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DECISION AND ORDER

EB-2020-0162

EB-2020-0185

**Amending Electricity Distributor and Unit Sub-Meter
Provider Licences to Require Licensees to administer the
COVID-19 Energy Assistance Program and the COVID-19
Energy Assistance Program – Small Business**

BY DELEGATION, BEFORE: Brian Hewson
Vice President,
Consumer Protection & Industry Performance

September 30, 2020

On June 16, 2020, the Ontario Energy Board (OEB) issued a Decision and Order (CEAP Decision) which amended the licenses of all licensed electricity distributors and unit sub-meter providers (collectively, Utilities) to support the implementation of the government's COVID-19 Energy Assistance Program (CEAP). And on August 7, 2020, the OEB issued a Decision and Order (CEAP-SB Decision) which amended the licences of all Utilities to support the implementation of a related government program: the COVID-19 Energy Assistance Program – Small Business (CEAP-SB).

The OEB, for the reasons set out below, is amending the Utilities' licences to make certain revisions to the eligibility conditions for both the CEAP and CEAP-SB programs. The revisions are being made in order to address issues that have arisen in terms of the level of participation by customers in the programs and facilitate achievement of the government's goal for the programs, which is to assist energy consumers to catch up on their energy bills where they have been impacted by the COVID emergency.

This Decision and Order is being issued by Delegated Authority without a hearing pursuant to section 6(4) of the *Ontario Energy Board Act, 1998*.

BACKGROUND

CEAP has made \$9 million in government funding available to residential consumers who are struggling to pay their energy bills as a result of the COVID-19 emergency. In accordance with guidance the OEB received from the Minister of Energy, Northern Development and Mines and the Associate Minister of Energy (Ministers' CEAP Letter), the CEAP Decision set out the responsibilities of Utilities with respect to the implementation of CEAP. The CEAP Decision established that Utilities would be the delivery agent for CEAP, and established rules with respect to matters such as CEAP eligibility requirements, timelines for delivery of CEAP, and reporting requirements. The OEB also specified in a separate communication how the \$9 million in funding was to be allocated amongst the Utilities. Also on June 16, 2020, the OEB issued a letter to certain natural gas distributors indicating its expectation that they would implement the CEAP in a similar manner to that of the Utilities and provided an allocation of funding to the natural gas distributors. Utilities began processing CEAP applications on July 13, 2020.

CEAP-SB makes \$8 million in government funding available to small business and registered charity customers who have fallen behind on their energy bills. The CEAP-SB Decision set out the responsibilities of Utilities with respect to the implementation of CEAP-SB, in accordance with guidance the OEB received from the Minister of Energy, Northern Development and Mines and the Associate Minister of Energy (Ministers' CEAP-SB Letter). Like the CEAP Decision, the CEAP-SB Decision established that

Utilities would be the delivery agent for CEAP-SB, and established rules with respect to matters such as CEAP-SB eligibility requirements, timelines for the delivery of CEAP-SB, and reporting requirements. Also on August 7, 2020, the OEB issued a letter to natural gas distributors setting out the expectation that they would also implement CEAP-SB in a similar manner to that of the Utilities. Utilities began processing CEAP-SB applications as of August 31, 2020.

On June 18, 2020, the OEB issued a Decision and Order which amended the licence of the Independent Electricity System Operator (IESO) to require it to act as a “settlement agent” with the Utilities and to reimburse them for the CEAP credits they provided to their customers, up to the maximum amount allocated to each Utility by the OEB. On August 10, 2020, the OEB issued a Decision and Order which amended the IESO’s licence to create a similar process for CEAP-SB.

The OEB has learned that uptake for CEAP and CEAP-SB has been significantly less than anticipated. IESO reporting on Utilities’ requests for reimbursement of CEAP funding has revealed that from the commencement of CEAP availability in mid-July through to the end of August, less than 5% of the of the money allocated to the Utilities had been credited to customer bills. Although there is less than a month of data available for CEAP-SB, the OEB understands that uptake of CEAP-SB has also been slower than expected.

