



RP-2003-0213

NOTICE OF AMENDED PROPOSAL TO MAKE A RULE PROPOSED CODE OF CONDUCT FOR GAS MARKETERS

June 9, 2004

To: All Interested Persons

On October 23, 2003, the Ontario Energy Board issued a Notice of Proposal to Make a Rule and the Proposed Code of Conduct for Gas Marketers ("the October 8, 2003 Proposed Gas Marketer Code"). Due in part to legislative changes, the Board proposed a number of changes to the March 2, 1999 Rule.

In response to the October 8, 2003 Proposed Gas Marketer Code, the Board received eight submissions. The Board has reviewed the submissions and has prepared a Summary Report, dated June 2, 2004, which is attached to this notice.

Substantive Changes

The Board is proposing further changes to the October 8, 2003 Proposed Gas Marketer Code. The Board's **Proposed Code of Conduct for Gas Marketers** (the "Gas Marketer Code"), as revised, is attached to this notice.

The purpose of the changes to the October 8, 2003 Proposed Gas Marketer Code is to respond to comments by stakeholders by:

- streamlining the codes by removing and/or reorganizing various provisions; and
- amending or clarifying various provisions.

The changes are discussed in more detail in the Board's report.

Impact of Amended Proposal

The Board anticipates that the changes proposed may reduce the costs previously foreseen for gas marketers. Various provisions have been changed to streamline the code and clarify gas marketer obligations, reduce transaction costs in notification requirements, reduce costs associated with records retention and consumer contact information, and reduce chance of error in transfer processing.

The Board anticipates that consumers will benefit as the proposed changes are intended to make the code easier to understand by using terminology more consistently and clarifying or streamlining provisions to further improve the consistency of the code. Consumers will also benefit from broadened protection against misleading representations by gas marketers.

All stakeholders will benefit from reduced duplication with the current legislation.

In proposing this Gas Marketer Code, the Board is of the view that anticipated consumer protection benefits outweigh anticipated costs incurred.

Invitation for Comment

Interested parties are invited to make written submissions with respect to the amended proposal, no later than 4:30pm on June 30, 2004.

The Board would receive greater assistance from parties if they focus their submissions on the Board's proposed changes to the Gas Marketer Code relative to the October 8, 2003 Proposed Gas Marketer Code. Further, the Board requests that the representation specifically reference the relevant sections of the Gas Marketer Code.

Written submissions on the Gas Marketer Code should be sent in triplicate to:

Acting Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 26th Floor
Toronto, ON M4P 1E4

Your submission should refer to file number RP-2003-0213 and include your name, address, e-mail address and fax number. A diskette containing submissions (in Adobe Acrobat - PDF format) should also be submitted.

The Gas Marketer Code and the written representations received by the Board with respect to the Gas Marketer Code will be available for public inspection on the Board's website at www.oeb.gov.on.ca and at the office of the Board during normal business hours.

If you have any questions regarding the Gas Marketer Code, please contact Jim MacDougall at 416 440-8141 or Lisa Brickenden at 416 440-8113, or toll free 1-888-632-6273.

Dated at Toronto, June 9, 2004

Peter H. O'Dell
Acting Board Secretary, Ontario Energy Board

Attachments:

June 2, 2004 Summary Report
Proposed Code of Conduct for Gas Marketers