

# UTILIS CONNECTION



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## Decisions & Orders

### EB-2020-0152/0239/0240/0241—Implementation of Time-of-Use Opt-Out

On October 2, 2020 the OEB issued a letter to licensed electricity distributors, the Independent Electricity System Operator (“IESO”) and interested parties regarding communications, reporting requirements and smart metering entity data relating to the implementation of time-of-use pricing opt-out ([LINK](#)). Regarding communication materials, the OEB noted:

- The following materials may be used immediately:
  - Common Q&As for distributor websites and call centres
  - Other suggested content for use on distributor websites and through other communications channels
- The following materials may not be used in public communications until October 13:
  - Template election form for use by TOU customers that wish to switch to tiered prices
  - Shareable graphics for social media and/or other communications platforms
- [LINK to Materials](#)

The OEB also informed parties that no later than October 19, 2020, each licensed, rate-regulated distributor shall confirm in writing whether it has adapted its systems and processes to enable it to comply with the amendments to the Standard Supply Service Code (“SSSC”) that came into force on October 13, 2020.

Also on October 2, 2020 the OEB issued three Decisions amending the licences of Hydro One Distribution Inc. (“Hydro One”) ([LINK](#)), Algoma Power Inc. (“Algoma Power”) ([LINK](#)) and the IESO acting as the Province’s Smart Metering Entity ([LINK](#)). The purpose of these licence amendments is to facilitate the implementation of changes to the SSSC effective October 13, 2020 that will allow customers on the Regulated Price Plan (“RPP”) to opt out of time-of-use pricing in favour of tiered pricing.

Hydro One and Algoma Power are exempt from the SSSC requirement to charge customers on the RPP time-of-use prices with respect to “hard to reach” customers that are outside of the reach of their respective smart meter telecommunications infrastructure. The licence amendments clarify that should any of these “hard to reach” customers enter the range of smart meter telecommunications technology they shall be offered the choice between time-of-use pricing and tiered pricing. Time-of-use pricing will be the default if no selection is made.

The IESO’s Smart Metering Entity licence is being amended to clarify the responsibilities of the Smart Metering Entity under the amended SSSC to provide consumption amounts and commodity rates for billing purposes for all residential consumers or <50kW general service customers. The changes implemented will support timely and accurate reporting by the IESO to the OEB.

## EB-2020-0162/0185—CEAP/CEAP-SB Amendments: Decision, Licence Amendments & Letters

On September 30, 2020 the OEB issued amendments to electricity distributor and unit sub-metering provider licences ([LINK](#)), as well as letters to Enbridge Gas Inc. ([LINK](#)), EPCOR Natural Gas LP ([LINK](#)), Utilities Kingston ([LINK](#)) and Kitchener Utilities ([LINK](#)) regarding implementation and eligibility criteria for the COVID-19 Emergency Assistance Program (“CEAP”) and COVID-19 Emergency Assistance Program—Small Business (“CEAP-SB”).

The OEB notes that uptake of the programs has been significantly less than anticipated, with less than 5% of available CEAP funds credited to customers as of the end of August, and similarly low uptake in the more recent CEAP-SB. Utility representatives have informed the OEB that one of the reasons for low uptake is a high rejection rate based on existing eligibility criteria. To alleviate high rejection rates, the OEB’s licence amendments and letters make the following changes to CEAP eligibility criteria:

- Customers that made at least a partial payment with respect to amounts owing from bills prior to March 17, 2020 (including accounts subject to an arrears payment agreement) will now be eligible for CEAP **(also applicable to CEAP-SB)**
- The account holder (or the account holder’s spouse or common-law partner that resides in the same residence) will no longer need to be unemployed on the date they file their CEAP application form

The September 30, 2020 OEB Decision provides additional explanation of these changes for the purpose of clarity. With respect to implementation:

1. Utilities will be required to re-process all rejected applications in their possession as of September 30, 2020, applying the revised criteria and the guidance provided in the Decision. Where old applications meet the new eligibility requirement or the guidance provided above, utilities shall credit these accounts in the appropriate amounts and communicate the approval to the customers
2. Utilities are required to complete the re-processing of any rejected applications prior to processing new applications received as of the date of the Decision. The requirement to complete processing of CEAP and CEAP-SB applications within ten business days of receipt of the application is relieved for the purpose of the re-processing and utilities are expected to complete the reprocessing as expeditiously as possible
3. Following the completion of the Reassessment Process and no later than October 19, 2020, utilities are required to begin processing new applications received after September 30, 2020, applying the revised criteria and all other conditions set out in the previously issued CEAP and CEAP-SB Decisions
4. Under separate cover, the OEB shall issue new application forms for both CEAP and CEAP-SB that reflect the revised eligibility criteria. Utilities are required to provide a revised application

form on their website and make any necessary changes to ensure customers have access to the revised form

