

**Ontario Energy Board**  
P.O. Box 2319  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto ON M4P 1E4  
Telephone: 416-481-1967  
Facsimile: 416-440-7656  
Toll free: 1-888-632-6273

**Commission de l'énergie de l'Ontario**  
C.P. 2319  
2300, rue Yonge  
27<sup>e</sup> étage  
Toronto ON M4P 1E4  
Téléphone: 416-481-1967  
Télécopieur: 416-440-7656  
Numéro sans frais: 1-888-632-6273



## BY EMAIL AND WEB POSTING

April 8, 2014

To: All Licensed Electricity Retailers  
All Licensed Natural Gas Marketers  
All Rate-regulated Licensed Electricity Distributors  
All Rate-regulated Natural Gas Distributors  
All Other Interested Parties

Re: Consultation on the Effectiveness of Part II of the *Energy Consumer Protection Act, 2010*  
Board File No.: EB-2014-0158

---

The *Energy Consumer Protection Act, 2010* (the "ECPA") came into effect on January 1, 2011. Part II of the ECPA ("Electricity Retailing and Gas Marketing") was enacted by the Government to protect low-volume (residential and small business) electricity and natural gas consumers from misleading and unfair practices that were being undertaken by some electricity retailers and natural gas marketers ("suppliers"), to provide greater transparency in relation to contract prices and contract terms and conditions, and to ensure that low-volume consumers have the information that they need to make better informed decisions about their energy supply. To support the implementation of Part II of the ECPA, the Board introduced new regulatory requirements for suppliers, also effective January 1, 2011.

Under section 30 of the ECPA, the Minister of Energy may require the Board to undertake a review of Part II of the ECPA on the third anniversary of the coming into force of that Part. By [letter](#) dated December 18, 2013, the Minister of Energy has requested that the Board undertake that review.

The Board intends to consult broadly with consumers, suppliers, distributors and other interested stakeholders, and will engage the services of consultants with expertise in consumer research and in the history, development and evaluation of the retail energy markets. In undertaking its review of the effectiveness of the current legislative and regulatory regime, the Board will have due regard to a number of considerations, including: (i) consumer experience with suppliers; (ii) the Board's experience with

oversight of the retail energy sector; (iii) the conduct of suppliers; (iv) the nature of products offered by suppliers; and (v) the state of the retail energy markets having regard to developments since their inception.

Cost awards will be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1988* (the “OEB Act”) in relation to their participation in this consultation. Costs awarded, as well as the Board’s costs (including the costs of external consultants engaged by the Board), will be recovered from all rate-regulated licensed electricity distributors, all rate-regulated natural gas distributors, all licensed natural gas marketers and all licensed low-volume electricity retailers. The costs will be apportioned amongst these entities on the same basis as indirect costs are apportioned for purposes of the Board’s cost assessments under section 26 of the OEB Act.

Further details regarding the Board’s consultation, including the process for requesting cost award eligibility, will be provided in the near future.

Any questions relating to this consultation should be directed to Martine Band at [martine.band@ontarioenergyboard.ca](mailto:martine.band@ontarioenergyboard.ca) or at 416-440-8117. The Board’s toll-free number is 1-888-632-6273.

Yours truly,

Original signed by

Kirsten Walli  
Board Secretary