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BY E-MAIL ONLY

NOTICE OF AMENDMENT TO A CODE

AMENDMENT TO THE STANDARD SUPPLY SERVICE CODE

BOARD FILE NO.: RP-2004-0205

**To: All Licensed Electricity Distributors
All Licensed Electricity Retailers
All Participants in Proceeding RP-2004-0205**

RE: Regulated Price Plan – Pilot Projects

The Ontario Energy Board (the “Board”) will amend the Standard Supply Service Code (the “SSS Code”) pursuant to section 70.2 of the *Ontario Energy Board Act, 1998* (the “Act”).

Adoption of Proposed Amendment and Coming Into Force

On July 12, 2006, the Board issued Notice of Proposal to Amend the SSS Code to allow certain electricity distributors, as part of a pilot project, to charge time-of-use (“TOU”) prices for consumers on the Regulated Price Plan (the “RPP”) with eligible time-of-use meters.

The proposed amendment would allow electricity distributors to implement new pilot projects relating to eligible TOU meters and to charge RPP TOU prices or any other TOU commodity price approved by the Board for the purpose of the pilot project. These new pilot projects will require prior Board approval before they can be implemented. The Board will review the distributor’s proposal for a pilot project and determine whether such a pilot project would be in the public interest. When determining whether the pilot project will be in the public interest, the Board will take into account a number of considerations including, but not limited to:

- (a) whether implementing a pilot project would require billing system investments by the distributor that would duplicate the potential functions of the Smart Meter Entity; and
- (b) the potential impact of the pilot project on the pilot project participants.

The Board expects that all new pilot projects will be voluntary in nature for consumers (i.e., pilot participants). The Board also expects that any distributor that receives Board approval to implement a new pilot project will share the results of the pilot project with the Board (note that confidentiality considerations should be taken into account when any results are released to the Board).

The Board received one written submission from the Building Owners and Managers Association of the Greater Toronto Area to the proposed change to the SSS Code. The submission supported the proposed amendments. Also, the submission commented that (1) RPP Pilots be available to all RPP consumers, not just residential; (2) TOU pilot prices that differ from the standard RPP Prices be available for review and comment by interested parties; and, (3) information on all LDC pilot TOU projects be made public to promote the participation of interested and eligible consumers.

The Board has considered the submission received in relation to the proposed amendments and has determined that no changes need to be made to those amendments. The amendments have therefore been adopted by the Board in the form in which they were proposed originally. The amendments as adopted are set out in Appendix A to this Notice.

As indicated in the Board's July 12, 2006 Notice of Proposal, these amendments will come into force today, being the date on which the final amendment is published on the Board's website.

If you have any questions regarding this Notice or the attached amendments, please contact Chris Cincar at 416-440-7696. The Board's toll free number is 1-888-632-6273.

E-mail inquiries should be directed to RPP@oeb.gov.on.ca.

DATED at Toronto, July 28, 2006.

ONTARIO ENERGY BOARD

Original signed by

Peter O'Dell
Assistant Board Secretary

Attachment:

Appendix A: Amendments to the Standard Supply Service Code

Appendix A
Amendments to the Standard Supply Service Code

RP-2004-0205

3.9 Pilot Projects

3.9.1 Where a distributor has either implemented a pilot project relating to eligible time-of-use meters prior to the first term commencement date or implements a Board-approved pilot project relating to eligible time-of-use meters, the distributor may:

- (a) continue to implement or implement the pilot project without making or giving notice of the election referred to in section 3.5.1;
- (b) in relation to a pilot project relating to eligible time-of-use meters implemented prior to the first term commencement date, charge an RPP consumer that has an eligible time-of-use meter and that is participating in the pilot project the commodity price for electricity referred to in either section 3.3 or 3.4; and
- (c) in relation to a Board-approved pilot project relating to eligible time-of-use meters implemented after the first term commencement date, charge an RPP consumer that has an eligible time-of-use meter and that is participating in the pilot project the commodity price for electricity referred to in either section 3.3 or 3.4 or any other TOU commodity price that the Board approves as part of the pilot project.

If the distributor is implementing a pilot project relating to eligible time-of-use meters after the first term commencement date, Board approval for the pilot project must be obtained prior to the implementation of the pilot project.

3.9.2 Section 3.9.1 shall cease to have effect on the mandatory TOU date or on such later date as may be specified by the Board. As of that date, the provisions of section 3.4 shall apply to any RPP consumer that has an eligible time-of-use meter.