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BY E-MAIL AND WEB POSTING

November 29, 2010

**To: All Licensed Electricity Retailers
All Licensed Gas Marketers
All Licensed Electricity Distributors
All Natural Gas Utilities
All Participants in Consultation Process EB-2010-0245
All Other Interested Parties**

Re: Disclosure Statements, Price Comparison Templates and Certificates of Compliance

On November 17, 2010, the Board issued its final Notice in the context of its consultation on the development of new regulatory requirements applicable to the activities of electricity retailers and gas marketers (“suppliers”) in furtherance of the consumer protection provisions of the *Energy Consumer Protection Act, 2010* (the “ECPA”). Attached to that Notice were the final versions of the disclosure statements and price comparison templates to be used by suppliers as part of the contracting process with low-volume consumers for both new contracts and contract renewals.

The Board reminds suppliers that the Board will populate the time-of-use profile, consumption and utility price information in Part A of the price comparison templates, and that only the versions of those templates that have been pre-populated by the Board may be used by suppliers. The Board also reminds suppliers that the time-of-use profile, consumption and gas utility pricing information (for transportation and storage, where applicable) that has been included by the Board in the templates are the values that suppliers must use for the purposes of completing Part B of the template for use with low-volume consumers, as set out in the instructions included in the templates.

Availability of Pre-populated Price Comparison Templates

The Board anticipates that data files for the pre-populated versions of the price comparison templates (with the time-of-use profile, consumption and utility pricing information included) will be available to suppliers by December 6, 2010. Suppliers may use those pre-populated templates (with Part B completed by the supplier as required) in connection with the negotiation of new contracts on and after January 1, 2010 and may also include them in renewal packages being issued to consumers in December 2010 in respect of renewals to be effected in 2011. As indicated in materials issued earlier in the consultation, the new legal and regulatory requirements set out in the ECPA and the Board's revised regulatory instruments apply to an existing contract that expires in 2011 unless the contract has been renewed by the consumer on or before December 31, 2010.

Suppliers should note that the pre-populated price comparison templates to be made available by December 6, 2010 will be updated once the Board has approved new gas prices for the rate-regulated gas utilities in the latter part of December for the first quarter of 2011. Suppliers must use those updated templates for contract and contract renewal transactions with low-volume consumers from that point onwards until the templates are further updated by the Board. The Board confirms that a supplier that has issued a renewal package to a low-volume consumer in December 2010 using the price comparison templates made available by December 6, 2010 is not required to issue a new renewal package to the same consumer with an updated price comparison.

Availability of Disclosure Statements

The Board anticipates that data files for the natural gas disclosure statements will also be available to suppliers by December 6, 2010. Suppliers may use those disclosure statements in connection with the negotiation of new contracts on and after January 1, 2010, and may also include them in renewal packages being issued to consumers in December 2010 in respect of renewals to be effected in 2011.

The Board intends to revise the electricity disclosure statements to include a statement regarding eligibility for the new proposed "Ontario Clean Energy Benefit" as and when the legislation creating that Benefit is made by the legislature (the *Ontario Clean Energy Benefit Act, 2010*, being Schedule 13 to Bill 135, the *Helping Ontario Families and Managing Responsibly Act, 2010*). The Board will make the data files for the electricity

disclosure statements available as soon as the legislative process has been completed.

Certificates of Compliance

The Board emphasizes that nothing in this letter should be construed as waiving or otherwise affecting the obligation of a supplier to file its Certificate of Compliance and to receive from the Board written acknowledgement of it as a condition of entering into, renewing, extending or amending a contract with a low-volume consumer on and after January 1, 2011.

The Board also takes this opportunity to confirm that it is prepared to issue letters of acknowledgement on January 1, 2011 for compliant Certificates of Compliance that are filed with the Board on or before December 28, 2010. Any supplier that requires its letter of acknowledgement on January 1, 2011 must file a written request with the Board to that effect on or before December 28, 2010. Otherwise, the Board will issue letters of acknowledgement in response to compliant Certificates of Compliance on the first business day in January 2011.

Any inquiries relating to this letter should be directed to the Market Operations Hotline at market.operations@oeb.gov.on.ca or at 416-440-7604.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary