

Directive for the Disclosure of Information  
to Consumers by Electricity Retailers  
under Ontario Regulation 416/99

Ontario Energy Board

March 1, 2000

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## 1. INTRODUCTION

### 1.1 Definitions

In this Directive, unless the context otherwise requires:

“alternative power source” means biomass, solar energy, wind energy or waste;

“biomass” means biological materials, including gases generated from the decomposition of biological material;

“electricity product” means electricity that a retailer retails;

“electricity supply mix” means, for an electricity product, the combination of power sources used to generate the product;

“power source” means the fuel or process used to generate electricity;

"retailer" means a person who retails electricity, and for the purpose of this Directive, does not include a provider of standard supply service;

“solar energy” means solar radiation or thermal energy produced from solar radiation;

"provider of standard supply service" means a distributor of electricity that is obligated under section 29 of the *Electricity Act, 1998* to sell electricity to every person connected to the distributor's distribution system.

“system-wide electricity supply mix” means the combination of power sources used to generate the electricity consumed in Ontario;

“waste” includes garbage, refuse, domestic waste, industrial waste and municipal waste, but does not include biomass.

### 1.2 Interpretations

Unless otherwise defined in this Directive, words and phrases shall have the meaning ascribed to them in Ontario Regulation 416/99 and the *Ontario Energy Board Act, 1998*. Headings are for convenience only and shall not affect the interpretation of this Directive. Words importing the singular include the plural and vice versa.

### **1.3 Purpose**

Under Ontario Regulation 416/99, the Ontario Energy Board is responsible for establishing the manner and timing of the disclosure of information by retailers to consumers with respect to:

- the system-wide electricity supply mix; and
- the electricity supply mix of electricity products.

This Directive sets the minimum standard under which a retailer must disclose information to electricity consumers.

### **1.4 Coming into force**

This Directive comes into force on March 1, 2000 and remains in force until terminated by the Board.

### **1.5 Amendments**

This Directive is made pursuant to Ontario Regulation 416/99 and may only be amended in accordance with that regulation.

### **1.6 Legibility of documents**

In disclosing information to consumers pursuant to this Directive, retailers and providers of standard supply service shall not use print that due to its size or other visual characteristics is likely to impair materially the legibility or clarity of documents provided to consumers.

## **2. DISCLOSURE OF THE SYSTEM-WIDE ELECTRICITY SUPPLY MIX**

### **2.1 Providers of Standard Supply Service**

2.1.1 A provider of standard supply service shall disclose the system-wide electricity supply mix to a consumer through a mailing that contains the Electricity Facts label (Appendix A).

2.1.2 Disclosure shall occur once in relation to each consumer, as soon as practicable after March 1, 2000, and annually thereafter.

### **2.2 Retailers other than Providers of Standard Supply Service**

2.2.1 A retailer that retails an electricity product to a consumer shall disclose to the consumer the system-wide electricity supply mix by presenting the consumer with a copy of the Electricity Facts label contained in Appendix A.

2.2.2 Disclosure shall occur before a consumer signs a contract with a retailer, and annually thereafter.

### **3. DISCLOSURE OF THE SUPPLY MIX OF AN ELECTRICITY PRODUCT**

#### **3.1 Providers of Standard Supply Service**

3.1.1 Not applicable

#### **3.2 Retailers other than Providers of Standard Supply Service**

3.2.1 A retailer that retails an electricity product to a consumer shall also disclose to the consumer the electricity supply mix of the product if, for the purpose of retailing the product,

(a) the retailer makes any statement that contains a reference to the type of power source or the nature of the power source that is used to generate the product;

(b) the retailer makes any statement that contains a reference to a type of power source or the nature of a power source that is not used to generate the product;

(c) the retailer makes any statement that contains a reference to the product or the use of the product having an environmental effect; or

(d) the retailer makes any statement that contains a reference to a generation facility that generates some of all of the product.

3.2.2 A retailer referred to in section 3.2.1 shall disclose both the system-wide mix and the specific mix of the product by presenting the consumer with a copy of the Electricity Facts label contained in Appendix B.

3.2.3 Disclosure shall occur before a consumer signs a contract with a retailer, and annually thereafter.

Appendices (A) Label for disclosing the system-wide electricity supply mix  
(B) Label for disclosing the system-wide electricity supply mix and the supply mix of an electricity product

(C) Ontario Regulation 416/99  
End of document

## Appendix A - Label for disclosing the system-wide electricity supply mix

<b>Electricity Facts</b>	
<b><i>Electricity sources</i></b>	<b><i>Ontario's Electricity Mix*</i></b>
Water power	x%
Alternative power sources	x%
Solar	-
Wind	-
Biomass	-
Waste	-
Nuclear energy	x%
Natural gas	x%
Coal or oil	x%
*The combination of electricity sources used to generate the electricity consumed in Ontario in [1998] (Statistics Canada Catalogue No. [57-001-XPB] for [1998] and Ministry of Energy, Science and Technology).	

