

Consumer Appeal Mechanisms and Governance Oversight Approaches Preliminary Option Analysis

Law and Legislative Services conducted a preliminary review of options for potential consumer appeal mechanism and governance oversight approaches possible within the City of Calgary's existing governance structure and authority. Options include 1) Monitoring the effectiveness of the new (October 2017) customer escalation process, implemented as part of the new bill adjustment process; 2) using an existing board such as the Licencing and Community Standards Appeal Board; or 3) establishing a new Council committee or appeal body.

Option 1: Use the billing adjustment escalation process established in October 2017 and monitor and evaluate effectiveness

The new billing adjustment process may address some of the concerns identified in the Notice of Motion, as it includes more formal oversight and escalation to The Director, Water Resources for decision in select cases. Law and Legislative Services has acknowledged this as a formal escalation process. If the desire is to have greater independence from Administration, the new Standard Operating Procedure could be combined with a final review by a committee or tribunal (further discussed in option 2 and 3).

Since October 2017, under this new process, over 250 customers requested a review by the Director, Water Resources.

Option 2: Utilize an existing municipal appeal mechanism; namely the Licence and Community Standards Appeal Board

The Licence and Community Standards Appeal Board is a quasi-judicial board established under the *Municipal Government Act* (MGA) and under bylaw 50M2011. Currently, the Board hears appeals on a variety of matters including: remedial orders (including remedial orders under the Water Utility Bylaw), Livery Vehicle licences, certain event licences and more. The potential exists to amend the scope of this Board to allow it to hear customer appeals related to water bills. Further consideration would be required to consider the appropriateness of the Licence and Community Standards Appeal Board for this kind of review, as the subject matter will vary from that of remedial orders.

In order to expand the scope of the jurisdiction of the Licence and Community Standards Appeal Board, the Water Utility Bylaw and the Licence and Community Standards Appeal Board Bylaw would have to be amended. Additionally, necessary procedures and resources to support the Licence and Community Standards Appeal Board members in administering reviews would need to be established. While this process will take some time to complete, it would be less time and resource intensive than drafting a new bylaw for a new board.

Option 3: Establish a New Committee or Board for Water Bill Appeals

A third option would be to establish a new committee or board specifically for hearing water bill appeals, which would require drafting and adopting a new bylaw. Further logistical and organizational arrangements would also need to be made including adequate staffing, drafting the necessary materials and establishing procedures. This would be much more resource intensive than leveraging an existing mechanism.

In consideration of the above options, pursuing an expanded scope for the Licence and Community Standards Appeal Board appears to be most feasible, as it leverages an existing mechanism, independent of Administration, minimizing the resources required to develop and administer. However, further in-depth evaluation of the viability of the Licence and Community Standards Appeal Board as a formal appeal mechanism is required.