the first business day after the 21st calendar day following the billing date. Further, Section D expressly provides for a 1.5 percent charge applied to the outstanding balance and does not contemplate limiting the charge to principal only. The BCUC notes that this LPC structure is common practice among BC utilities.

Regarding account management, the BCUC notes that Corix initially provided online portal registration information to Rancho on December 31, 2024, prior to the change in the Strata's property management effective January 1, 2025. Additionally, Corix issued three additional email notifications in 2025,⁵ advising Rancho of Corix's online customer portal. However, Rancho did not complete registration until 72 days later, on March 13, 2025. The BCUC considers that this delay limited Rancho's ability to access up-to-date information regarding the unpaid balances. The BCUC agrees with Corix that the onus remains on the customer to monitor its accounts and ensure timely payment. The BCUC considers that non-receipt of a physical invoice does not relieve the customer of responsibility for payment when other reasonable means of account access and monitoring are available. Further, the BCUC agrees with Corix that there is no regulatory requirement for a utility in BC to issue additional or separate overdue notices beyond the information conveyed on the bill itself. In these circumstances and under its Tariff, Corix was not required to provide supplemental notice to the Strata.

Finally, Section 14 of the Tariff states, in part, that Corix may, in its discretion, waive LPCs on payments not processed until a number of days after the due date. However, the BCUC notes that Corix is not obligated to waive such LPCs under its Tariff and finds Corix's explanation for why it chose not to waive the LPCs in this case, including in part due to the Strata's history of late payments, to be reasonable. As such, the BCUC finds there is no basis to conclude that Corix's exercise of discretion in this case contravened the Tariff or the UCA.

³ Corix submits that seven LPCs have been applied to the Strata's account since it was established on August 1, 2021. In 2023, one LPC was applied; in 2024, four LPCs were applied; and in 2025, three LPCs were applied.

⁴ According to Corix, Corix Connect enables customers with 24/7 access to bills, account updates, and usage monitoring.

⁵ January 3, 2025; January 6, 2025; and March 13, 2025.

Based on the foregoing reasons, the BCUC finds that Corix's actions have been consistent with its duties and responsibilities as set out in its Tariff and the UCA.

The Complaint is dismissed, and your file is now closed.

Office of the Ombudsperson

If you have concerns about how the BCUC handled your Complaint, you may wish to contact the Office of the Ombudsperson. The Office of the Ombudsperson receives enquiries and complaints about the practices and services of public agencies within its jurisdiction. Their role is to impartially investigate complaints to determine whether public agencies have acted fairly and reasonably, and whether their actions and decisions were consistent with relevant legislation, policies and procedures.

If you decide to file a complaint with the Ombudsperson, they will review the BCUC's process to ensure it was fair. Though this may not result in a different outcome for you, the office could request that the BCUC reopen its investigation. Provided is a link to the Office of the Ombudsperson's website: <https://www.bcombudsperson.ca>.

Sincerely,

Electronically signed by Elizabeth A. (Lisa) Brown

E. A. Brown
Commissioner

DC/nm

cc: regulatory@corix.com