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May 15, 2014

NOTICE OF AMENDMENT TO A CODE

BOARD FILE NO.: EB-2012-0383

**TO: All Licensed Electricity Distributors
All Participants in Consultation Process EB-2012-0383
All Other Interested Parties**

The Ontario Energy Board (the "Board") has today issued amendments to the Distribution System Code (the "DSC") pursuant to section 70.2 of the *Ontario Energy Board Act, 1998* (the "Act").

A. Background

On March 20, 2014, the Board issued a Notice of Proposal to Amend a Code in which it proposed a number of amendments to the DSC (the "March Proposed Amendments") regarding minimum requirements that distributors must include in their Conditions of Service in relation to unmetered loads.

The Board received written comments on the March Proposed Amendments from five stakeholders: the Electricity Distributors Association ("EDA"); Hydro One Networks Inc. ("Hydro One"); the Coalition of Large Distributors ("CLD"); Rogers Communications Inc. ("Rogers"); and the City of Hamilton.

B. Overview of Comments Received

Hydro One and the CLD supported the March Proposed Amendments. The EDA had no concerns about the March Proposed Amendments. Rogers indicated that it supported the wording of the March Proposed Amendments but had comments regarding what distributors should include in their Conditions of Service. Specifically, Rogers indicated that the Board must provide direction to distributors to ensure unmetered loads (including device and class definitions) are treated consistently among distributors, estimation of consumption of device reflects the true consumption of the device rather

than nameplate ratings, and avoiding duplication of costs related to device testing and data collection.

The City of Hamilton also provided comments regarding what distributors should include in their Conditions of Service. The City of Hamilton's comments included suggestions that consideration be given in the context of significant evolution in deployed LED lighting and control technologies and data monitoring and recording, and also sought a better communication process between distributors and unmetered load customers with respect to the rate filing processes.

The Board believes that a number of Rogers' comments and recommendations with respect to the March Proposed Amendments would be overly prescriptive for the Board to set out in the DSC. The Board believes it is appropriate to allow distributors more flexibility in writing their Conditions of Service to meet their needs and the needs of their customers and therefore the Board will not change the March Proposed Amendments in response to comments received from Rogers. However, distributors should make note of the concerns raised by Rogers, particularly those concerns with respect to consistent treatment across distributors, including: unmetered load classification & definition; widely recognized devices; and making accepted device testing at one distributor binding on other distributors.

The Board agrees with the City of Hamilton that it is important for distributors to have meaningful engagement with the municipalities that they serve. While the Board does not believe the City of Hamilton's comments necessitate changes to the Board's March Proposed Amendments, it reminds distributors of the importance of customer engagement on an ongoing basis, including when an application is filed for a change in rates.

C. Adoption of March Proposed Amendments without Revisions

The Board has determined that no changes are required to the March Proposed Amendments. The Board has therefore adopted the March Proposed Amendments without modification (the "Final Amendments").

The Final Amendments to the DSC as adopted by the Board are set out in Attachment A to this Notice.

D. Anticipated Costs and Benefits

The anticipated costs and benefits of the March Proposed Amendments were set out in the March 20, 2014 Notice of a Proposal to Amend the Code and interested parties should refer to that Notice for further information in that regard.

E. Coming into Force

The Final Amendments to the DSC as set out in Attachment A to this Notice come into force on January 1, 2015.

This Notice, including the Final Amendments to the DSC set out in Attachment A, will be available for public viewing at the Board's website at www.ontarioenergyboard.ca and at the offices of the Board during normal business hours.

F. Cost Awards

No party that filed written submissions in response to the March 20, 2014 Notice was eligible for an award of costs in the EB-2012-0383 consultation process. There will therefore be no cost awards for this notice and comment process.

DATED at Toronto, May 15, 2014

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Attachments: Attachment A - Final Amendments to the DSC

Attachment A

Final Amendments to the DSC

1. The following is inserted at the end of section 1.7 of the DSC:

The amendments to section 2.4.6 regarding unmetered load customers come into force on January 1, 2015.

2. The following is inserted at the end of section 2.4.6 of the DSC:

- The following items in relation to unmetered load customers:
 - the rights and obligations an unmetered load customer has with respect to the distributor and the rights and obligations a distributor has with respect to an unmetered load customer;
 - the process an unmetered load customer must use to file its updated data with its distributor and what evidence is necessary for the distributor to validate the data;
 - the process the distributor will use to update the bills for an unmetered load customer; and
 - the process the distributor will use to communicate and engage with unmetered load customers in relation to the preparation of cost allocation studies, load profile studies or other rate-related materials that may materially impact unmetered load customers.