

June 12, 2001

Ontario Energy Board  
2300 Yonge St., 26<sup>th</sup> Floor,  
Toronto, Ontario  
M4P 1E4

Attention: Ms. Kathi Litt, Regulatory Officer

RE: Comments to the Draft Distributor Access Rule

On behalf of the City Of Kitchener, I would like to thank the Ontario Energy Board for allowing our involvement in the development of the Rule to this point and incorporating some of our input. The following are additional points for consideration as you strive to establish an equitable Rule for market participants and most importantly gas consumers in Ontario.

## **2.2 Distributor Provided Services**

I note that Appliance Inspection Service is a required Distributor Provided Service. Given the lack of legislated responsibility currently in place, this stipulation is an important requirement. Given some parties views of the future of distribution services, the Board could consider adding it as a requirement to obtain franchise rights.

### **4.1.2 Filing Requirements**

For clarity, “A distributor” could be phrased as “The above distributors” to ensure that the requirements are on those whose rates are regulated by the Board.

## **6.1 Customer Choice**

Kitchener endorses the principle of customer choice as a cornerstone of market development. As a distributor who ownership is made up of primarily customers, Kitchener respects that customers should have the right to choose and that this choice will drive efficiencies in the delivery of services. It is Kitchener’s view that customers should bear the costs of mobility as it relates to transaction costs such that those who choose frequent changes to their supply arrangements pay the cost of administering.

## **6.2.2 STR Information Requirements**

The first bullet seems to suggest that a gas vendor has the option to assume responsibility for separate accounts at the same address as the original STR. If you consider strip malls and other commercial complexes, it is inappropriate to allow vendors to become suppliers for customers who have not agreed to this arrangement.

## **6.3 Processing and Verification of STR's**

Throughout this section and subsequent sections, the phrase "STR processing ceases" is used. This phrase seems to imply that if the LDC cannot fulfill its responsibility, the STR is not completed. If left as written, vendors do not have any recourse to ensure successful processing.

## **6.5 Change from One Gas Vendor to Another Gas Vendor**

As noted in the City's comments last fall, Kitchener believes that notifying the customer of a transfer from one vendor to another is important. Although the Rule is silent on this point, Kitchener will consider notifying the customer as part of its procedures in this area.

## **7 Customer Information**

As noted in the City's comments last fall, the City of Kitchener has an integrated tax, utility and sundry billing system for its services. Collection, retention and release of this information is guided by principles developed from many statutory regulations and municipal bylaws.

### **8.1 Customer Choice**

Comment as described in 6.1 above.

### **8.3 Billing Options**

Comment as described in 6.1 above. If customer choice is a correct principle that will drive market development, Kitchener believes that there is no need to establish barriers to billing options.

### **8.5.1 System Gas Billing**

As noted above in section 7, gas billing is part of the intergrated billing system for City services. As such, compliance with the letter of this section would compromise the City of Kitchener's effectiveness in the distribution of information that it is important to our customers and owners.

As always, I remain available to clarify these comments and support the Board in its development of an effective Gas Distribution Access Rule for the benefit of market participants and gas consumers.

Sincerely,

Dwayne Quinn  
Director of Utilities  
City of Kitchener