



Electricity Distribution Licence

ED-2002-0575

Waterloo North Hydro Inc.

Valid Until

December 17, 2023

Original signed by

Brian Hewson

**Vice President, Consumer Protection and Industry Performance
Ontario Energy Board**

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LIST OF AMENDMENTS

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1 Definitions

In this Licence:

“**Accounting Procedures Handbook**” means the handbook, approved by the Board which specifies the accounting records, accounting principles and accounting separation standards to be followed by the Licensee;

“**Act**” means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

“**Affiliate Relationships Code for Electricity Distributors and Transmitters**” means the code, approved by the Board which, among other things, establishes the standards and conditions for the interaction between electricity distributors or transmitters and their respective affiliated companies;

“**distribution services**” means services related to the distribution of electricity and the services the Board has required distributors to carry out, including the sales of electricity to consumers under section 29 of the Act, for which a charge or rate has been established in the Rate Order;

“**Distribution System Code**” means the code approved by the Board which, among other things, establishes the obligations of the distributor with respect to the services and terms of service to be offered to customers and retailers and provides minimum, technical operating standards of distribution systems;

“**Electricity Act**” means the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A;

“**IESO**” means the Independent Electricity System Operator;

“**Licensee**” means Waterloo North Hydro Inc.;

“**Market Rules**” means the rules made under section 32 of the Electricity Act;

“**OPA**” means the Ontario Power Authority;

“**Performance Standards**” means the performance targets for the distribution and connection activities of the Licensee as established by the Board in accordance with section 83 of the Act;

“**Rate Order**” means an Order or Orders of the Board establishing rates the Licensee is permitted to charge;

“**regulation**” means a regulation made under the Act or the Electricity Act;

“**Retail Settlement Code**” means the code approved by the Board which, among other things, establishes a distributor’s obligations and responsibilities associated with financial settlement among retailers and consumers and provides for tracking and facilitating consumer transfers among competitive retailers;

“**service area**” with respect to a distributor, means the area in which the distributor is authorized by its licence to distribute electricity;

“**Standard Supply Service Code**” means the code approved by the Board which, among other things, establishes the minimum conditions that a distributor must meet in carrying out its obligations to sell electricity under section 29 of the Electricity Act;

“**wholesaler**” means a person that purchases electricity or ancillary services in the IESO administered markets or directly from a generator or, a person who sells electricity or ancillary services through the IESO-administered markets or directly to another person other than a consumer.

2 Interpretation

- 2.1 In this Licence, words and phrases shall have the meaning ascribed to them in the Act or the Electricity Act. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of the Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence, where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens and where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

3 Authorization

- 3.1 The Licensee is authorized, under Part V of the Act and subject to the terms and conditions set out in this Licence:
- a) to own and operate a distribution system in the service area described in Schedule 1 of this Licence;
 - b) to retail electricity for the purposes of fulfilling its obligation under section 29 of the Electricity Act in the manner specified in Schedule 2 of this Licence; and
 - c) to act as a wholesaler for the purposes of fulfilling its obligations under the Retail Settlement Code or under section 29 of the Electricity Act.

4 Obligation to Comply with Legislation, Regulations and Market Rules

- 4.1 The Licensee shall comply with all applicable provisions of the Act and the Electricity Act and regulations under these Acts, except where the Licensee has been exempted from such compliance by regulation.
- 4.2 The Licensee shall comply with all applicable Market Rules.

5 Obligation to Comply with Codes

- 5.1 The Licensee shall at all times comply with the following Codes (collectively the “Codes”) approved by the Board, except where the Licensee has been specifically exempted from such

compliance by the Board. Any exemptions granted to the licensee are set out in Schedule 3 of this Licence. The following Codes apply to this Licence:

- a) the Affiliate Relationships Code for Electricity Distributors and Transmitters;
- b) the Distribution System Code;
- c) the Retail Settlement Code; and
- d) the Standard Supply Service Code.

