

DELEGATED POWERS AND DUTIES – RATES

Item	Power or Duty	Legislative Provision
1	To issue accounting orders for deferral and variance accounts (DVAs) approved by the OEB where no accounting orders were issued at the time of approval of the DVAs; for this purpose, a DVA approved by the OEB means: (i) a generic account established by the OEB for more than one regulated entity in an order, letter, policy document, rule or Code; or (ii) a DVA established by the OEB for a specific regulated entity	Sections 36 and 78 of the OEB Act
2	To make determinations in respect of applications made under the Quarterly Rate Adjustment Mechanism (QRAM)	Section 36 of the Act
3	To determine the generic wholesale market service rate for electricity distributors	Section 78 of the Act
4	To adjust the generic energy retailer service charges for electricity distributors by the OEB's inflation factor	Section 78 of the Act
5	To determine the generic fixed monthly service charge for electricity distributors related to the microFIT Generator Service Classification	Section 78 of the Act
6	To approve or fix Uniform Transmission Rates	Section 78 of the Act
7	To make determinations in respect of applications for annual rate adjustments (flowing from an approved cost-based rate-setting plan) filed by electricity distributors, electricity transmitters, Ontario Power Generation Inc. (OPG), or natural gas distributors , except where such an application includes a request for any of the exclusions set out below	Sections 36, 78 and 78.1 of the Act
8	To approve the clearance of DVAs for electricity distributors and transmitters outside of Incentive Rate-Setting Mechanism (IRM) or cost of service applications, where no prudence review is required or where no correction of errors to previously approved DVA disposition amounts has been proposed	Sections 78(6.1) and 78(6.2) of the Act
9	To calculate rural or remote electricity rate protection (RRRP) amounts and charges	Section 79(1) of the Act and sections 4 and 5 of O. Reg. 442/01 (Rural or Remote Electricity Rate Protection)
10	To make calculations and determinations in respect of Renewable Generation Connection Rate Protection	Section 79.1 of the Act and sections 3 and 4 of O.

	compensation amounts that do not require revisions to previously approved costs or other material changes to previously approved investments	Reg. 330/09 (Cost Recovery re Section 79.1 of the Act)
11	To determine the maximum charge for Distribution Rate-Protected Residential Consumers	Section 79.3(3) of the Act and section 4 of O. Reg. 198/17 (Distribution Rate-Protected Residential Consumers)
12	To issue accounting orders for the deferral account required under O. Reg. 410/22 (Electricity Infrastructure – Designated Broadband Projects)	Section 78 of the Act and section 10 of O. Reg. 410/22 (Electricity Infrastructure – Designated Broadband Projects)

CONDITIONS AND RESTRICTIONS

1. A secondary delegated employee may only exercise a delegated power or duty if assigned a matter by the primary delegated employee.
2. Where a power or duty is delegated to an employee, the delegation includes any incidental powers and duties that a panel of Commissioners would have in exercising the power or duty if the power or duty were not delegated.
3. Where an application to the OEB requests a determination falling under a power or duty delegated to an employee and a determination under a power or duty that has not been delegated, the application will be dealt with in its entirety by a panel of Commissioners assigned by the Chief Commissioner.
4. Except where prohibited by the Act or another statute, the powers and duties delegated to an employee may be exercised on the employee's own motion.
5. Where a conflict exists between two or more delegations of the same power or duty, the most recent delegation prevails to the extent of the conflict.
6. This delegation is intended to facilitate the processing of matters that do not raise significant factual, legal or policy issues. If the delegated employee is of the opinion that, or is uncertain whether, a matter raises significant factual, legal or policy issues, the employee must inform the Chief Commissioner of the nature of the matter before making an order or determination, who may appoint a panel of Commissioners to deal with the matter.

ANNUAL RATE ADJUSTMENTS – EXCLUSIONS FROM THE DELEGATION

An application for an annual rate adjustment by an electricity distributor, an electricity transmitter, a natural gas distributor or OPG that includes a request for any of the following is to be decided by a Panel of Commissioners. Where the delegated employee is uncertain whether any of the following exclusions applies, the employee will advise the Chief Commissioner who will determine if a panel of Commissioners will be assigned.

Item	Factor
1	An Incremental Capital Module or an Advanced Capital Module where there is a proposal to materially deviate from what was approved in the cost of service application
2	Z-factor funding
3	Disposition of Group 2 accounts for electricity distributors, or non-commodity related DVAs for other utilities where a prudence review is required
4	Correction of errors to any previously approved DVA disposition amounts
5	New or material revisions to previously approved rate mitigation plans
6	Requests to change a rate year approved within a cost-based rate-setting plan for electricity and natural gas distributors
7	Any requests for approval that require a new or further prudence review for a cost component of an approved revenue requirement such as long-term debt rates, pension and other post-employment benefit (OPEB) costs, or payments in lieu of taxes (PILs)
8	Rate re-design or reclassification proposals (even if the concept was approved in the original decision)
9	Updates to the load forecast (or charge determinants for electricity transmitters)
10	Implementation of lead-lag studies during the IR term
11	Assessment of earnings sharing mechanisms
12	Where there is a consideration of earnings in excess of an established threshold (over earnings)