OEB staff had invited representatives from Utilities to assist it in the implementation of both the CEAP and CEAP-SB. Following the launch of the two programs, OEB staff met with the working group to understand how the implementation of the programs was proceeding. Through these discussions with Utilities OEB staff learned that uptake of the programs was very low and there was a high application rejection rate. Utilities stated that one of the primary reasons for the rejection of a customer’s CEAP or CEAP-SB application was the requirement that a customer have no amounts owing on their bills as of March 17, 2020. OEB staff has also learned that many applications were being rejected because Utilities have applied the eligibility requirement that “complete payment on account of electricity charges has not been made on at least two electricity bills issued since March 17, 2020” in a manner that was not fully consistent with the Decisions or licence conditions.

DECISION

New Eligibility Criteria for CEAP and CEAP-SB

The Ministers’ Letters states that the goal of both CEAP and CEAP-SB is to allow customers to catch up on their energy bills and resume regular payments. In furtherance of this goal, and based on the lower than expected uptake of CEAP and

CEAP-SB to date, the OEB has determined that it will amend the eligibility criteria to make CEAP and CEAP-SB more easily accessible by customers. Specifically, the OEB is amending two of the eligibility criteria for CEAP:

- Customers that made at least a partial payment with respect to amounts owing from bills prior to March 17, 2020 (including accounts subject to an arrears payment agreement) will now be eligible for CEAP, and
- The account holder (or the account holder's spouse or common-law partner that resides in the same residence) will no longer need to be unemployed on the date they file their CEAP application form

The eligibility criteria for CEAP-SB will also be amended such that customers that made at least a partial payment with respect to amounts owing from bills prior to March 17, 2020 will now be eligible for CEAP-SB.

These changes reflect information that has come to light since the CEAP and CEAP-SB programs began and are designed to further the Ministers' goal. The Ministers' Letters indicated that the only customers in good standing as at March 17, 2020 should be eligible. The amended condition will mean that customers that had made at least partial bill payment as of March 17, 2020, (including accounts subject to an arrears payment agreement) will be eligible for the CEAP or CEAP-SB, as the case may be. In the OEB's view this amendment is consistent with the goal of the programs as set out by the Ministers, as well as the suggested criteria that the account be in good-standing, given that the customers were making good faith efforts to manage their arrears prior to the COVID emergency.

The Ministers' had also suggested that CEAP eligibility include the requirement that a residential customer be unemployed at the time of applying for CEAP, and the CEAP Decision implemented this eligibility condition for the purpose of ensuring those customers who most needed assistance would receive it. Amending the eligibility conditions to make CEAP available to customers who are not unemployed on the date they apply for CEAP (but did receive Employment Insurance or the COVID Emergency Response Benefit sometime after March 17) recognizes that many customers may have returned to work as the economy has re-opened, but were still impacted by the COVID emergency and need assistance in resuming regular bill payments.

Guidance regarding eligibility requirement that complete payment has not been made on at least two bills since March 17, 2020

As discussed above, there has been some confusion amongst some Utilities regarding exactly how the eligibility provision for both CEAP and CEAP-SB that “complete payment on account of electricity charges has not been made on at least two electricity bills issued since March 17, 2020” is to be applied. The OEB is taking this opportunity to provide guidance to the Utilities in their application of this eligibility criteria. Specifically, the OEB confirms that a customer is not required to miss two complete payments on two separate bills to be eligible for CEAP or CEAP-SB. Customers are eligible where the account holder has failed to make complete payment in respect of electricity charges or has been in a position of arrears for any part of at least two electricity billing cycles since March 17, 2020 and has an overdue balance on the date of their application for CEAP. Account holders whose ability to pay was impacted by COVID-19 and who enrolled in an arrears payment agreement for amounts incurred following March 17, 2020 are eligible.

