

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416-481-1967
Facsimile: 416-440-7656
Toll free: 1-888-632-6273

**Commission de l'énergie
de l'Ontario**
C.P. 2319
27^e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416-481-1967
Télécopieur: 416-440-7656
Numéro sans frais: 1-888-632-6273



BY EMAIL AND WEB POSTING

SEPTEMBER 8, 2016

NOTICE OF REVISED PROPOSAL TO AMEND A CODE AND TO AMEND A RULE

**REVISED PROPOSED AMENDMENTS TO THE ELECTRICITY RETAILER CODE OF
CONDUCT, THE CODE OF CONDUCT FOR GAS MARKETERS, THE RETAIL
SETTLEMENT CODE AND THE GAS DISTRIBUTION ACCESS RULE**

OEB FILE NO.: EB-2015-0268

**To: All Licensed Electricity Retailers
All Licensed Gas Marketers
All Licensed Electricity Distributors
All Natural Gas Distributors
All Participants in Consultation Process EB-2014-0158 (Consultation on the
Effectiveness of Part II of the *Energy Consumer Protection Act, 2010*) and EB-
2015-0268 (Giving Effect to the OEB's Report on the Effectiveness of the
Energy Consumer Protection Act, 2010)
All Other Interested Parties**

The Ontario Energy Board (OEB) is giving notice of revised proposed amendments to the following rules and codes under sections 45 and 70.2 of the *Ontario Energy Board Act, 1998* (OEB Act):

1. the Electricity Retailer Code of Conduct (Retailer Code);
2. the Code of Conduct for Gas Marketers (Marketer Code);
3. the Retail Settlement Code (RSC); and
4. the Gas Distribution Access Rule (GDAR).

A. Background

On October 5, 2015, the OEB issued a [Notice of Proposal](#) (October 5th Notice) in which it proposed a number of amendments to the Retailer Code, the Marketer Code, the RSC and the GDAR (October 5th Proposed Amendments). The purpose of the October 5th Proposed

Amendments was to address certain findings and implement certain recommendations set out in the OEB's [Consumers Come First](#) report to the Minister of Energy on the effectiveness of the *Energy Consumer Protection Act, 2010* (ECPA). Some of the October 5th Proposed Amendments were also required to support proposed legislative changes regarding rules governing electricity retailers and gas marketers (collectively, energy retailers) set out in and under the ECPA in respect of low volume consumers.

On October 30, 2015, the OEB issued a further [Notice of Proposal](#) to solicit comment on the following: a proposed revised disclosure statement; proposed revised price comparison templates; proposed revised verification scripts; a new proposed "tip sheet"; and a proposed new contract cover sheet (October 30th Proposed Amendments). Regulatory requirements relating to the use of these materials were included in the October 5th Proposed Amendments.

The OEB received written comments on the October 5th Proposed Amendments from 22 stakeholders: 8 energy retailers; 13 gas and electricity distributors, commenting individually, as a group or through their representative; and 1 consumer representative. The OEB received written comments on the October 30th Proposed Amendments from 6 energy retailers. All of the written comments are available for viewing on the OEB's website at <http://www.ontarioenergyboard.ca/oeb/Industry/Regulatory%20Proceedings/Policy%20Initiatives%20and%20Consultations/ECPA%20Report%20Implementation>.

At the time of issuance of the two Notices of Proposal in October 2015, changes to the legislative framework governing energy retailers were pending. That legislative process has now been completed. A proclamation has been issued naming January 1, 2017 as the date on which amendments to the ECPA contained in the *Strengthening Consumer Protection and Electricity System Oversight Act, 2015* come into force. Amendments to Ontario Regulation 389/10 (General) (ECPA Regulation) will also come into force on January 1, 2017.¹

The OEB has considered the comments received from stakeholders on the proposals issued in October 2015 as well as the amendments to the ECPA Regulation, and has determined that revisions should be made to the October 5th Proposed Amendments and to the verification scripts as issued for comment on October 30, 2015. Details are set out below.

¹ The amendments are set out in Ontario Regulation 241/16.