Note: As appropriate, the retailer or provider of standard supply service shall insert the actual values of "x," reference year and statistical citation, when and as determined by the Ministry of Energy, Science and Technology.

Appendix B - Label for disclosing the system-wide electricity supply mix and the supply mix of an electricity product

<b>Electricity Facts</b>		
<b><i>Electricity sources</i></b>	<b><i>[Product B]</i></b> (projected)	<b><i>Ontario's Electricity Mix*</i></b> (for comparison)
Water power	y%	x%
Alternative power sources	y%	x%
Solar	-	-
Wind	-	-
Biomass	-	-
Waste	-	-
Nuclear energy	y%	x%
Natural gas	y%	x%
Coal or oil	y%	x%
*The combination of electricity sources used to generate the electricity consumed in Ontario in [1998]. (Statistics Canada Catalogue No. [57-001-XPB] for [1998] and Ministry of Energy, Science and Technology).		

Notes: As appropriate, the retailer shall insert the actual values of “x,” reference year, and statistical citation, when and as determined by the Ministry of Energy, Science and Technology. Also, the retailer will insert the appropriate values of “y”, its name, and the name of its product where indicated.

Under Ontario Regulation 416/99, retailers have the option of breaking down the projected figures related to the “Alternative power sources” category into solar, wind, biomass and waste subcategories.

## APPENDIX C

ONTARIO REGULATION 416/99  
made under the  
ONTARIO ENERGY BOARD ACT, 1998

Made: August 18, 1999

Filed: August 19, 1999

ELECTRICITY RETAILING - DISCLOSURE TO  
CONSUMERS

1. In this Regulation,

“alternative power source” means biomass, solar energy, wind energy or waste;

“biomass” means biological materials, including gases generated from the decomposition of biological material;

“electricity product” means electricity that a retailer retails;

“electricity supply mix” means, for an electricity product, the combination of power sources used to generate the product;

“power source” means the fuel or process used to generate electricity;

“solar energy” means solar radiation or thermal energy produced from solar radiation;

“system-wide electricity supply mix” means the combination of power sources used to generate the electricity consumed in Ontario;

“waste” includes garbage, refuse, domestic waste, industrial waste and municipal waste, but does not include biomass.

2. (1) A retailer that retails an electricity product to a consumer shall disclose to the consumer the system-wide electricity supply mix.

(2) A retailer that retails an electricity product to a

consumer shall also disclose to the consumer the electricity supply mix of the product if, for the purpose of retailing the product,

- (a) the retailer makes any statement that contains a reference to the type of power source or the nature of the power source that is used to generate the product;
- (b) the retailer makes any statement that contains a reference to a type of power source or the nature of a power source that is not used to generate the product;
- (c) the retailer makes any statement that contains a reference to the product or the use of the product having an environmental effect; or
- (d) the retailer makes any statement that contains a reference to a generation facility that generates some or all of the product.

(3) A statement disclosing the system-wide electricity supply mix shall be deemed not to be a statement referred to in clause (2)(a),(b),(c) or (d).

(4) Subject to this Regulation, the Board may establish the manner in which information referred to in subsections (1) and (2) shall be disclosed and the time periods within which the information shall be disclosed, and retailers shall disclose the information in the manner and within the time periods established by the Board.

(5) A retailer that discloses the system-wide electricity supply mix under subsection (1) shall do so in a manner established by the Board that indicates, for each power source or group of power sources referred to in subsection (7), the percentage of the electricity consumed in Ontario that is generated by means of that power source or group of power sources, as determined by the Ministry of Energy, Science and Technology.

(6) A retailer that discloses the electricity supply mix for an electricity product under subsection (2) shall do so in a manner established by the Board that indicates, for

each power source or group of power sources referred to in subsection (7), the percentage of the product that the retailer projects will be generated during a 12-month period by means of that power source or group of power sources.

(7) The power sources and groups of power sources referred to in subsections (5) and (6) are the following:

1. Water power.
2. Alternative power sources.
3. Nuclear energy.
4. Natural gas
5. Coal or oil.

(8) Despite paragraph 2 of subsection (7), if some or all of an electricity product will be generated by an alternative power source, a retailer to which subsection (6) applies may disclose the electricity supply mix for the product in a manner established by the Board that specifically identifies that power source and indicates the percentage of the product that the retailer projects will be generated during the 12-month period by that power source.