5.2 The Licensee shall:

- a) make a copy of the Codes available for inspection by members of the public at its head office and regional offices during normal business hours; and
- b) provide a copy of the Codes to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

6 Obligation to Provide Non-discriminatory Access

6.1 The Licensee shall, upon the request of a consumer, generator or retailer, provide such consumer, generator or retailer with access to the Licensee's distribution system and shall convey electricity on behalf of such consumer, generator or retailer in accordance with the terms of this Licence.

7 Obligation to Connect

7.1 The Licensee shall connect a building to its distribution system if:

- a) the building lies along any of the lines of the distributor's distribution system; and
- b) the owner, occupant or other person in charge of the building requests the connection in writing.

7.2 The Licensee shall make an offer to connect a building to its distribution system if:

- a) the building is within the Licensee's service area as described in Schedule 1; and
- b) the owner, occupant or other person in charge of the building requests the connection in writing.

7.3 The terms of such connection or offer to connect shall be fair and reasonable and made in accordance with the Distribution System Code, and the Licensee's Rate Order as approved by the Board.

7.4 The Licensee shall not refuse to connect or refuse to make an offer to connect unless it is permitted to do so by the Act or a regulation or any Codes to which the Licensee is obligated to comply with as a condition of this Licence.

8 Obligation to Sell Electricity

- 8.1 The Licensee shall fulfill its obligation under section 29 of the Electricity Act to sell electricity in accordance with the requirements established in the Standard Supply Service Code, the Retail Settlement Code and the Licensee's Rate Order as approved by the Board.

9 Obligation to Maintain System Integrity

- 9.1 The Licensee shall maintain its distribution system in accordance with the standards established in the Distribution System Code and Market Rules, and have regard to any other recognized industry operating or planning standards adopted by the Board.

10 Market Power Mitigation Rebates

- 10.1 The Licensee shall comply with the pass through of Ontario Power Generation rebate conditions set out in Appendix A of this Licence.

11 Distribution Rates

- 11.1 The Licensee shall not charge for connection to the distribution system, the distribution of electricity or the retailing of electricity to meet its obligation under section 29 of the Electricity Act except in accordance with a Rate Order of the Board.

12 Separation of Business Activities

- 12.1 The Licensee shall keep financial records associated with distributing electricity separate from its financial records associated with transmitting electricity or other activities in accordance with the Accounting Procedures Handbook and as otherwise required by the Board.

13 Expansion of Distribution System

- 13.1 The Licensee shall not construct, expand or reinforce an electricity distribution system or make an interconnection except in accordance with the Act and Regulations, the Distribution System Code and applicable provisions of the Market Rules.
- 13.2 In order to ensure and maintain system integrity or reliable and adequate capacity and supply of electricity, the Board may order the Licensee to expand or reinforce its distribution system in accordance with Market Rules and the Distribution System Code, or in such a manner as the Board may determine.

14 Provision of Information to the Board

- 14.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 14.2 Without limiting the generality of paragraph 14.1, the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

15 Restrictions on Provision of Information

- 15.1 The Licensee shall not use information regarding a consumer, retailer, wholesaler or generator obtained for one purpose for any other purpose without the written consent of the consumer, retailer, wholesaler or generator.
- 15.2 The Licensee shall not disclose information regarding a consumer, retailer, wholesaler or generator to any other party without the written consent of the consumer, retailer, wholesaler or generator, except where such information is required to be disclosed:
- a) to comply with any legislative or regulatory requirements, including the conditions of this Licence;
 - b) for billing, settlement or market operations purposes;
 - c) for law enforcement purposes; or
 - d) to a debt collection agency for the processing of past due accounts of the consumer, retailer, wholesaler or generator.
- 15.3 The Licensee may disclose information regarding consumers, retailers, wholesalers or generators where the information has been sufficiently aggregated such that their particular information cannot reasonably be identified.
- 15.4 The Licensee shall inform consumers, retailers, wholesalers and generators of the conditions under which their information may be released to a third party without their consent.
- 15.5 If the Licensee discloses information under this section, the Licensee shall ensure that the information provided will not be used for any other purpose except the purpose for which it was disclosed.