B. Revised Proposals

1. Revised Proposed Amendments to the Retailer Code and the Marketer Code regarding Plain Language Contracts

The October 5th Proposed Amendments to the Retailer Code and the Marketer Code included a requirement for energy retailers to use an OEB-approved contract cover sheet as well as standardized headings in their contracts. Energy retailers generally did not support this proposal, stating that consumers do not need additional documents beyond those that are already required, and that the OEB's proposed approach would add to consumer confusion. Electricity and gas distributors generally did not comment on these proposals, and the consumer representative stated that this and other OEB proposals are a step in the right direction.

In the October 5th Notice, the OEB indicated that its proposal to require the use of an OEB-approved contract cover sheet and standardized contract headings was an interim approach, at least for residential consumers. The OEB also stated that standardized contracts will be clearer for consumers and enhance consumer understanding of their rights and obligations. However, it was noted that the development of a standardized contract would require time and more extensive consultation with the industry and others in order to ensure that contracts suit the needs of both energy retailers and consumers.

The OEB believes that it is appropriate to move forward now with a degree of standardization of contracts, to provide greater clarity for consumers and enhance consumer understanding. In its *Consumers Come First* report, the OEB noted that certain key provisions in retail contracts, such as cancellation rights and fees, need to be emphasized and in plain language. Some other jurisdictions require some form of plain language contract terms to be available to consumers.

The OEB is therefore proposing that energy retailers be required to use plain language standard contract terms and conditions principally for provisions that are identified in section 7 of the ECPA Regulation as mandatory contract terms. The proposed standard contract terms and conditions for a dual fuel contract for residential and non-residential consumers are set out in Attachment A to this Notice, and revised proposed amendments to section 3 (3.2A to 3.2D) of the Retailer Code and section 3 (3.2A to 3.2D) of the Marketer Code to support this approach are set out in Attachments B and C, respectively. The OEB is proposing that these standard terms and conditions be used for all low volume consumers. The proposed contract terms and conditions assume distributor-consolidated billing but allow some flexibility to accommodate other forms of billing. If a distributor or energy retailer confirms a need for them, versions specifically tailored to retailer-consolidated billing or split billing will be prepared.

The OEB will prepare standard contract terms and conditions for single fuel contracts based on the dual fuel contract terms and conditions. The OEB is adapting the contract terms and conditions as set out in Attachment A for use in the renewal context and will be releasing that material in the coming days.

Focus group testing² of the proposed standard contract terms and conditions yielded generally positive results. Residential and small business consumers found the provisions to be largely clear and easy to understand. Feedback on specific provisions was considered in finalizing the proposed standard contract terms and conditions.

The proposed standard contract terms and conditions allow energy retailers to include additional provisions and to populate certain sections with information that is specific to the circumstances, such as the contract price, the energy retailer's contact information and the energy retailer's cancellation rights (if any). The OEB believes that greater efforts could be made by energy retailers to ensure that such other contract terms are easily understandable by consumers. The OEB is therefore also proposing to amend the Retailer Code and the Marketer Code to require that energy retailer-drafted contract provisions be in plain language.

The OEB remains of the view that a fully standardized form of contract is the most desirable end-state for consumers. The OEB intends to proceed with that initiative, but recognizes that this may not be achieved by January 1, 2017. To inform this initiative, the OEB requests that each energy retailer file with the OEB all provisions that it intends to add to the standard contract terms and conditions, whether mandatory or discretionary. These provisions should be filed no later than the deadline for submitting comments in response to this Notice as set out in section F. Once the OEB's proposed standard contract terms and conditions have been finalized, the OEB will also require energy retailers to file a copy of all contracts that they intend to use with low volume consumers as of January 1, 2017.

2. Revised Proposed Amendments to the RSC and the GDAR Mandating a Written Notice of Switch

The October 5th Proposed Amendments included proposed amendments to the RSC and the GDAR to require electricity and gas distributors to provide written notice to low volume consumers of the switch to an energy retailer. The OEB indicated that it would prepare a form of letter that distributors may use for the purposes of this new notice requirement.

