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## Sunshine Mall Sues WAPA Over Disputed Billing Tied to Settled Claims

**Sunshine Mall claims WAPA continues billing for arrears settled in 2018 and lists 2024–2025 charges as "grossly anomalous," with some bills over \$20,000. The lawsuit seeks an injunction, corrected billing, and restitution for alleged overpayments.**

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**An aerial shot of the Mall of St. Croix, widely known as Sunshine Mall. The company is currently suing WAPA over disputed electricity charges. By. ERNICE GILBERT, V.I. CONSORTIUM.**

“WAPA has an established history of massively overbilling Sunshine for electricity charges,” states a lawsuit filed on Tuesday against the Water and Power Authority.

Sunshine Shopping Center Inc., which does business in the territory as Mall of St. Croix but known widely as Sunshine Mall, accuses WAPA of improper billing. The company claims that WAPA is attempting to bill them for amounts that were part of previous legal disputes which have been already settled and discharged.

This week's lawsuit refers to a 2010 complaint against WAPA brought by Sunshine, which resulted in a confidential settlement eight years later. Along with the settlement came a “stipulated Order dismissing all claims between Sunshine and WAPA with prejudice on August 10, 2018.”

The first lawsuit, settlement, and dismissal order allegedly did not stop WAPA, as the utility reportedly continued attempting to “improperly bill Sunshine for certain alleged historical arrearages barred by the settlement and dismissal.” A second lawsuit, filed in 2019, remains open. This week's complaint – the third lawsuit – contends that “Defendant WAPA has continued to this day in its attempts to charge Sunshine for certain alleged historical arrearage that was settled and discharged.”

The lawsuit categorizes several monthly charges in 2024 and the first quarter of 2025 as “grossly anomalous and inaccurate” compared to an average monthly rate of approximately \$3,350. As examples of the inaccuracy, the lawsuit cites elevated electricity bills of approximately double the 2023 average, plus eye-watering totals some months of over \$12,000 up to over \$20,000. “Sunshine has not in fact doubled its electricity usage in 6 months, and in fact has not materially increased its usage,” the lawsuit claims.

Whether through capricious estimates of monthly bills, surreptitious attempts at backbilling, or a failure to correctly credit Sunshine through net energy, WAPA's charges cannot be trusted, the lawsuit claims. Sunshine is asking the court to issue an injunction barring WAPA from disconnecting electricity to the Mall of St. Croix while the matter is being heard. They are also seeking that the court require WAPA to undergo judicial accounting, following which it must revise and correct its erroneous charges. The company also wants restitution for any overpayments it has made, and a declaration that arrearages claimed in previous disputes are now barred.

As of press time, WAPA has not yet filed its replay to the lawsuit.