16 Customer Complaint and Dispute Resolution

- 16.1 The Licensee shall:
- a) have a process for resolving disputes with customers that deals with disputes in a fair, reasonable and timely manner;
 - b) publish information which will make its customers aware of and help them to use its dispute resolution process;
 - c) make a copy of the dispute resolution process available for inspection by members of the public at each of the Licensee's premises during normal business hours;
 - d) give or send free of charge a copy of the process to any person who reasonably requests it; and
 - e) subscribe to and refer unresolved complaints to an independent third party complaints resolution service provider selected by the Board. This condition will become effective on a date to be determined by the Board. The Board will provide reasonable notice to the Licensee of the date this condition becomes effective.

17 Term of Licence

17.1 This Licence shall take effect on December 18, 2003 and expire on December 17, 2023. The term of this Licence may be extended by the Board.

18 Fees and Assessments

18.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

19 Communication

19.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.

19.2 All official communication relating to this Licence shall be in writing.

19.3 All written communication is to be regarded as having been given by the sender and received by the addressee:

- a) when delivered in person to the addressee by hand, by registered mail or by courier;
- b) ten (10) business days after the date of posting if the communication is sent by regular mail; and
- c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

20 Copies of the Licence

20.1 The Licensee shall:

- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
- b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

21 Conservation and Demand Management

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22 Pole Attachments

22.1 The Licensee shall provide access to its distribution poles to all Canadian carriers, as defined by the Telecommunications Act, and to all cable companies that operate in the Province of Ontario. For each attachment, with the exception of wireless attachments, the Licensee shall charge the rate approved by the Board and included in the Licensee's tariff.

22.2 The Licensee shall:

- a) annually report the net revenue, and the calculations used to determine that net revenue, earned from allowing wireless attachments to its poles. Net revenues will be accumulated in a deferral account approved by the Board;
- b) credit that net revenue against its revenue requirement subject to Board approval in rate proceedings; and
- c) provide access for wireless attachments to its poles on commercial terms normally found in a competitive market.

SCHEDULE 1 DEFINITION OF DISTRIBUTION SERVICE AREA

This Schedule specifies the area in which the Licensee is authorized to distribute and sell electricity in accordance with paragraph 8.1 of this Licence.

1. The City of Waterloo, the Township of Wellesley and the Township of Woolich as of January 1, 1991.

- Excluding the customers located at the following addresses:
 - i. 1970 Ritter Road, Woolwich, ON N3B 2Z1
 - ii. 6881 Yatton Sideroad, Woolwich, ON N0B 2S0
 - iii. 6835 Yatton Sideroad, Woolwich, ON N0B 2S0
 - iv. 6158 Weisenberg Road, Woolwich, ON N0B 2V0
 - v. 4645 Lichty Road, Wellesley, ON N0B 2S0
 - vi. 7666 Line 86, Wellesley, ON N0B 2S0
 - vii. 7690 Line 86, Wellesley, ON N0B 2S0
 - viii. 7710 Line 86, Wellesley, ON N0B 2S0
 - ix. 7730 Line 86, Wellesley, ON N0B 2S0
 - x. 7766 Line 86, Wellesley, ON N0B 2S0
 - xi. 7800 Line 86, Wellesley, ON N0B 2S0
 - xii. 7810 Line 86, Wellesley, ON N0B 2S0
 - xiii. 7838 Line 86, Wellesley, ON N0B 2S0
 - xiv. 7874 Line 86, Wellesley, ON N0B 2S0
 - xv. 7898 Line 86, Wellesley, ON N0B 2S0
 - xvi. 7914 Line 86, Wellesley, ON N0B 2S0
 - xvii. 7930 Line 86, Wellesley, ON N0B 2S0
 - xviii. 7956 Line 86, Wellesley, ON N0B 2S0
 - xix. 7992 Line 86, Wellesley, ON N0B 2S0
 - xx. 7994 Line 86, Wellesley, ON N0B 2S0
 - xxi. 7996 Line 86, Wellesley, ON N0B 2S0
 - xxii. 7998 Line 86, Wellesley, ON N0B 2S0
 - xxiii. 4775 Chalmers-Forrest Road, Wellesley, ON N0B 2S0
 - xxiv. 7969 Road 116, Wellesley, ON N0B 2S0
 - xxv. 7983 Road 116, Wellesley, ON N0B 2S0
 - xxvi. 7987 Road 116, Wellesley, ON N0B 2S0
 - xxvii. 8067 Road 116, Wellesley, ON N0B 2S0

2. The customers located in the Township of Perth East, formerly known as the Township of Mornington, Township of Ellice, Township of North Easthope, Township of South Easthope, Village of Milverton, as at December 31, 1997.