² Six focus group sessions were held, 2 in each of Toronto, Kitchener and Sudbury. One focus group session in each of Toronto and Kitchener was for small business consumers, and the remaining 4 were for residential consumers. These focus groups were used to obtain feedback on the standard contract terms and conditions, as well as the notice of switch letter and the revised verification script discussed later in this Notice.

Energy retailers generally did not support this proposal, stating that a notice of switch is not necessary and will cause confusion. They indicated that, if the OEB does proceed with this proposal, the energy retailer's telephone number should be included in the notice and that the cost of implementing this proposal should be borne by distributors. Distributors expressed a mixed level of support for this proposal. The main concerns noted were increased administrative costs and a greater volume of customer enquiries. Most distributors expressed the view that the notice should instead be sent by energy retailers but, if not, then the notice should include the energy retailer's telephone number rather than the distributor's number. Distributors also asked that they be allowed to recover the associated costs as part of billing and settlement transaction fees charged to energy retailers.

The OEB remains of the view that a written notice of switch will serve as a useful reminder to consumers that their supply arrangements are changing. The OEB believes that there is merit in having a common form of notice in use across the Province. The OEB is therefore proposing to mandate the use of an OEB-approved form of notice. In light of comments received on the October 5th Proposed Amendments, the proposed form of notice:

- directs consumers to the energy retailer for inquiries relating to the switch;
- refers to the contract price appearing on the next bill rather than specifying the date of the bill; and
- does not include a reference to the effective date of the switch.

The proposed form of notice for each of electricity and gas is set out in Attachment D, and supporting revised proposed amendments to the RSC and the GDAR are set out in Attachments E and F, respectively. The proposed form of notice assumes distributor-consolidated billing. If a distributor or energy retailer confirms a need for them, versions suited to retailer-consolidated billing or split billing will be prepared. The OEB understands that, given constraints in the EBT systems, it may be the case that the notice of switch is sent to larger volume consumers. While larger volume consumers may not have the same need for a reminder, the OEB does not believe that their receipt of the notice is problematic.

Focus group testing of the proposed form of notice was positive in almost all respects. Residential consumers in particular considered it useful for the notice to include a reference to the OEB. Small business consumers indicated a desire for website and additional contact information for the energy retailer and the distributor. The OEB is not proposing to mandate this additional information but will allow for it to be included if agreed between the distributor and the energy retailer.

The OEB believes that it is appropriate for distributors to recover the transactional cost of sending the notice of switch from the energy retailer that has contracted with the consumer. The OEB is currently reviewing the miscellaneous rates and charges applied by electricity

distributors (EB-2015-0304) and will include this issue as part of that initiative. The OEB will also consider how best to implement cost recovery by natural gas distributors.

3. Revised Proposed Amendments to the RSC and the GDAR to Make Retail Contracts More Visible on the Bill

The October 5th Proposed Amendments included proposed amendments to the RSC and the GDAR to require that a distributor-consolidated bill issued to a low volume consumer that has a contract with an energy retailer include a statement, in capital letters, to the effect that the consumer's supply is being provided under contract. The OEB also proposed to require distributors to provide for up to 500 text characters for the display of this statement, together with the energy retailer's name, telephone number, website and e-mail address on the bill.

Energy retailers generally supported the OEB's proposal to make retail contracts more visible on the bill, and requested the ability to include their own unique company logo as well. Distributors expressed concerns about the OEB's proposal, including a concern that it will result in a 2-page bill which distributors say is not desirable and will increase printing and mailing costs. Some gas distributors have estimated implementation costs in the range of \$40,000 to \$70,000. Gas distributors have estimated the implementation time at 6-12 months, and electricity distributors have estimated 4-12 months for implementation.