Implementation of the Amended Conditions

The amendments to the licences of the Utilities to reflect the revised conditions for CEAP and revised condition for CEAP-SB will be effective on the date of issuance of this Decision and Order. However, the OEB recognizes that Utilities already have in their possession applications for both CEAP and CEAP-SB that have been rejected based on the specific eligibility conditions that have now been amended. In keeping with the intent of the licence conditions that applications are processed in the order in which they are received, Utilities will be required to re-process all rejected applications in their possession as of September 30, 2020, applying the revised criteria and the guidance provided in this Decision (Reassessment Process). Where these old applications meet the new eligibility requirement or the guidance provided above, Utilities shall credit these accounts in the appropriate amounts and communicate the approval to the customers. Utilities are required to complete the re-processing of any rejected applications prior to processing new applications received as of the date of this Decision. The requirement under the licences to complete processing of CEAP and CEAP-SB applications within ten business days of receipt of the application is relieved for the purpose of the re-processing and Utilities are expected to complete the re-processing as expeditiously as possible.

Following the completion of the Reassessment Process and no later than October 19, 2020, Utilities are required to begin processing new applications received after September 30, 2020, applying the revised criteria and all other conditions set out in the CEAP and CEAP-SB Decisions. To assist in this implementation, the OEB will be

issuing under separate cover new application forms for both CEAP and CEAP-SB that reflect the revised eligibility criteria. Utilities are required to provide a revised application form on their website and make any necessary changes to ensure customers have access to the revised form.

The OEB recognizes that the reprocessing and changes to the eligibility may affect processing times for new applications and will therefore allow Utilities relief until October 20, 2020, from the ten day processing requirement for new applications received after September 30, 2020. Once the previously rejected application forms have been re-processed, Utilities are required to begin processing new application forms in the order they were received and within the ten days as per the licence conditions.

All other licence conditions relating to CEAP and CEAP-SB remain unchanged.

IT IS ORDERED THAT:

1. Sections 23 and 24 of the electricity distribution licence of each electricity distributor is amended to reflect the changes described in this Decision and Order as set out in Attachment A
2. Sections 12 and 13 of the unit sub-metering licence of each unit sub-meter provider is amended to reflect the changes described in this Decision and Order as set out in Attachment B.

DATED at Toronto September 30, 2020

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance

Attachment A
To
Decision and Order dated
September 30, 2020
EB-2020-0162/EB-2020-0185
Licence Conditions – Electricity Distributor

23 Administration of COVID-19 Energy Support Program

23.1 For the purposes of paragraphs 23.1 to 23.8:

“Application Form” means the form of application for CEAP approved by the Board, including the use of that form by telephone

“CEAP” means the COVID-19 Energy Assistance Program as described in the Board’s Decision and Order dated June 16, 2020

“CEAP-eligible account” means an account in the Licensee’s residential class that meets all of the following criteria:

- (a) The customer had made at least a partial payment in respect of electricity charges that were payable on March 17, 2020. This includes accounts subject to an arrears payment agreement,
- (b) complete payment on account of electricity charges has not been made on at least two electricity bills issued since March 17, 2020, and the account has an Overdue Balance on the date of receipt of the Application Form for the account including where the account is enrolled in an arrears payment agreement for amounts incurred following March 17, 2020,
- (c) the account has not received funding under the Low-income Energy Assistance Program or the Ontario Electricity Support Program in 2020; and
- (d) the account holder has provided a complete Application Form and has declared, through the Application Form, that they or their spouse or common-law partner that resides in the same residence have received Employment Insurance or the Canada Emergency Response Benefit since March 17, 2020

“Overdue Balance” means the amount by which the account holder’s balance is past due in respect of Electricity Charges at the time the Application Form is received by the Licensee. Amounts that may be on the bill but are not yet past due are not part of the Overdue Balance.