- 6154 116th Road, Perth East, ON N0K 1M0
- 6194 116th Road, Perth East, ON N0K 1M0
- 6292 116th Road, Perth East, ON N0K 1M0
- 6334 116th Road, Perth East, ON N0K 1M0
- 6476 116th Road, Perth East, ON N0K 1M0
- 6574 116th Road, Perth East, ON N0K 1M0
- 6878 116th Road, Perth East, ON N0K 1M0
- 7688 116th Road, Perth East, ON N0K 1M0
- 7766 116th Road, Perth East, ON N0K 1M0

- 7796 116th Road, Perth East, ON N0K 1M0
3. The customers located in the Township of Mapleton, formerly known as Township of Mapleton, Township of Maryborough, (Jan. 1998-Village of Drayton, Township of Peel amalgamated into the Township of Mapleton), as at December 31, 1998.
- 6362 Yatton Sideroad, Peel, ON N0B 2S0
 - 6363 Yatton Sideroad, Peel, ON N0B 2S0
 - 6364 Yatton Sideroad, Peel, ON N0B 2S0
 - 6365 Yatton Sideroad, Peel, ON N0B 2S0
 - 6366 Yatton Sideroad, Peel, ON N0B 2S0
 - 6367 Yatton Sideroad, Peel, ON N0B 2S0
 - 6368 Yatton Sideroad, Peel, ON N0B 2S0
 - 6369 Yatton Sideroad, Peel, ON N0B 2S0
 - 6370 Yatton Sideroad, Peel, ON N0B 2S0
 - 6464 Yatton Sideroad, Peel, ON N0B 2S0
 - 7165 Blind Line, Peel, ON N3B 2Z3
 - 7167 Blind Line, Peel, ON N3B 2Z3
 - 7171 Blind Line, Peel, ON N3B 2Z3
 - 7173 Blind Line, Peel, ON N3B 2Z3
 - 7175 Blind Line, Peel, ON N3B 2Z3
 - 7177 Blind Line, Peel, ON N3B 2Z3
 - 7179 Blind Line, Peel, ON N3B 2Z3
 - 7185 Blind Line, Peel, ON N3B 2Z3
 - 7203 Blind Line, Peel, ON N3B 2Z3
 - 7226 Blind Line, Peel, ON N3B 2Z3
 - 7236 Blind Line, Peel, ON N3B 2Z3
 - 7252 Blind Line, Peel, ON N3B 2Z3
 - 7253 Blind Line, Peel, ON N3B 2Z3
 - 7018 Floradale Road, Peel, ON N0B 1V0
 - 7022 Floradale Road, Peel, ON N0B 1V0
 - 7032 Floradale Road, Peel, ON N0B 1V0
 - 7119 Wellington Road 86, Peel, ON N3B 2Z3
 - 7121 Wellington Road 86, Peel, ON N3B 2Z3
 - 7123 Wellington Road 86, Peel, ON N3B 2Z3
 - 7125 Wellington Road 86, Peel, ON N3B 2Z3
 - 7155 Wellington Road 86, Peel, ON N3B 2Z3
 - 7201 Wellington Road 86, Peel, ON N3B 2Z3
 - 7213 Wellington Road 86, Peel, ON N0B 2S0
 - 7215 Wellington Road 86, Peel, ON N3B 2Z2
 - 7217 Wellington Road 86, Peel, ON N3B 2Z2
 - 7219 Wellington Road 86, Peel, ON N3B 2S0
 - 7221 Wellington Road 86, Peel, ON N3B 2S0
 - 7223 Wellington Road 86, Peel, ON N3B 2S0
 - 7225 Wellington Road 86, Peel, ON N3B 2S0
 - 7231 Wellington Road 86, Peel, ON N3B 2S0
 - 7243 Wellington Road 86, Peel, ON N3B 2S0
 - 7245 Wellington Road 86, Peel, ON N3B 2Z2
 - 7247 Wellington Road 86, Peel, ON N3B 2Z2

