

**Ontario Energy
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**Commission de l'énergie
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VIA E-MAIL AND WEB POSTING

December 19, 2017

To: All Licensed Unit Sub-Meter Providers

**Re: Regulation of Unit Sub-Meter Providers: Request for Information
Board File No.: EB-2017-0371**

On October 27, 2017, the Ontario Ministry of Energy published a notice of [proposed amendments](#) to O. Reg. 16/08 (Assessments of Expenses and Expenditures) under the *Ontario Energy Board Act, 1998* (Act) to add unit sub-meter providers (USMP) as entities that are liable to pay cost assessments under section 26 of the Act. That posting also indicated the intention to proclaim into force certain provisions of section 78 of the Act to provide the Ontario Energy Board (OEB) with authority to regulate what USMPs charge for unit-sub-metering. The necessary legislative instruments have now been put into place. A [regulation](#) amending O. Reg. 16/08 was filed on December 15, 2017, and sections 78(2.3), 78(3), 78(6) and 78(9) have been proclaimed into force effective April 1, 2018.

The OEB is commencing an initiative to develop the method(s) that the OEB will use to regulate what USMPs may charge for unit sub-metering. The OEB intends to consult over the coming months with licensed USMPs, customers of USMPs and other interested parties. Further details regarding the consultation will be forthcoming in early January 2018.

As a first step, however, the OEB is requiring USMPs to provide information as described below to support the OEB in the exercise of its new authorities. Each licensed USMP is required to provide this information no later than **January 17, 2018**, further to the condition of their licence that requires them to provide, in the manner and form determined by the OEB, such information as the OEB may require from time to time.

Information to be Filed

The OEB requires information regarding each USMP's existing business activities, including the fees or charges paid by customers (defined as "consumers" in the Unit Sub-Metering Code (USMP Code) and details regarding the contractual arrangements with "master consumers" as that term is defined in the USMP Code.

Appendix A sets out a description of the information to be filed. The information is to be current as at December 1, 2017, and is to be provided for each property in Ontario for which the USMP provides unit sub-metering services.

The OEB is finalizing a form to be used for the submission of the information via the e-Filing Services portal. The form, which is anticipated to include features to facilitate data entry, is expected to be available to RRR filers registered with the OEB by **January 5, 2018**, together with additional instructions for completing the form. A screenshot of a draft of the form is set out in Appendix B. Although revisions may be made to the form prior to it being made available through the portal, it, along with Appendix A, is sufficient to enable USMPs to immediately start collecting the necessary information.

In addition to filing the information referred to above, each USMP must also provide a copy of its audited financial statements for each of its past three fiscal years. Filing instructions are set out below.

The OEB does not currently believe that arrangements as to confidentiality need to be made in relation to most, if not all, of the information required to be filed. However, the OEB is prepared to consider requests for confidential treatment. A USMP that wishes to request confidential treatment in relation to any specific category of information must do so in writing in accordance with the filing instructions set out below. The request must clearly indicate the reasons why the information in question is considered confidential and the reasons why disclosure of the information would be detrimental to the USMP.

Filing Instructions

As noted above, USMPs must complete their on-line filing through the OEB's e-Filing Services portal by **January 17, 2018**.

The audited financial statements are to be provided by email to usmp@oeb.ca by **January 17, 2018**, with "EB-2017-0371 Financial Statements" in the subject line.

Requests for confidential treatment are also to be provided by email to usmp@oeb.ca by **January 17, 2018**, with “EB-2017-0371 Confidentiality Request” in the subject line.

Questions regarding the matters addressed in this letter should be directed to IndustryRelations@oeb.ca, or by phone at 416-314-2455 or 1-877-632-2727 (toll-free within Ontario).

Sincerely,

Original signed by:

Brian Hewson
Vice-President, Consumer Protection and Industry Performance

Attach.

Appendix A – Details of Information to be Filed by USMPs

The information below is to be filed for each property for which the USMP is providing unit sub-metering services.

In this Appendix:

“customer” means a “consumer” as defined in the Unit Sub-Metering Code; and “master bill” and “Master Consumer” each have the meaning given to it in the Unit Sub-Metering Code.