“electricity charges” means:

- (a) charges that appear under the sub-headings “Electricity”, “Delivery”, and “Regulatory Charges” as described in Ontario Regulation 275/04 (Information on Invoices to Certain Classes of Consumers of Electricity) made under the Act, and all applicable taxes on those charges;
- (b) where applicable, charges prescribed by regulations under section 25.33 of the Electricity Act and all applicable taxes on those charges
- (c) Board-approved specific service charges, including late payment charges, and such other charges and applicable taxes associated with the consumption of electricity as may be

required by law to be included on the bill issued to the customer or as may be designated by the Board for the purposes of this definition, but not including security deposits, amounts owed by a customer pursuant to a billing adjustment, or amounts under an arrears payment agreement entered into prior to March 17, 2020; and

- (d) any financial assistance provided for under the *Ontario Rebate for Electricity Consumers Act, 2016*

23.2 The Licensee shall start to accept Application Forms as of July 13, 2020.

23.3 The Licensee shall:

- (a) Make copies of the Application Form available on its web site and to any customer on request.
- (b) Process all complete Application Forms in the order in which they are received.
- (c) Accept Application Forms by e-mail or mail, and may also allow the Application Form to be completed online or by telephone, provided that where Application Forms are completed by telephone the call must be recorded and must document confirmation of all information requested on the Application Form, including consent and the applicant's declaration of eligibility.
- (d) Process each complete Application Form within 10 business days of receipt. This provision is not in effect for the period October 1, 2020 and October 20, 2020.
- (e) Notwithstanding the requirements of 23.3 (d), each Application Form that was received before September 30, 2020 and rejected for not meeting the then applicable CEAP eligibility requirements shall be re-processed by the Licensee as quickly as practicable and not later than October 19, 2020 using the current (amended) CEAP eligibility requirements.

23.4 The Licensee shall provide a credit to a CEAP-eligible account in an amount equal to half of the Overdue Balance for the account:

- (a) to a maximum of \$230, where the Application Form declares that the account is for a residence that mainly uses electric heating or in which an eligible medical device is used
- (b) to a maximum of or \$115, in all other cases.

23.5 The credit must be applied on the next bill issued to the CEAP-eligible account after the processing of the Application Form for the account as set out in paragraph 23.3(d), where feasible, and in any event no later than on the following bill.

23.6 Despite paragraph 23.4:

- (a) The Licensee is not required to provide a credit to a CEAP-eligible account if the total amount of CEAP funding available to the Licensee as specified by the Board has been expended; and
- (b) The Licensee shall not provide a credit to a CEAP-eligible account more than once.

23.7 Reimbursement for credits provided by the Licensee to CEAP-eligible accounts, up to the total referred to in paragraph 23.5(a), are recoverable from the Independent Electricity System Operator. The Licensee shall provide information in such form and manner, and within such time, as the IESO may reasonably require, in respect of requests for reimbursement. The Licensee

shall not seek reimbursement from the Independent Electricity System Operator for any amount above the total referred to in paragraph 23.5(a) or on account of any costs relating to the administration of CEAP.

- 23.8 The Licensee shall keep the following records for two years, and make them available to the Board upon request:
- (a) Copies of all Application Forms received, including recordings of calls where the Application Form is provided by telephone, and copies of any communications with customers about CEAP.
 - (b) A record of all Application Forms that were accepted as complete and a credit was provided to CEAP-eligible accounts, and a record of all Application Forms that were denied
 - (c) A record of the credit provided to each CEAP-eligible account, as well as the total amount of credits provided to all CEAP-eligible accounts.
- 23.9 The Licensee shall report to the Board, as soon as practicable, the date on which the total amount of CEAP funding referred to in paragraph 23.5(a) has been expended.
- 23.10 Paragraphs 23.1 to 23.8 govern over any provisions of the Distribution System Code or the Standard Supply Service Code in the event of any inconsistency.