5. Utilities shall be granted relief until October 20, 2020, from the ten day processing requirement for new applications received after September 30, 2020

## EB-2020-0206/0218—EPCOR QRAM: Decision

On September 28, 2020 the OEB issued a letter to EPCOR Natural Gas LP (“EPCOR”) ([LINK](#)) regarding its Quarterly Rate Adjustment Mechanism (“QRAM”) application for Southern Bruce. The OEB noted that EPCOR had not served this application (EB-2020-0206) on intervenors of record in EB-2018-0264 as required. The OEB required EPCOR to serve its Southern Bruce QRAM application on these intervenors, who will have 5 calendar days to file comments. EPCOR will then have 3 calendar days to file reply comments, after which the OEB will determine whether amendments to its previous Decision are required. On September 29, 2020 EPCOR provided correspondence to relevant intervenors ([LINK](#)), alongside a copy of the pre-filed evidence and responses to OEB Staff questions. Vulnerable Energy Consumers Coalition submitted correspondence to the OEB on the same date indicating they would not be providing any comment on the application ([LINK](#)).

On September 28, 2020 the OEB issued a corrected Decision and Interim Rate Order relating to EPCOR’s Aylmer QRAM application ([LINK](#)).

## Policies, Frameworks & Consultations

### EB-2020-0001—Personal Information in Applications and Other Filing

On September 28, 2020 the OEB issued a letter to all regulated entities and interested persons ([LINK](#)) reminding all participants in OEB processes of the importance of following the rules that have been put in place by the OEB to protect personal information that is contained in applications and other filings. In addition, the OEB issued letters to the following entities regarding specific infractions, noting that reports had been filed with the Information and Privacy Commissioner of Ontario:

- Rideau St. Lawrence Distribution Inc. [LINK](#)
- Burlington Hydro Inc. [LINK](#)
- Centre Wellington Hydro Inc. [LINK](#)
- Energy Plus Inc. [LINK](#)
- EPCOR Electricity Distribution Inc. [LINK](#)

- Festival Hydro Inc. [LINK](#)
- Oshawa PUC Networks Inc. [LINK](#)

## COVID-19 Foregone Revenue Submissions

The following utilities made submissions regarding recovery of foregone revenue resulting from COVID-19:

1. Bluewater Power Distribution
  - Letter: [LINK](#)
  - Correspondence: [LINK](#)
2. EPCOR Electricity Distribution Ontario Inc.
  - Correspondence: [LINK](#)
  - Model: [LINK](#)
3. Entegrus Powerlines Inc.
  - Model: [LINK](#)
4. Fort Frances Power Corporation
  - Correspondence: [LINK](#)
  - Model: [LINK](#)
5. Hydro One Remote Communities
  - Interrogatory Responses (Second Round): [LINK](#)
  - Model: [LINK](#)
6. Orangeville Hydro Limited
  - Correspondence: [LINK](#)
7. Rideau St. Lawrence Distribution Inc.
  - Correspondence: [LINK](#)
8. Sioux Lookout Hydro
  - Model: [LINK](#)
9. PUC Distribution Inc.
  - Model: [LINK](#)
10. Wasaga Distribution Inc.
  - Model: [LINK](#)

## Ongoing Electricity Applications

### EB-2020-0035—Kitchener-Wilmot Hydro 2021 IRM: OEB Staff Interrogatories

On October 1, 2020 OEB Staff submitted interrogatories ([LINK](#)), inclusive of excel-based 2021 Chapter 2 appendices filing requirements ([LINK](#)).