- 7249 Wellington Road 86, Peel, ON N3B 2Z2
- 7251 Wellington Road 86, Peel, ON N3B 2Z2
- 7263 Wellington Road 86, Peel, ON N3B 2Z2
- 7269 Wellington Road 86, Peel, ON N3B 2Z2
- 7271 Wellington Road 86, Peel, ON N3B 2Z2
- 7273 Wellington Road 86, Peel, ON N3B 2Z2
- 7275 Wellington Road 86, Peel, ON N3B 2Z2
- 7277 Wellington Road 86, Peel, ON N3B 2Z2
- 7293 Wellington Road 86, Peel, ON N3B 2Z2
- 7595 Wellington Road 86, Peel, ON N0B 2S0
- 7603 Wellington Road 86, Peel, ON N0B 2S0
- 7605 Wellington Road 86, Peel, ON N0B 2S0
- 7607 Wellington Road 86, Peel, ON N0B 2S0
- 7609 Wellington Road 86, Peel, ON N0B 2S0
- 7613 Wellington Road 86, Peel, ON N0B 2S0
- 7621 Wellington Road 86, Peel, ON N0B 2S0
- 6672 Ruggle's Road, Peel, ON N0B 2S0
- 6970 Yatton Sideroad, Peel, ON N0g 1P0
- 6508 Reid Woods Drive, Peel, ON N3B 2Z3

4. The customers located in the Township of Centre Wellington formerly known as Town of Fergus, Village of Elora, Township of West Garafraxa, Township of Nichol, Township of Pilkington, as at December 31, 1998,

- 7106 County Road 21, Pilkington, ON K0E 1X0
- 7092 Crowsfoot Road, Pilkington, ON N0B 1M0
- 7100 Crowsfoot Road, Pilkington, ON N0B 1M0
- 7104 Crowsfoot Road, Pilkington, ON N0B 1M0
- 5778 Elm Pathway, ON N0B 1B0
- 7098 Schaefer Road, Pilkington, ON N0B 1B0
- 7106 Schaefer Road, Pilkington, ON N0B 1B0
- 7110 Schaefer Road, Pilkington, ON N0B 1B0
- 7119 Schaefer Road, Pilkington, ON N0B 1B0
- 7120 Schaefer Road, Pilkington, ON N0B 1B0
- 5879 Splint Road, Pilkington, ON N0B 1B0
- 5883 Splint Road, Pilkington, ON N0B 1B0
- 5887 Splint Road, Pilkington, ON N0B 1B0
- 6023 Weisenberg Road, Pilkington, ON N0B 1B0
- 6033 Weisenberg Road, Pilkington, ON N0B 1B0
- 6053 Weisenberg Road, Pilkington, ON N0B 1B0
- 6097 Weisenberg Road, Pilkington, ON N0B 1B0
- 6287 Weisenberg Road, Pilkington, ON N0B 2V0
- 6307 Weisenberg Road, Pilkington, ON N0B 2V0
- 6367 Weisenberg Road, Pilkington, ON N0B 2V0
- 7111 Noah Road, Pilkington, ON N3B 2Z1
- 7112 Noah Road, Pilkington, ON N3B 2Z1
- 6929 Wellington Road 17, Pilkington, ON N3B 2Z1
- 6961 Wellington Road 17, Pilkington, ON N3B 2Z1
- 6979 Wellington Road 17, Pilkington, ON N3B 2Z1