24 Administration of COVID-19 Energy Support Program – Small Business

24.1 For the purposes of paragraphs 24.1 to 24.8:

“Application Form” means the form of application for CEAP-SB approved by the Board, including the use of that form by telephone

“CEAP-SB” means the COVID-19 Energy Assistance Program – Small Business as described in the Board’s Decision and Order dated August 7, 2020

“CEAP-SB eligible account” means an account for premises in the Licensee’s GS<50 class (for electricity distributors) / relevant commercial class and whose annual usage is less than 150,000 kWh (for USMPs) that meets all of the following criteria:

- a) the account holder has a registered business number or charitable registration number for the business or registered charity operating out of the premises,
- b) the account holder had made at least a partial payment in respect of electricity charges that were payable on March 17, 2020. This includes accounts subject to an arrears payment agreement,
- c) complete payment on account of electricity charges has not been made on at least two electricity bills issued since March 17, 2020, and the account has an Overdue Balance on the date of receipt of the Application Form for the account including where the account is enrolled in an arrears payment agreement for amounts incurred following March 17, 2020,
- d) the account holder has confirmed in the Application Form that it is not applying for a CEAP-SB credit for another location or electricity account anywhere in the Province of Ontario for the same small business or registered charity,
- e) the account holder has provided a complete Application Form and has declared, through the Application Form, that their small business or registered charity’s premises was required to

close to the public for regular operations for at least 15 days as a result of a government order or inability to comply with public health recommendations.

Note that the Licensee is only required to verify the information in items (b), (c), and (e) above.

“electricity charges” means:

- a) charges that appear under the sub-headings “Electricity”, “Delivery”, and “Regulatory Charges” as described in Ontario Regulation 275/04 (Information on Invoices to Certain Classes of Consumers of Electricity) made under the Act, and all applicable taxes on those charges;
- b) where applicable, charges prescribed by regulations under section 25.33 of the Electricity Act and all applicable taxes on those charges
- c) Board-approved specific service charges, including late payment charges, and such other charges and applicable taxes associated with the consumption of electricity as may be required by law to be included on the bill issued to the customer or as may be designated by the Board for the purposes of this definition, but not including security deposits, amounts owed by a customer pursuant to a billing adjustment, or amounts under a payment agreement entered into prior to March 17, 2020; and
- d) any financial assistance provided for under the *Ontario Rebate for Electricity Consumers Act, 2016*; and

“Overdue Balance” means the amount by which the account holder’s balance is past due in respect of Electricity Charges at the time the Application Form is received by the Licensee. Amounts that may be on the bill but are not yet past due are not part of the Overdue Balance.

24.2 The Licensee shall start to accept Application Forms as of August 31, 2020.

24.3 The Licensee shall:

- a) Make copies of the Application Form available on its web site and to any customer on request.
- b) Process all complete Application Forms in the order in which they are received.
- c) Accept Application Forms by e-mail or mail, and may also allow the Application Form to be completed online or by telephone, provided that where Application Forms are completed by telephone the call must be recorded and must document confirmation of all information requested on the Application Form, including consent and the applicant’s declaration of eligibility.
- d) Process each complete Application Form within 10 business days of receipt. This provision is not in effect for the period October 1, 2020 and October 20, 2020.
- e) Notwithstanding the requirements of 24.3 (d), each Application Form that was received before September 30, 2020 and rejected for not meeting the then applicable CEAP-SB eligibility requirements shall be re-processed by the Licensee as quickly as practicable and not later than October 19, 2020 using the current (amended) CEAP-SB eligibility requirements.

24.4 The Licensee shall provide a credit to a CEAP-SB eligible account up to the amount of the Overdue Balance for the account:

- a) to a maximum of \$850, where the Application Form declares that the account is for small business or registered charity premises that primarily uses electricity for heating; or
- b) to a maximum of or \$425, in all other cases.

The credit must be applied on the next bill issued to the CEAP-SB eligible account after the processing of the Application Form for the account as set out in paragraph 24.3(d), where feasible, and in any event no later than on the following bill.

24.5 Despite paragraph 24.4:

- a) The Licensee is not required to provide a credit to a CEAP-SB eligible account if the total amount of CEAP-SB funding available to the Licensee as specified by the Board has been expended; and
- b) The Licensee shall not provide a credit to a CEAP-SB eligible account more than once.