### EB-2020-0008—CNPI 2021 Rates: Interrogatories

On October 1, 2020 interrogatories were received by Canadian Niagara Power Inc. (“CNPI”) from the following parties:

- OEB Staff [LINK](#)
- Vulnerable Energy Consumers Coalition [LINK](#)
- School Energy Coalition [LINK](#)

### EB-2020-0048—Oshawa PUC Networks 2021 Rates: Interrogatories

On September 29 and 30, 2020 interrogatories were received from the following parties:

- Energy Probe Research Foundation [LINK](#)
- Pollution Probe [LINK](#)
- School Energy Coalition [LINK](#)
- Distributed Resource Coalition [LINK](#)
- Consumers Council of Canada [LINK](#)
- Vulnerable Energy Consumers Coalition [LINK](#)
- Association of Major Power Consumers of Ontario [LINK](#)

### EB-2020-0002—Alectra Utilities 2021 Rates: Interrogatories

On October 2, 2020 interrogatories were received from the following parties:

- School Energy Coalition [LINK](#)

## EB-2019-0261—Hydro Ottawa Custom IR: OEB Staff Comments, Decision & Procedural Order

On September 29, 2020 OEB Staff submitted comments regarding the settlement proposal between Hydro Ottawa Limited (“Hydro Ottawa”) and interested parties in EB-2019-0261, supporting the settlement proposal ([LINK](#)). OEB Staff agreed that the one unsettled issue relating to rate design would be best disposed of by way of written hearing.

On October 2, 2020 the OEB issued a Decision and Procedural Order 8 ([LINK](#)) accepting the settlement proposal as filed, and deferring written reasons for acceptance to a later date. Procedural Order 8 set out the following procedural steps to hear the unsettled issue remaining in the proceeding:

1. Hydro Ottawa shall file its argument-in-chief related to the one unsettled issue with the OEB and serve it on all parties by October 13, 2020.
2. OEB staff and intervenors shall file any submissions with the OEB and serve them on all parties by October 20, 2020.
3. Hydro Ottawa shall file its reply argument, if any, with the OEB and serve on all parties by October 27, 2020.
4. Intervenors shall file any reply submissions on any new items raised in Hydro Ottawa’s reply argument with the OEB and serve them on all parties by November 3, 2020.

## EB-2020-0059—Waterloo North Hydro 2021 Cost of Service: Interrogatory Responses

On September 28, 2020 Waterloo North Hydro submitted interrogatory responses ([LINK](#)), inclusive of 50 individual supporting attachments ([LINK to EB-2020-0059 RDS](#)).

## EB-2020-0057—THESL 2021 Annual Rate Update: OEB Staff Questions

On September 30, 2020 OEB Staff issued written questions to Toronto Hydro-Electric System Limited (“THESL”) ([LINK](#)), requesting responses from THESL by October 14, 2020.

## EB-2020-0013—Elexicon Veridian Rate Zone 2021 Rates: ICM Letter & Procedural Order

On September 30, 2020 Elexicon Energy Inc. (“Elexicon”) wrote to inform the OEB that it would be revising its 2021 Veridian Rate Zone rates application such that anticipated Incremental Capital Module (“ICM”) projects would not be in-service prior to 2022 ([LINK](#)). This shift in timing will allow the 2022 ICM application to have the benefit of the most up-to-date information regarding the need, timing, and costs of applicable projects.



On October 2, 2020 the OEB issued Procedural Order 1 ([LINK](#)) setting out the following procedural steps:

1. OEB staff and intervenors shall request any relevant information and documentation from Elexicon Energy that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on Elexicon Energy and all other parties by October 23, 2020.
2. Elexicon Energy shall file with the OEB complete written responses to the interrogatories and serve them on all intervenors by November 6, 2020.
3. Any written submissions by OEB staff and intervenors shall be filed with the OEB and served on all other parties by November 20, 2020.
4. If Elexicon Energy wishes to file a reply submission, it must file its written submission with the OEB and serve it on intervenors by December 4, 2020.

## **EB-2020-0009—Centre Wellington Hydro 2021 Rates: Revised IRM Model**

On September 29, 2020 Centre Wellington Hydro Inc. submitted a revised IRM rate generator model ([LINK](#)).

## **Ongoing Natural Gas & Oil Applications**

### **EB-2020-0160—Enbridge Gas Windsor Line 101 Application: Intervenor Arguments**

On October 2, 2020 Intervenor Arguments were received from the following parties:

- OEB Staff [LINK](#)
- Energy Probe Research Foundation [LINK](#)
- Environmental Defence [LINK](#)
- County of Essex [LINK](#)
- Pollution Probe [LINK](#)
- Federation of Rental-housing Providers of Ontario [LINK](#)

### **EB-2020-0094—Enbridge Gas System Expansion Surcharge: Intervenor Arguments**

On October 2, 2020 Enbridge Gas submitted its Reply Argument ([LINK](#)).

