

Parker Donham
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10 October 2018
Via email

Doreen Friis
Regulatory Affairs Officer/Clerk
Nova Scotia Utility and Review Board
P.O. Box 1692, Unit "M"
Halifax, NS B3J 3S3

Dear Ms. Friis:

Complaint against Halifax Regional Water Commission

Re: Matter number M07473 — Capital Expenditure Request Associated with the Installation of Automated Meter Infrastructure (AMI) and Approval of Amendments to the Regulations to Support the AMI Project-W-HRWC-E-16

This is a complaint against the Halifax Regional Water Commission over its violation of the Nova Scotia Utility and Review Board Board's [Decision in Matter M07473](#), the [NSUARB's Order](#) giving effect to that decision, and [your clarifying letter of 16 October 2017](#) in response to [Carl Yates's letter of 4 October 2017](#).

I own a single family dwelling at 6252 Lawrence Street, Halifax, where I am a customer in good standing of the Halifax Regional Water Commission, account number 407861.

About a month ago, I received a notice asking me to make an appointment for installation of a new smart meter. To the best of my knowledge and belief, this is the only notice I received. I passed it along to the building tenants, but as of last week, they had yet to arrange the requested appointment.

On Friday, 5 October 2018, Halifax Water or its agents, Neptune Technology Group, taped a prominent notice to the front door of 6252 Lawrence St. threatening legal action if we did not make an appointment within 72 hours (a deadline that fell on Thanksgiving Day). The text read as follows:

FINAL NOTICE

Halifax Water, through its contractor Neptune, is installing upgraded water meters in your area for a **limited time**.

It is essential that you schedule your appointment with our contractor, Neptune, within **72 hours** via

customerconnect.halifaxwater.ca or call 1-800-667-4387.

If an appointment is not scheduled within 72 hours, we will commence the formal legal process to enforce Halifax Water's rights to access its water meter within your premise [sic].

On Tuesday, 9 October 2018, I spoke with James Campbell, spokesperson for Halifax Water, and pointed out that the NSUARB decision and order in Matter M07473 allowed customers to opt out of smart meter installation. I noted that your letter of 16 October 2017 to Carl Yates confirmed this. Mr. Campbell said the right to opt out applied only to the RF [radio frequency] device attached to the side of the house, not to the meter itself. All customers, he said, had to accept installation of the meter itself.

Your letter of 16 October 2017 makes it clear that Mr. Campbell's interpretation is incorrect. Your letter concludes:

As such, the Board does not find the approved Regulation to mean that only new customers can “opt out” of the AMI meter installation, rather it is only these new customers to which the manual read fee applies. This is discussed in the Board's decision, as referenced above.

The core of my complaint is that the Final Notice I received presents customers with a threat of legal action that Halifax Water has no intention or authority to pursue, given the Board's direction that customers may opt out of AMI meter installation. In this communication, Halifax Water is misleading customers with empty threats based on a false interpretation of the board's decision.

I also draw your attention to a paragraph in Commissioner Peter W. Gurnham's Decision in M07473:

HRWC also proposed a meter reading charge of \$50 to be applied in cases where the customer decides to opt out of receiving an AMI device (Regulation 45A (2)). Given that the current rates are based upon the recovery of HRWC's expenses, including meter reading expenses, this charge appears to be inappropriate at this time for current customers, who would see no change in service level, yet are asked to be charged an additional \$50. **In addition, this charge may also be viewed negatively by customers at a time when HRWC should be seeking support for the AMI program.** However, in cases where AMI is the standard meter in use, and new customers refuse to use this standard AMI meter, there is an additional cost to HRWC and, accordingly, the proposed additional meter reading charge may be applied. [*Emphasis added.*]

Clearly the Board was mindful of the need for Halifax Water to seek customer support for its smart meter program, and the role that customer relations would play in its success.

I support the smart meter program. I look forward to the new features and access to data it will permit. I agree with the Board's decision in this matter. I am happy to cooperate with installation of a smart meter at my 6252 Lawrence Street property. But I do not like

being subjected to baseless public threats of legal action, couched in highhanded language that borders on menacing.

Notices like the one I received were posted on many homes on Lawrence Street. It is embarrassing to have what purports to be a notice of legal action posted prominently on one's home. Most of the recipients were presumably law-abiding, rate-paying customers in good standing like me. A government-owned public utility should not treat customers in this imperious manner.

I ask the Board:

1. to direct Halifax Water to stop posting notices like the one I received,
2. to direct Halifax Water to respond accurately to customers seeking information about their right to opt out of smart meter installation, and
3. to counsel Halifax Water on the importance of respectful, courteous communications with customers in the implementation of Automated Meter Infrastructure.

The board may also wish to direct the commission to undertake contrite corrective communications with affected customers.

Respectfully submitted,
Parker Donham

Attachment: Sample of door knocker notice
Email copies: Carl Yates, James Spurr, Paul Allen