The OEB is proposing to proceed with the proposal to require a mandatory statement on the consumer's bill that their energy supply is being provided under contract. To address some of the comments received in response to the October 5th Notice and during follow-up meetings with representatives of gas and electricity distributors, the OEB will not mandate the number of text characters to be made available. In addition, the OEB will only mandate that an energy retailer's telephone number and website address be included on the bill. The display of the energy retailer's e-mail address will be optional. The OEB does not believe that it is necessary to make provision for an energy retailer's logo on the bill. Space and cost considerations aside, the OEB is concerned that the addition of an energy retailer's logo on the bill will tend towards confusion in terms of who is sending the consumer their bill.

The OEB remains of the view that the commodity line of the bill is the appropriate location for the mandatory statement. The OEB is prepared, however, to consider providing some flexibility for bill presentation in the case of gas bills given that natural gas contracts can also include transportation, storage or both.

Revised proposed amendments to the RSC and the GDAR reflecting the above are set out in Attachments E and F, respectively. Given the comments received from electricity and

natural gas distributors regarding implementation timelines, the OEB is proposing that these provisions apply as of July 1, 2017. The provisions have been drafted accordingly.

4. Revised Proposed Verification Call Scripts

The October 30th Proposed Amendments included proposed revised verification call scripts that, among other things, accommodate the verification of internet contracts. In the October 5th Proposed Amendments, the OEB also proposed to allow energy retailers greater flexibility in relation to certain elements of the verification call script, similar to the flexibility that currently exists with the renewal script.

Energy retailers commented that the proposed revised script is still too long and that the script itself does not allow for the desired level of flexibility. A number of energy retailers provided more detailed comments on various parts of the script. One energy retailer indicated that, for the most part, the proposed revised script addresses issues previously brought forth to the OEB by energy retailers.

The OEB's *Consumers Come First* report highlighted that materials like the verification and renewal call scripts are not working as well as they could, and need to be more consumer-friendly, simpler and as short as possible. Focus group testing of a sample verification script indicates that the script is considered too long by some consumers, and was felt by others to have too much of a tele-marketing flavour. Consumers do appreciate the opportunity to ask questions, as well as the opportunity to refer back to the contract, disclosure statement and price comparison during the call.

While energy retailers and some consumers consider that the revised script is too long, the OEB does not believe that it is appropriate to pare the script down further at this time. All of the questions and statements contribute in a positive way to consumer understanding and awareness and enhance consumer protection. Although the OEB is not proposing a material reduction in the number of questions and statements, the OEB is proposing a number of revisions to the verification call script relative to the version that was issued for comment on October 30, 2015, including:

- re-introduction of the statement that exists in the script today to the effect that the consumer is not required to verify the contract;
- a requirement that the consumer be provided with an opportunity to retrieve a copy of the contract, disclosure statement and price comparison for reference purposes;
- mandatory scripting for the statement that describes the purpose of the verification call;
- a change in the format of some questions from “Do you understand that [statement]...Y/N” to “[Statement.] Do you have any questions about that?”; and
- changes to scripting, organization and instructions for the verification representative.

Revised proposed verification call scripts for residential and non-residential consumers for dual fuel contracts entered into on the internet are set out in Attachment G. Based on these versions, the OEB will prepare verification call scripts for single fuel contracts, for contracts that are not entered into on the internet and for contracts that cover multiple non-residential locations. The OEB is adapting the verification scripts as set out in Attachment G for use in the renewal context and will be releasing that material in the coming days.

The recent amendments to the ECPA Regulation enable online verification, but do so conditional on the OEB having rules in place to support that process. The OEB has received inquiries from some energy retailers regarding the timing of issuance of such rules.

The OEB acknowledges that energy retailers have an interest in online verification, and focus group testing has confirmed that consumers, particularly small business consumers, do as well. Although online verification is permitted in British Columbia, the OEB understands that no energy retailers are currently using that process.

The OEB believes that a move to online verification may be appropriate in the future. However, the OEB's priority is the move to standardized contracts and the finalization of consumer-facing materials that need to be in place by January 1, 2017. The OEB will therefore defer further consideration of rules to support online verification until after January 1, 2017. Energy retailers may, if they wish, provide the OEB with proposals for an online verification process over the coming months. In this regard, energy retailers should be mindful that the OEB will want to be assured that the consumer protection elements of the verification process are not lessened.

