



BY E-MAIL AND WEB POSTING

February 28, 2023

TO: All Licensed Electricity Retailers

RE: New Electricity Reporting and Record-keeping Requirements (RRR) for Electricity Retailers

The Ontario Energy Board (OEB) is amending the Electricity Reporting and Record-keeping Requirements (RRR) for electricity retailers (Retailers) specifically to address third-party ownership of net metered renewable energy generation in Ontario (referred to as “third-party net metering”). Aligned with the Minister’s [Letter of Direction](#), these amendments will support the OEB in monitoring market activity related to third-party net metering.

The OEB is updating the RRR Filing Guide for Electricity Transmitters, Electricity Retailers, Gas Marketers and Unit Sub-Metering Providers (RRR Filing Guide) and associated Input Forms to reflect these changes and ensure Retailers’ RRR guidance is up to date.

This letter also includes a reminder to Retailers in respect of their Publicly Traded Securities (PTS) reporting requirement.

New RRRs for Electricity Retailers Participating in Third-Party Net Metering

On June 14, 2022, the OEB issued a [Notice of Amendments](#) to the Distribution System Code, Electricity Retailer Code of Conduct, and Retail Settlement Code (collectively, Codes) to ensure the Codes are consistent with and facilitate the implementation of amendments to O. Reg. 541/05 (Net Metering), made under the *Ontario Energy Board Act, 1998*, and O. Reg. 389/10 (General) made under the *Energy Consumer Protection Act, 2010* that came into force on July 1, 2022.

The OEB is amending Section 4 of the RRR by adding three new sections, 4.1.1a; 4.1.2a; and 4.2.2a.¹ These new provisions are directed to Retailers who intend to participate in the third-party net metering market, either in tandem with their traditional retailing activities or under a “third-party generator – net metering only” licence.

¹ See Appendix A for new sections 4.1.1a, 4.1.2a, 4.2.2a

Retailers are expected to report on the basis of these requirements, issued today, for their next quarterly reporting.

In addition to these amendments, the OEB has recently changed its licensing process for new Retailers that express interest in offering contracts to customers related to third-party net metering. Further information on this process is available on the [OEB website](#). The OEB is also taking this opportunity to inform Retailers of its expectation that a licensee should notify the OEB prior to undertaking third-party net metering.

Amendments to the RRR Filing Guide and Input Forms

To assist Retailers in efficiently completing their RRR submissions, OEB staff are updating the RRR Filing Guide. Outdated information is being removed and replaced with up-to-date screenshots and guidance on using the [RRR Filing Portal](#). Input forms on the [RRR Filing Portal](#) are also being updated to reflect amendments made to Section 4 of the RRR for Retailers' next quarterly reporting.

Publicly Traded Securities (RRR 4.1.3 & 4.1.4)

This is a reminder that Retailers must submit their Publicly Traded Securities (PTS) report, in Excel format, to [the OEB's Secure File Transfer Protocol \(SFTP\) server](#). All Retailers will receive an email in the coming weeks with the PTS Excel form along with filing instructions.

Any questions relating to the information included in this letter should be directed to Industry.Relations@oeb.ca.

Yours truly,

Brian Hewson
Vice President, Consumer Protection & Industry Performance

Appendix A – RRR Amendments

4.1.1a A retailer shall provide, quarterly by the last day of the second month following the period end, a summary of the following market monitoring information for contracts for which the retailer is a third party generator as defined in Section 2 of Ontario Regulation 389/10:

- I. Contracts with less than one year remaining in the term of the contract;
- II. Contracts with greater than one year but less than three years remaining in the term of the contract;
- III. Contracts with between three and five years remaining in the term of the contract;
- IV. Contracts with between five and 10 years remaining in the term of the contract; and
- V. Contracts with between 10 and 20 years remaining in the term of the contract.

4.1.2a A retailer shall provide, quarterly on the last day of the second month following the quarter end, a summary of the following market monitoring information for the quarter pertaining to customers who are low volume consumers with contracts referred to in Section 1.3 of the Electricity Retailer Code of Conduct:

- a) Number of salespersons who have successfully enrolled a customer or successfully renewed a contract;
- b) Number of new enrolments;
- c) Number of contract renewals;
- d) Marketing Approach Percentages based on new enrolments and renewed contracts during the reported quarter, broken down by: direct mail, telesales, internet sales and other;
- e) Number of consumer complaints;
- f) Retail offers accepted by customers that have been successfully enrolled during the quarter. Details include the contract length and all pricing details.

4.2.2a A retailer shall maintain for a period of two years, or two years beyond the end of the contract for items c), d), e) and f), and provide at such times as may be requested by the Board, records of sales personnel and customer information as it relates to instances where the retailer is a third party generator as defined in Section 2 of O. Reg. 389/10 containing the following information:

- a) A list of its salespersons including their name and agent number where applicable;
- b) A list of its contracted customers;

- c) A contract with each customer, with the customer's signature, to purchase electricity generated from a renewable generation system from the electricity retailer;
- d) For contracts entered on or after July 1, 2002, the notice of reaffirmation of the contracts by the customer; and
- e) For contracts renewed or extended for a period of more than one year on or after August 1, 2002, the notice of acceptance of the renewal or extension from the customer.