- 6983 Wellington Road 17, Pilkington, ON N3B 2Z1
 - 6985 Wellington Road 17, Pilkington, ON N3B 2Z1
 - 6953 Wellington Road 17, Pilkington, ON N3B 2Z1
 - 7093 Wellington Road 18, Pilkington, ON N3B 2Z1
5. The customers located in the Township of Guelph/Eramosa formerly known as the Township of Guelph, Township of Eramosa, as at December 31, 1998,
- 5283 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5285 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5291 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5395 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5419 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5423 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5427 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5431 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5443 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5469 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 5485 Guelph Woolwich Townline, Guelph, ON N0B 1M0
 - 6870 Speedvale Avenue, Guelph, ON N0B 1M0
 - 7015 Pine Creek Road, Guelph, ON N1H 6J4
 - 7017 Pine Creek Road, Guelph, ON N1H 6J4
 - 5651 Township Road 3, Guelph, ON N1H 6J4

SCHEDULE 2 PROVISION OF STANDARD SUPPLY SERVICE

This Schedule specifies the manner in which the Licensee is authorized to retail electricity for the purposes of fulfilling its obligation under section 29 of the Electricity Act.

The Licensee is authorized to retail electricity directly to consumers within its service area in accordance with paragraph 8.1 of this Licence, any applicable exemptions to this Licence, and at the rates set out in the Rate Orders.

SCHEDULE 3 LIST OF CODE EXEMPTIONS

This Schedule specifies any specific Code requirements from which the Licensee has been exempted.

1. Licensee is exempt from the requirements of section 2.5.3 of the Standard Supply Service Code with respect to the price for small volume/residential consumers, subject to the Licensee offering an equal billing plan as described in its application for exemption from Fixed Reference Price, and meeting all other undertakings and material representations contained in the application and the materials filed in connection with it.
2. The Licensee is exempt from the requirement to implement time-of-use pricing as of the mandatory date for RPP General Service under 50 kW customers with eligible time-of-use meters with improper time-alignment of the consumption intervals as required under the Standard Supply Service Code for Electricity Distributors. The mandatory time-of-use pricing date exemption expires on January 31, 2012.

APPENDIX A

MARKET POWER MITIGATION REBATES

1. Definitions and Interpretations

In this Licence

“embedded distributor” means a distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a distributor who is a market participant and who distributes electricity to another distributor who is not a market participant.

In this Licence, a reference to the payment of a rebate amount by the IESO includes interim payments made by the IESO.

2. Information Given to IESO

- a Prior to the payment of a rebate amount by the IESO to a distributor, the distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with information in respect of the volumes of electricity withdrawn by the distributor from the IESO-controlled grid during the rebate period and distributed by the distributor in the distributor’s service area to:
 - i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- b Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity consumed in the service area of an embedded distributor, the embedded distributor shall provide the host distributor, in the form specified by the IESO and before the expiry of the period specified in the Retail Settlement Code, with the volumes of electricity distributed during the rebate period by the embedded distributor’s host distributor to the embedded distributor net of any electricity distributed to the embedded distributor which is attributable to embedded generation and distributed by the embedded distributor in the embedded distributor’s service area to:
 - i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- c Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity

consumed in the service area of an embedded distributor, the host distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with the information provided to the host distributor by the embedded distributor in accordance with section 2.

The IESO may issue instructions or directions providing for any information to be given under this section. The IESO shall rely on the information provided to it by distributors and there shall be no opportunity to correct any such information or provide any additional information and all amounts paid shall be final and binding and not subject to any adjustment.

For the purposes of attributing electricity distributed to an embedded distributor to embedded generation, the volume of electricity distributed by a host distributor to an embedded distributor shall be deemed to consist of electricity withdrawn from the IESO-controlled grid or supplied to the host distributor by an embedded generator in the same proportion as the total volume of electricity withdrawn from the IESO-controlled grid by the distributor in the rebate period bears to the total volume of electricity supplied to the distributor by embedded generators during the rebate period.

3. Pass Through of Rebate

A distributor shall promptly pass through, with the next regular bill or settlement statement after the rebate amount is received, any rebate received from the IESO, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt, to:

- a retailers who serve one or more consumers in the distributor's service area where a service transaction request as defined in the Retail Settlement Code has been implemented;
- b consumers who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998* and who are not served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
- c embedded distributors to whom the distributor distributes electricity.