5. *Energy Retailer Scorecards*

In the October 5th Notice, the OEB confirmed its intention to proceed with the recommendation contained in the *Consumers Come First* report regarding the availability of information on the complaint and compliance "track record" of different energy retailers.

The OEB is in the process of developing an energy retailer "scorecard" for this purpose, informed by experience in other jurisdictions and other sectors. The OEB believes that each energy retailer should be required to post its OEB scorecard on its website and also include on its website a prominent link to the page on the OEB's website that houses the scorecards. The OEB intends to consult with interested stakeholders on its scorecard approach, but considers it expedient to introduce the supporting regulatory requirements into the Retailer Code and the Marketer Code now.

Proposed amendments to section 7 of the Retailer Code and section 7 of the Marketer Code are included in Attachments B and C, respectively. These provisions will only take

effect when the form of scorecard has been finalized. The OEB will provide appropriate advance notice of the effective date of these requirements.

C. Anticipated Costs and Benefits

The anticipated costs and benefits of the October 5th Proposed Amendments and the October 30th Proposed Amendments were set out in the Notices accompanying those Proposed Amendments. Generally speaking, those anticipated costs and benefits apply to the revised proposals described in and attached to this Notice. The OEB believes that incremental benefits in the form of improved consumer understanding and awareness will result from the move to standard contract terms and conditions. Energy retailers are expected to incur additional one-time costs to integrate the standard terms and conditions into their contracting process. The OEB does not believe that the revised proposals will result in incremental costs for electricity or natural gas distributors relative to the OEB's October 2015 proposals.

D. Coming into Force

The OEB proposes that the final amendments to the Retailer Code, the Marketer Code, the RSC and the GDAR come into force on January 1, 2017, the date on which amendments to the ECPA and the ECPA Regulation come into force. As noted above, certain of the amendments will only become effective as of July 1, 2017 (making retail contracts more visible on the bill) or on a date to be determined by the OEB (energy retailer scorecards).

E. Other Measures

The OEB will be issuing revised proposed disclosure statements, price comparison templates and "tip sheet" for stakeholder comment in the near term.

The OEB also takes this opportunity to confirm that it is proceeding with the development of an OEB-supervised price comparison website. Further details regarding this initiative will be made available at a later date.

F. Invitation to Comment

All interested parties are invited to submit written comments on the revised proposed amendments to the Retailer Code, the Marketer Code, the RSC and the GDAR; the proposed standard contract terms and conditions; the proposed notice of switch letters; and the proposed revised verification call scripts as set out in Attachments A to G, by **October 5, 2016**, in accordance with the filing instructions set out in section H below.

G. Cost Awards

Cost awards will be available under section 30 of the OEB Act to eligible participants, up to a maximum of 15 hours, in respect of the provision of written comments on the revised proposed amendments to the Retailer Code, the Marketer Code, the RSC and the GDAR; the proposed standard contract terms and conditions; the proposed notice of switch letters; and the proposed revised verification call scripts as set out in Attachments A to G, as well as the proposed standard renewal contract terms and conditions and proposed renewal call scripts when issued for comment.

As noted in the October 5th Notice, cost award eligibility has been extended to any participant that was determined by the OEB to be eligible for costs in the EB-2014-0158 consultation leading to the release of the OEB's *Consumers Come First* report. No additional requests for cost award eligibility were received by the OEB within the time established for that purpose in the October 5th Notice. The OEB wishes to remind eligible participants that this consultation pertains to a legislative and regulatory regime that applies to low volume consumers, and that cost awards will only be granted for participation that relates to low volume consumers.

H. Filing Instructions

Three (3) paper copies of each filing must be provided, and should be sent to:

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, Suite 2700
Toronto, Ontario M4P 1E4

The OEB requests that interested parties make every effort to provide electronic copies of their filings in searchable/unrestricted Adobe Acrobat (PDF) format, and to submit their filings through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. A user ID is required to submit documents through the OEB's web portal. If you do not have a user ID, please visit the "e-filings services" webpage on the OEB's website at www.ontarioenergyboard.ca, and fill out a user ID password request.