24.6 Reimbursement for credits provided by the Licensee to CEAP-SB eligible accounts, up to the total referred to in paragraph 24.5(a), are recoverable from the Independent Electricity System Operator. The Licensee shall provide information in such form and manner, and within such time, as the IESO may reasonably require, in respect of requests for reimbursement. The Licensee shall not seek reimbursement from the Independent Electricity System Operator for any amount above the total referred to in paragraph 24.5(a) or on account of any costs relating to the administration of CEAP-SB.

24.7 The Licensee shall keep the following records for two years, and make them available to the Board upon request:

- a) Copies of all Application Forms received, including recordings of calls where the Application Form is provided by telephone, and copies of any communications with customers about CEAP-SB.
- b) A record of all Application Forms that were accepted as complete and a credit was provided to CEAP-SB eligible accounts, and a record of all Application Forms that were denied.
- c) A record of the credit provided to each CEAP-SB eligible account, as well as the total amount of credits provided to all CEAP-SB eligible accounts.

24.8 The Licensee shall report to the Board, as soon as practicable, the date on which the total amount of CEAP-SB funding referred to in paragraph 24.5(a) has been expended.

24.9 Paragraphs 24.1 to 24.8 govern over any provisions of the Distribution System Code or the Standard Supply Service Code in the event of any inconsistency.

Attachment B
To
Decision and Order dated
September 30, 2020
EB-2020-0162/EB-2020-0185
Licence Conditions – Unit Sub-Meter Provider

12 Administration of COVID-19 Energy Support Program

12.1 For the purposes of paragraphs 12.1 to 12.8:

“Application Form” means the form of application for CEAP approved by the Board, including the use of that form by telephone

“CEAP” means the COVID-19 Energy Assistance Program as described in the Board’s Decision and Order dated June 16, 2020

“CEAP-eligible account” means an account in the Licensee’s residential class that meets all of the following criteria:

- (a) The customer had made at least a partial payment in respect of electricity charges that were payable on March 17, 2020. This includes accounts subject to an arrears payment agreement,
- (b) complete payment on account of electricity charges has not been made on at least two electricity bills issued since March 17, 2020, and the account has an Overdue Balance on the date of receipt of the Application Form for the account including where the account is enrolled in an arrears payment agreement for amounts incurred following March 17, 2020,
- (c) the account has not received funding under the Low-income Energy Assistance Program or the Ontario Electricity Support Program in 2020; and
- (d) the account holder has provided a complete Application Form and has declared, through the Application Form, that they or their spouse or common-law partner that resides in the same residence have received Employment Insurance or the Canada Emergency Response Benefit since March 17, 2020

“Overdue Balance” means the amount by which the account holder’s balance is past due in respect of Electricity Charges at the time the Application Form is received by the Licensee. Amounts that may be on the bill but are not yet past due are not part of the Overdue Balance.

“electricity charges” means:

- (a) charges that appear under the sub-headings “Electricity”, “Delivery”, and “Regulatory Charges” as described in Ontario Regulation 275/04 (Information on Invoices to Certain Classes of Consumers of Electricity) made under the Act, and all applicable taxes on those charges;
- (b) where applicable, charges prescribed by regulations under section 25.33 of the Electricity Act and all applicable taxes on those charges
- (c) Board-approved specific service charges, including late payment charges, and such other charges and applicable taxes associated with the consumption of electricity as may be required by law to be included on the bill issued to the customer or as may be designated by the Board for the purposes of this definition, but not including security deposits, amounts

owed by a customer pursuant to a billing adjustment, or amounts under an arrears payment agreement entered into prior to March 17, 2020; and

- (d) any financial assistance provided for under the *Ontario Rebate for Electricity Consumers Act, 2016*