## EB-2020-0095—Enbridge Gas 2021 Rates: Supplemental Interrogatory Responses

On October 1, 2020 Enbridge Gas Inc. submitted responses to the supplemental interrogatory of Energy Probe Research Foundation ([LINK](#)).

## EB-2020-0136—Enbridge Gas Cherry to Bathurst Project: Interrogatories

On October 1 and 2, 2020 interrogatories were received from the following parties:

- OEB Staff [LINK](#)
- Energy Probe Research Foundation [LINK](#)
- Environmental Defence [LINK](#)
- Metrolinx [LINK](#)
- Pollution Probe [LINK](#)
- Federation of Rental-housing Providers of Ontario [LINK](#)
- City of Toronto [LINK](#)

## Notices & New Applications

### EB-2020-0194—Hydro One Tax Remittal: Notice & Procedural Order

On October 2, 2020 the OEB initiated a proceeding and issued Procedural Order 1 ([LINK](#)) relating to the treatment of future tax savings resulting from the Ontario Government's sale of a portion of Hydro One Limited in 2015. In accordance with the Decision of the Ontario Divisional Court issued July 16, 2020, "no part of the benefit of the Future Tax Savings is allocable to ratepayers and should instead be paid to the shareholders in its entirety." This proceeding will implement the direction issued by the Ontario Divisional Court and determine the associated impacts on transmission and distribution rates.

The OEB issued the following procedural steps:

1. Hydro One shall file its evidence with the OEB, and provide a copy to all intervenors, by October 28, 2020.
2. OEB staff and intervenors shall request any relevant information and documentation from Hydro One that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by November 16, 2020.
3. Hydro One shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors by December 4, 2020.
4. OEB staff shall file any submissions with the OEB and forward them to all parties by December 23, 2020.

5. Intervenors shall file any submissions with the OEB and forward them to all parties by January 8, 2021.
6. Hydro One shall file its reply submission, if any, with the OEB and forward it to all parties on or before January 22, 2021.

## Intervention Requests

Case No. & Entity	Documents
<b>EB-2020-0040—Niagara Peninsula Energy 2021 Rates</b>	<ul style="list-style-type: none"> <li>• Vulnerable Energy Consumers Coalition <a href="#">LINK</a></li> <li>• Distributed Resource Coalition <a href="#">LINK</a></li> </ul>
<b>EB-2020-0026—Halton Hills Hydro 2021 Rates</b>	<ul style="list-style-type: none"> <li>• School Energy Coalition <a href="#">LINK</a></li> </ul>
<b>EB-2020-0030—HONI 2021 Rates</b>	<ul style="list-style-type: none"> <li>• School Energy Coalition <a href="#">LINK</a></li> <li>• Power Workers Union <a href="#">LINK</a></li> </ul>
<b>EB-2020-0134—Enbridge Gas Utility Earnings &amp; Disposition of Deferral &amp; Variance Account Balances</b>	<ul style="list-style-type: none"> <li>• Kitchener Utilities <a href="#">LINK</a></li> <li>• Consumers Council of Canada <a href="#">LINK</a></li> <li>• Ontario Greenhouse Vegetable Growers <a href="#">LINK</a></li> </ul>
<b>EB-2020-0013—Elexicon Veridian Rate Zone 2021 Rates</b>	<ul style="list-style-type: none"> <li>• Energy Probe Research Foundation (withdrawal of prior intervention request) <a href="#">LINK</a></li> </ul>

## Licences

Case No. & Entity	Documents
<b>EB-2020-0189—Enel X Electricity Retailer Licence</b>	<ul style="list-style-type: none"> <li>• Interim Decision &amp; Licence Extension <a href="#">LINK</a></li> </ul>
<b>EB-2018-0123—Veridity Energy Solutions Electricity Wholesaler Licence</b>	<ul style="list-style-type: none"> <li>• Letter of Cancellation <a href="#">LINK</a></li> </ul>
<b>EB-2020-0164—Peninsula Power Electricity Wholesaler Licence</b>	<ul style="list-style-type: none"> <li>• Decision &amp; Licence <a href="#">LINK</a></li> </ul>
<b>EB-2020-0153—Ameresco JPII Carbon Reduction Electricity Storage Licence</b>	<ul style="list-style-type: none"> <li>• Decision &amp; Licence <a href="#">LINK</a></li> </ul>