Additionally, interested parties are requested to follow the document naming conventions and document submission standards outlined in the document entitled "RESS Document Preparation – A Quick Guide" also found on the e-filing services webpage. If the OEB's web portal is not available, electronic copies of filings may be filed by e-mail at

boardsec@ontarioenergyboard.ca. Those that do not have internet access should provide a CD containing their filing in PDF format.

Filings to the OEB must be received by the Board Secretary by **4:45 p.m.** on the required date. They must quote file number **EB-2015-0268** and include your name, address, telephone number and, where available, your e-mail address and fax number.

If the written comment is from a private citizen (i.e., not a lawyer representing a client, not a consultant representing a client or organization, not an individual in an organization that represents the interests of consumers or other groups, and not an individual from a regulated entity), before making the written comment available for viewing at the OEB's offices or placing the written comment on the OEB's website, the OEB will remove any personal (i.e., not business) contact information from the written comment (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the written comment will be available for viewing at the OEB's offices and will be placed on the OEB's website.

This Notice, including the materials set out in Attachments A to G, and all written comments received by the OEB in response to this Notice will be available for public viewing on the OEB's web site at www.ontarioenergyboard.ca and at the office of the OEB during normal business hours.

If you have any questions regarding the Revised Proposed Amendments described in this Notice, please contact Lou Mustillo at Lou.Mustillo@OntarioEnergyBoard.ca or at 416-544-5185. The OEB's toll free number is 1-888-632-6273.

DATED SEPTEMBER 8, 2016

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Attachments: Attachment A – Proposed Standard Contract Terms and Conditions
Attachment B – Revised Proposed Amendments to the Retailer Code
Attachment C – Revised Proposed Amendments to the Marketer Code
Attachment D – Proposed Notice of Switch Letters
Attachment E – Revised Proposed Amendments to the RSC
Attachment F – Revised Proposed Amendments to the GDAR

Attachment G – Revised Proposed Verification Scripts

Attachment A

Proposed Standard Contract Terms and Conditions

(Separate documents attached)

Attachment B

Revised Proposed Amendments to the Electricity Retailer Code of Conduct

(Separate document attached)

Attachment C

Revised Proposed Amendments to the Code of Conduct for Gas Marketers

(Separate document attached)

Attachment D**Proposed Notice of Switch Letters****1. For Natural Gas Contracts**

Dear [Consumer]:

RE: YOU ARE NOW BUYING YOUR NATURAL GAS FROM [GAS MARKETER NAME]

[Gas Marketer Name] informed us that you have a new contract to buy your natural gas from them. We have made changes to your account to show that your gas will now be supplied by [Gas Marketer Name].

We will still be sending you your gas bill every month. But the bill will show the price from your contract with [Gas Marketer Name] instead of the price you are paying today.

[Insert the applicable version of the next paragraph depending on whether transportation and/or storage can be included in the contract price in the gas distributor's franchise area]

The price in the contract covers only the cost of the natural gas that you use. It does not cover all of the charges on your bill. You should start to see the new contract price on your next gas bill. [Gas Marketer Name]'s name will also start to appear on your bill.

The contract price does not cover all of the charges on your bill. It covers the cost of the natural gas that you use. It also covers the cost of gas transportation, gas storage or both.

You should start to see the new contract price for the contracted services on your next gas bill. [Gas Marketer Name]'s name will also start to appear on your bill.

If you have any questions about this change to your account, please contact [Gas Marketer Name] at *[insert telephone number]* (toll-free). *[Reference to the Gas Marketer's website address and/or other contact information may be added here]*

For general questions about natural gas contracts, you can visit the Ontario Energy Board's website www.ontarioenergyboard.ca or contact the OEB's Consumer Relations Centre at consumerrelations@ontarioenergyboard.ca or 1-877-632-2727 (toll free). The Ontario Energy Board is the independent government agency that oversees Ontario's electricity and natural gas sectors.