The amounts paid out to the recipients listed above shall be based on energy consumed and calculated in accordance with the rules set out in the Retail Settlement Code. These payments may be made by way of set off at the option of the distributor.

If requested in writing by OPGI, the distributor shall ensure that all rebates are identified as coming from OPGI in the following form on or with each applicable bill or settlement statement:

“ONTARIO POWER GENERATION INC. rebate”

Any rebate amount which cannot be distributed as provided above or which is returned by a retailer to the distributor in accordance with its licence shall be promptly returned to the host distributor or IESO as applicable, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt.

Nothing shall preclude an agreement whereby a consumer assigns the benefit of a rebate payment to a retailer or another party.

Pending pass-through or return to the IESO of any rebate received, the distributor shall hold the funds received in trust for the beneficiaries thereof in a segregated account.

ONTARIO POWER GENERATION INC. REBATES

For the payments that relate to the period from May 1, 2006 to April 30, 2009, the rules set out below shall apply.

1. Definitions and Interpretations

In this Licence

“embedded distributor” means a distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a distributor who is a market participant and who distributes electricity to another distributor who is not a market participant.

In this Licence, a reference to the payment of a rebate amount by the IESO includes interim payments made by the IESO.

2. Information Given to IESO

- a Prior to the payment of a rebate amount by the IESO to a distributor, the distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with information in respect of the volumes of electricity withdrawn by the distributor from the IESO-controlled grid during the rebate period and distributed by the distributor in the distributor’s service area to:
 - i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented and the consumer is not receiving the prices established under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- b Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity consumed in the service area of an embedded distributor, the embedded distributor shall provide the host distributor, in the form specified by the IESO and before the expiry of the period specified in the Retail Settlement Code, with the volumes of electricity distributed during the rebate period by the embedded distributor’s host distributor to the embedded distributor net of any electricity distributed to the embedded distributor which is attributable to embedded generation and distributed by the embedded distributor in the embedded distributor’s service area to:

- i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- c Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity consumed in the service area of an embedded distributor, the host distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with the information provided to the host distributor by the embedded distributor in accordance with section 2.

The IESO may issue instructions or directions providing for any information to be given under this section. The IESO shall rely on the information provided to it by distributors and there shall be no opportunity to correct any such information or provide any additional information and all amounts paid shall be final and binding and not subject to any adjustment.

For the purposes of attributing electricity distributed to an embedded distributor to embedded generation, the volume of electricity distributed by a host distributor to an embedded distributor shall be deemed to consist of electricity withdrawn from the IESO-controlled grid or supplied to the host distributor by an embedded generator in the same proportion as the total volume of electricity withdrawn from the IESO-controlled grid by the distributor in the rebate period bears to the total volume of electricity supplied to the distributor by embedded generators during the rebate period.

3. Pass Through of Rebate

A distributor shall promptly pass through, with the next regular bill or settlement statement after the rebate amount is received, any rebate received from the IESO, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt, to:

- a retailers who serve one or more consumers in the distributor's service area where a service transaction request as defined in the Retail Settlement Code has been implemented and the consumer is not receiving the prices established under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*;
- b consumers who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998* and who are not served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
- c embedded distributors to whom the distributor distributes electricity.

The amounts paid out to the recipients listed above shall be based on energy consumed and calculated in accordance with the rules set out in the Retail Settlement Code. These payments may be made by way of set off at the option of the distributor.

If requested in writing by OPGI, the distributor shall ensure that all rebates are identified as coming from OPGI in the following form on or with each applicable bill or settlement statement:

"ONTARIO POWER GENERATION INC. rebate"

Any rebate amount which cannot be distributed as provided above or which is returned by a retailer to the distributor in accordance with its licence shall be promptly returned to the host distributor or IESO as applicable, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt.

Nothing shall preclude an agreement whereby a consumer assigns the benefit of a rebate payment to a retailer or another party.

Pending pass-through or return to the IESO of any rebate received, the distributor shall hold the funds received in trust for the beneficiaries thereof in a segregated account.