



November 16, 2015

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
BoardSec@ontarioenergyboard.ca

VIA EMAIL

RE: OEB FILE NO.: EB-2015-0268

All Participants in EB-2014-0158 (Consultation on the Effectiveness of Part II of the *Energy Consumer Protection Act, 2010*)

Dear Ms. Walli:

Summitt Energy LP. ("Summitt Energy") respectfully submits the following with respect to the above noted consultation.

The Ministry of Energy has introduced Bill 112 that would amend the Ontario Energy Board Act, 1998 (OEBA) and the Energy Consumer Protection Act, 2010 (ECPA) to enhance the Ontario Energy Board's (OEB) mandate and organization to ensure that it continues to have a robust set of tools to regulate and protect consumers.

Summitt Energy is of the opinion that it is somewhat premature of the OEB to seek comment on proposed changes to the Disclosure Statements, Price Comparison Templates and Scripts at this time. There is potential that these proposed changes by the OEB will be amended once Bill 112 is finalized. To that, since the OEB is determined to move forward with proposed changes before Bill 112 is proclaimed, Summitt will provide the aforementioned comments on the basis that if Bill 112 is amended the OEB will provide all stakeholders an opportunity to provide additional comments.

Disclosure Statements

Summitt is in support of a dual fuel Disclosure Statement as it will eliminate the duplication and redundancy of having to provide a consumer with two separate Disclosure Statements. Summitt notes that the OEB has stated in its comment paper dated October 30, 2015 that the OEB will be making similar changes to internet, mail and renewal Disclosure Statements. It must be noted that the current proposed Disclosure Statement appears to be for in person sales, Summitt believes that the current proposed format would need significant content changes in order to be properly adapted for use in internet, mail and renewal sales. OEB staff have indicated that they would be addressing issues of format and graphic design over the coming weeks. Therefore Summitt is not in a position to make any further comment on OEB staffs proposed Disclosure Statement at this time.

Price Comparisons

OEB has stated in its comment paper dated October 30, 2015 that they would be addressing issues of format and graphic design over the coming weeks. Summitt is of the opinion that the format and graphic design are key components of the Price Comparison. Therefore Summitt is not in a position to make any comment on OEB staffs proposed Price Comparison until a final proposed version is released to stakeholders for comment .

Verification Call Scripts

Summitt is of the opinion that, for the most part, the proposed Verification Call Scripts address issues that retailers and marketers have previously brought forth to the OEB. As previously stated, Summitt is not in a position at this time to provide any further comment on the Verification Call Scripts as there is the possibility that these proposed changes by the OEB may need to be amended once Bill 112 has been finalized.

Contract Cover Sheet

Summitt is of the opinion that if Bill 112 is passed without any amendments (banning all door to door residential retail energy sales) it will eliminate the need for a Contract Cover Sheet because consumers will only be permitted to enter into retail supply contracts on their own without the influence of a sales representative.

Alternatively, if the OEB is still of the opinion that a Contract Cover Sheet is needed, Summitt believes that the three (3) page Contract Cover Sheet proposed is overly detailed and lengthy and therefore defeats the purpose of the Contract Cover or ``Summary`` sheet. Summitt believes that Ontario consumers would be better served if the OEB developed a Contract Cover Sheet similar to the summary sheet format used in the Pennsylvania, Maryland, Massachusetts and New York retail energy markets. These markets utilize a one (1) page ``Contract Summary`` sheet that lists the key points of the retail energy contract such as start date, contract length, contract price, renewal and cancellation provisions.¹

Consumer ``Tip Sheet``

Summitt believes that it is premature to comment on the use of a Consumer ``Tip Sheet`` until after proclamation of Bill 112 and final drafting of the corresponding regulations. The Ministry of Energy is currently undergoing consultation on the development of these regulations, which amongst other things, will outline how retailers and marketers can market to consumers at the door. Additionally, Summitt believes that if the future proposed regulations dictates what can be left with a consumer when marketing door to door that consumers would be better served by having a combined one (1) page ``Tip Sheet`` and ``Contract Cover Sheet``.

Respectfully submitted



Jeff Donnelly, Licensed Paralegal
Director, Regulatory Affairs & Compliance
Summitt Energy
PH: 905-366-7020 | Fax: 905-366-7011
100 Milverton Dr – Suite 608 | Mississauga | ON | L5R 4H1
jdonnelly@summittenergy.ca

¹ www.puc.pa.gov/pcdocs/1277768.docx