Yours truly,

[Insert name, title and contact information for gas distributor representative, and gas distributor's website address if desired]

2. For Electricity Contracts

Dear [Consumer]:

RE: YOU ARE NOW BUYING YOUR ELECTRICITY FROM [ELECTRICITY RETAILER NAME]

[Electricity Retailer Name] informed us that you have a new contract to buy your electricity from them. We have made changes to your account to show that your electricity will now be supplied by [Electricity Retailer Name].

We will still be sending you your electricity bill every month. But the bill will show the price from your contract with [Electricity Retailer Name] instead of the price you are paying today. The price in the contract covers only the cost of the electricity that you use. It does not cover all of the charges on your bill. You should start to see the new contract price on your next electricity bill. [Electricity Retailer Name]'s name will also start to appear on your bill, and the Global Adjustment will start to appear as a separate line on your bill.

If you have any questions about this change to your account, please contact [Electricity Retailer Name] at *[insert telephone number]* (toll-free). *[Reference to the Electricity Retailer's website address and/or other contact information may be added here]*

For general questions about electricity contracts or the Global Adjustment, you can visit the Ontario Energy Board's website www.ontarioenergyboard.ca or contact the OEB's Consumer Relations Centre at consumerrelations@ontarioenergyboard.ca or 1-877-632-2727 (toll free). The Ontario Energy Board is the independent government agency that oversees the electricity and natural gas sectors in Ontario.

Yours truly,

[Insert name, title and contact information for electricity distributor representative, and electricity distributor's website address if desired]

Attachment E

Revised Proposed Amendments to the Retail Settlement Code (Comparison version highlighting changes relative to the October 5th Proposed Amendments)

1. Section 1.2 of the Retail Settlement Code is amended by adding the following new definition after the definition of “lock box arrangement”:

“low volume consumer” means a consumer who annually uses less than 150,000 kilowatt hours of electricity or such other amount as may be prescribed for the purposes of section 2 of the Energy Consumer Protection Act, 2010;

2. Section 7 of the Retail Settlement Code is amended by adding the following new section 7.2.3:

7.2.3 Retailer Information on the Bill

Beginning on July 1, 2017, and Despite any Service Agreement, a distributor shall, in respect of a low volume consumer that is served by a retailer, (a) include, on the part of each bill submitted to the low volume consumer that relates to the commodity price, the phrase “YOU ARE BUYING YOUR ELECTRICITY FROM”, followed by the retailer’s name in capital letters and the retailer’s toll-free telephone number, and website address and e-mail address as provided by the retailer. A distributor may also include the retailer’s e-mail address as provided by the retailer. ; and (b) make available on the bill up to 500 text characters, including blank spaces, for the information set out in (a).

Despite any Service Agreement, a retailer shall provide each applicable distributor with its name, toll-free telephone number, website address and e-mail address for the purposes of the above. the retailer information listed in (a).

3. Section 10.5.2 of the Retail Settlement Code is amended by adding the words “or processed” to the end of paragraph 1.
4. Section 10.5.3 of the Retail Settlement Code is amended by adding the words “Subject to section 10.5.4A,” at the beginning of the second paragraph of that, and changing the “A” of the first word of that section to “a”.
5. Section 10.5 of the Retail Settlement Code is amended by adding the following new section 10.5.4A:

10.5.4A Notification of Transfer to Low Volume Consumer

Where a distributor processes an STR for a change in supply in respect of a low volume consumer under section 10.5.3 or 10.5.4, the distributor shall notify the low volume consumer of the transfer in writing using the form of notice approved by the

Board. The notice shall be sent within 5 business days of the date on which processing of the STR has been completed or such later date as may be required to ensure that the notice is not sent to the low volume consumer until the next bill to be issued to the low volume consumer reflects the change in supply. The notice must be sent to the low volume consumer separate from any other communication from the distributor, including the bill. Subject to any arrangements to the contrary that a distributor may have with a low volume consumer in relation to communications, the notice may be sent to the low volume consumer by courier, mail, facsimile or e-mail. ~~The notice may not be given by telephone.~~

~~The notice must not include any promotional statements about the distributor's business or services, and must include the following:~~