- **Property Information** – Address and type (for example: residential condo; residential rental; commercial; mixed-use) of property for which the USMP is providing unit sub-metering services.
- **Contract Information** – Name of the Master Consumer, nature of the Master Consumer (for example: condo board; owner; developer), and the term of the contract.
- **Services Provided for Master Consumer** – List of the services provided by the USMP (for example: providing and maintaining meters; reading the meters; billing the Master Consumer and/or individual customer accounts; disconnection).
- **Master Consumer Charges/Fees** – The types of fees or charges that the USMP levies on the Master Consumer (this includes, for example, annual fees/charges, monthly fees/charges and contract cancellation or termination fees/charges). For each type of fee/charge:
 - the amount; and
 - an explanation of how the fee or charge was calculated/determined.
- **Customers** – The number and type (for example: rentals; condominiums; non-profit housing; resort units) of:
 - customer accounts served in the property; or
 - units where a meter has been installed but the USMP is not yet providing services in respect of the unit because the cost of electricity is currently being recovered by other means (i.e., included in rent).

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- **Customer Service or Administration Charges** – The following information is to be provided:
 - The service or administration charge that the USMP levies on customers, whether fixed or variable, and an explanation of how the charge was calculated/determined. If the service or administration charge is billed on other than a monthly basis, it will need to be recalculated into an average monthly amount. If the service or administration charge varies within a property (for example, it is different for commercial and residential customers in a mixed-use building), all variations must be provided.
 - The methodology the USMP uses to apportion the master bill to individual customers within the property.
 - Whether charges levied on the Master Consumer are recovered from individual customers within the property and, if so, which charges are apportioned and the basis for the apportionment.
 - The basis for the service or administrative charge (for example: set out in the contract with the Master Consumer; set out in agreements with individual customers).

 - **Other Customer Fees/Charges** – The types of other fees or charges that the USMP levies on customers (for example: late payment; disconnection/reconnection; security deposits). For each type of fee/charge:
 - the amount; and
 - an explanation of how the fee/charge was calculated/determined.

If any fee/charge varies within a property (for example, it is different for commercial and residential customers in a mixed-use building), all variations must be provided.

Appendix B – UMSP Information to be Reported

USMP Information Request		
Summary		
Filing Form Name:		
Filing No:		
Submitter Name:		
Submitted On:		
Status:		
Information Request		
Information Request number:		
Unit Sub-Meter Provider Name:		
USMP OEB Licence Number:		
USMP OEB Licence Expiry Date:		
USMP Regulatory Contact Name:		
USMP Regulatory Contact Title:		
USMP Regulatory Contact Phone:		
USMP Regulatory Contact E-Mail:		
Link to Company Conditions of Service:		
Is the company currently engaged in providing services to customers?		
If no, please provide the reasons below and describe any plans to provide services.		
If no, please provide the reasons below and describe any plans to provide services.		
Please provide the number of properties that you will be reporting by the following categories. The information provided here should remain the same for all forms		
	Type	# of Properties
	Rental	
	Condominiums	
	Commercial	
	Non-Profit Housing	
	Resort	
	Mixed (A combination of any of the above in one building/property)	
	TOTAL (this should equal the number of Information Request forms submitted)	0
Property Information		
Property Street Address	Response	Details / Notes
City		
Postal Code		
Distributor		
Type of property e.g. condo, rental, commercial, non-profit, resort, mixed use (please provide more details for mixed use type in the Details/Notes section)		
Property Information		
Property Street Address	Response	Details / Notes
City		
Postal Code		
Distributor		
Type of property e.g. condo, rental, commercial, non-profit, resort, mixed use (please provide more details for mixed use type in the Details/Notes section)		
Contract with Master Consumer Information		
Master Consumer Name	Response	Details / Notes
Contract is with e.g. condo board, owner, property management company, developer and other		
Serving building/property since (DD/MM/YYYY)		
Current Contract start date (DD/MM/YYYY)		
Current Contract end date (DD/MM/YYYY)		

