

KERRY MORRIS

July 22, 2015

METRO Vancouver

4330 Kingsway

Burnaby, BC, V5H 4G8

Email: phil.trotzuk@metrovancover.org

**Attention: Phil Trotsuk
Treasurer**

Re: North Vancouver Potable Drinking Water Meter Billing Error

Dear Sir:

At the July 20, 2015 North Vancouver City council meeting, we were informed by Mr. Douglas Pope, in a presentation to council, that Metro had for 7 years failed to accurately bill the City of North Vancouver for residential water supply. This story has today broken in the Vancouver Sun. The full story can be accessed through this Link: <http://www.vancouversun.com/news/Faulty+meter+missed+millions+cubic+metres+water+pipd+North/11232158/story.html>

In a parallel matter, the City of North Vancouver made a water meter billing error involving Vancouver Coastal Health ("VCH"), specifically in relation to the water delivered to Lions Gate Hospital. The City suffered a \$692K loss. The parties entered into a shared loss agreement in which document it says recovery of only \$357K occurred. The City now alleges that it has suffered no loss due to an over-billing error which began in 2002 and continued through to 2009, more than 6 years prior to the negotiated resolution. The City now alleges they simply granted recovery of the \$363K over-billing which resulted from the 2002-2009 meter error, and that after consideration for that error, the City had no loss. The background to this issue is available at the following link: <http://kerrymorris.ca/wp-content/uploads/2015/06/City-Councils-Pursuit-of-Respect-Not-Reciprocal.pdf>

The argument made by the City is akin to the over-billing activities of ICBC wherein many millions were repaid, but only going back for a six year period. Had ICBC's over-billing error gone on for a much larger period? Yes it had. But due to the predecessor version of the *Limitations Act*, SBC 2012, Chapter 13, ICBC was not liable for the entire period of the over-billing.

However, the City in 2013, after the limitation period was reduced to only two years, now claims that it decided to allow VCH full recover of the over-billing amount, which it now says was equal to the \$363K loss that it suffered. I believe the results of this decision by the City now make it a fundamental responsibility that we negotiate and settle the under-billing debt that has resulted from the Metro potable water billing error, now the subject of the Sun Newspaper article for which the link has been provided.



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As a City taxpayer, I am not enamoured with another bill, but nor am I enamoured with selective application of our moral conduct. If we're going to start acknowledging and paying alleged losses that go back to a 2002 VCH over-billing error, then we must employ those same morals in regard to under-billing errors, especially when we admit those errors publicly, such as was done by City staff this past Monday night.

I tend to believe that you will see the moral, not just legal, need to be consistent in the treatment of individuals and other government agencies. We have set a precedent in attempting to cover-up an internal financial billing error fiasco, and that precedent must now be followed generally in respect of our dealings with all others, not just VCH.

Please confirm the intended course of action which will be pursued by Metro in this matter. In a related matter, please accept this communication as my formal Freedom Of Information ("FOI") request for all documents exchanged between the City of North Vancouver and Metro in relation to the Metro water meter billing error as disclosed to City of North Vancouver council by Mr. Douglas Pope on July 20, 2015. His presentation was an addendum to the regular council meeting but the City's Clerk, Ms. Karla Graham has confirmed that all materials relating to that presentation are now available on the City's website.

Thank you in advance for you cooperation.

Sincerely,

'Kerry Morris'

Kerry Morris

Cc Vancouver Sun
Office of the Premier
Minister Responsible