- ~~(a) the name of the competitive retailer to which the consumer was transferred;~~
- ~~(b) the date on which the transfer became effective;~~
- ~~(c) whether the low volume consumer will continue to receive a bill from the distributor that includes the price of the electricity commodity under distributor consolidated billing or whether the low volume consumer will be billed using split billing or retailer consolidated billing; including the date on which the distributor expects the low volume consumer to receive their first bill from the distributor under the new supply arrangement; and~~
- ~~(d) information about how to contact the distributor if the low volume consumer has questions about the transfer.~~

Attachment F

**Revised Proposed Amendments to the Gas Distribution Access Rule
(Comparison version highlighting changes relative to the October 5th Proposed
Amendments)**

1. Section 1.2.1 of the Gas Distribution Access Rule is amended by adding the following new definition after the definition of “gas vendor consolidated billing”:

“low volume consumer” means a consumer who annually uses less than 50,000 cubic meters of gas or such other amount as may be prescribed for the purposes of section 2 of the Energy Consumer Protection Act, 2010;

2. Section 4.3 of the Gas Distribution Access Rule is amended by adding the following new sections 4.3.10 to 4.3.12:

4.3.10 Where a gas distributor processes an STR for a change in supply in respect of a low volume consumer under section 4.3.5 or 4.3.6, the gas distributor shall notify the low volume consumer of the transfer in writing using the form of notice approved by the Board. The notice shall be sent within 5 business days of the date on which processing of the STR has been completed or such later date as may be required to ensure that the notice is not sent to the low volume consumer until the next bill to be issued to the low volume consumer reflects the change in supply. The notice must:-(a) be sent to the low volume consumer in accordance with section 4.3.1.12 and separate from any other communication from the gas distributor, including the bill.; Subject to any arrangements to the contrary that a gas distributor may have with a low volume consumer in relation to communications, the notice may be sent to the low volume consumer by courier, mail, facsimile or e-mail. (b) include the information set out in 4.3.1.11; and (c) not include any promotional statements about the gas distributor’s business or services.

~~4.3.11 The notice referred to in section 4.3.10 must include:~~

- ~~_____ (a) the name of the gas vendor to which the consumer was transferred;~~
- ~~_____ (b) the date on which the transfer became effective;~~
- ~~_____ (c) whether the low volume consumer will continue to receive a bill from the gas distributor that includes the price of the gas commodity under gas distributor-consolidated billing or whether the low volume consumer will be billed using split billing or gas vendor-consolidated billing; including the date on which the gas distributor expects the low volume consumer to receive their first bill from the gas distributor under the new supply arrangement; and~~
- ~~_____ (d) information about how to contact the gas distributor if the low volume consumer has questions about the transfer.~~

- ~~4.3.12 Subject to any arrangements to the contrary that a gas distributor may have with a low volume consumer in relation to communications, the notice referred to in section 4.3.10 may be sent to the low volume consumer by courier, mail, facsimile or e-mail. The notice may not be given by telephone.~~
3. Section 6 of the Gas Distribution Access Rule is amended by adding the following new sections 6.1.4 and 6.1.5:
- 6.1.4 Beginning on July 1, 2017, in the case of gas distributor-consolidated billing, and despite any Service Agreement, a gas distributor shall, in respect of a low volume consumer that is served by a gas vendor, (a) include, on the part of each bill submitted to the low volume consumer that relates to the commodity price, the phrase "YOU ARE BUYING YOUR GAS FROM", followed by the gas vendor's name in capital letters and the gas vendor's toll-free telephone number and, website address and e-mail address as provided by the gas vendor; and A gas distributor may also include the gas vendor's e-mail address as provided by the retailer. (b) make available on the bill up to 500 text characters, including blank spaces, for the information set out in (a).
- 6.1.5 Despite any Service Agreement, a gas vendor shall provide each applicable gas distributor with the gas vendor's name, toll-free telephone number, website address and e-mail address for the purposes of information identified in section 6.1.4(a).

Attachment G

Revised Proposed Verification Scripts

(Separate documents attached)