



Shell Energy North America (Canada) Inc.
90 Sheppard Avenue East, Suite 600
Toronto, ON M2N 6Y2
Phone 416-227-7300
Fax 877-382-9869

via RESS and courier

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Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

Re: EB-2016-0179: Proposal to Amend Codes and Rules

Shell Energy North America (Canada) Inc. (“Shell Energy”) submits these comments regarding the July 22nd Notice issued by the Ontario Energy Board (the “Board”) to amend several regulatory instruments.

Electricity Retailer Code of Conduct (“Retailer Code”)

The proposed amendments to the Retailer Code section 7.3 should be specific to low volume consumers in establishing the consumer complaint process.

The current wording of section 7.3 is applicable to all consumers and all electricity retailers, but it is quite general in its requirements. The proposed replacement language is very detailed and very specific in codifying the consumer complaint processes established and practiced under instruments like the Energy Consumer Protection Act (“ECPA”). The Board notes that the proposed amendments “generally build on current practice” and makes reference to a Bulletin issued by the Board in December 2014 providing electricity retailers and natural gas marketers guidance specifically related to low volume consumer complaints.

The same detailed requirements are being proposed for the Gas Marketer Code of Conduct, however, that code is applicable to low volume consumers only. The Retailer Code amendments should be similarly specific to low volume consumers due the nature of the processes being established and the desire for symmetry between the codes based on consumer type. As amended with the additional details regarding the process requirements, section 7.3 is also a continuation or progression on sections 7.1 and amended 7.2, which are applicable to low volume consumers.

The application of the consumer complaint process to retailers with low volume customers is further demonstrated in proposed amendments 4, 5, 6, and 7 that connect the form of Certificate of Compliance back to the new Consumer Complaint Response Process as set out in new section 7.3 of the Retailer Code. These ECPA related requirements are specific to retailers with low volume consumers.

Shell Energy recommends that one way to accomplish the desired specificity in new section 7.3 would be in the definition of Consumer Complaint Response Process, such that it would read,

“Consumer Complaint Response Process” means the requirements for retailers with low volume consumers set out in sections 7.3 to 7.3J;

Shell Energy appreciates the opportunity to provide these comments and would welcome further discussion with the Board on this matter.

All of which is respectfully submitted,

original signed

Paul Kerr
General Manager, Market Affairs
Shell Energy North America (Canada) Inc.

90 Sheppard Avenue East, Suite 600
Toronto, ON M2N 6Y2

phone: 416-227-7312
fax: 877-397-0413
email: paul.kerr@shell.com