12.2 The Licensee shall start to accept Application Forms as of July 13, 2020.

12.3 The Licensee shall:

- (a) Make copies of the Application Form available on its web site and to any customer on request.
- (b) Process all complete Application Forms in the order in which they are received.
- (c) Accept Application Forms by e-mail or mail, and may also allow the Application Form to be completed online or by telephone, provided that where Application Forms are completed by telephone the call must be recorded and must document confirmation of all information requested on the Application Form, including consent and the applicant's declaration of eligibility.
- (d) Process each complete Application Form within 10 business days of receipt. This provision is not in effect for the period October 1, 2020 and October 20, 2020.
- (e) Notwithstanding the requirements of 12.3 (d), each Application Form that was received before September 30, 2020 and rejected for not meeting the then applicable CEAP eligibility requirements shall be re-processed by the Licensee as quickly as practicable and not later than October 19, 2020 using the current (amended) CEAP eligibility requirements.

12.4 The Licensee shall provide a credit to a CEAP-eligible account in an amount equal to half of the Overdue Balance for the account:

- (a) to a maximum of \$230, where the Application Form declares that the account is for a residence that mainly uses electric heating or in which an eligible medical device is used
- (b) to a maximum of or \$115, in all other cases.

12.5 The credit must be applied on the next bill issued to the CEAP-eligible account after the processing of the Application Form for the account as set out in paragraph 12.3(d), where feasible, and in any event no later than on the following bill.

12.6 Despite paragraph 12.4:

- (a) The Licensee is not required to provide a credit to a CEAP-eligible account if the total amount of CEAP funding available to the Licensee as specified by the Board has been expended; and
- (b) The Licensee shall not provide a credit to a CEAP-eligible account more than once.

12.7 Reimbursement for credits provided by the Licensee to CEAP-eligible accounts, up to the total referred to in paragraph 12.5(a), are recoverable from the Independent Electricity System Operator. The Licensee shall provide information in such form and manner, and within such time, as the IESO may reasonably require, in respect of requests for reimbursement. The Licensee shall not seek reimbursement from the Independent Electricity System Operator for any amount above the total referred to in paragraph 12.5(a) or on account of any costs relating to the administration of CEAP.

- 12.8 The Licensee shall keep the following records for two years, and make them available to the Board upon request:
- (a) Copies of all Application Forms received, including recordings of calls where the Application Form is provided by telephone, and copies of any communications with customers about CEAP.
 - (b) A record of all Application Forms that were accepted as complete and a credit was provided to CEAP-eligible accounts, and a record of all Application Forms that were denied
 - (c) A record of the credit provided to each CEAP-eligible account, as well as the total amount of credits provided to all CEAP-eligible accounts.
- 12.9 The Licensee shall report to the Board, as soon as practicable, the date on which the total amount of CEAP funding referred to in paragraph 12.5(a) has been expended.
- 12.10 Paragraphs 12.1 to 12.8 govern over any provisions of the Distribution System Code or the Standard Supply Service Code in the event of any inconsistency.

13 Administration of COVID-19 Energy Support Program – Small Business

- 13.1 For the purposes of paragraphs 13.1 to 13.8:

“Application Form” means the form of application for CEAP-SB approved by the Board, including the use of that form by telephone

“CEAP-SB” means the COVID-19 Energy Assistance Program – Small Business as described in the Board’s Decision and Order dated August 7, 2020

“CEAP-SB eligible account” means an account for premises in the Licensee’s GS<50 class (for electricity distributors) / relevant commercial class and whose annual usage is less than 150,000 kWh (for USMPs) that meets all of the following criteria:

- a) the account holder has a registered business number or charitable registration number for the business or registered charity operating out of the premises,
- b) the account holder had made at least a partial payment in respect of electricity charges that were payable on March 17, 2020. This includes accounts subject to an arrears payment agreement.
- c) complete payment on account of electricity charges has not been made on at least two electricity bills issued since March 17, 2020, and the account has an Overdue Balance on the date of receipt of the Application Form for the account including where the account is enrolled in an arrears payment agreement for amounts incurred following March 17, 2020,
- d) the account holder has confirmed in the Application Form that it is not applying for a CEAP-SB credit for another location or electricity account anywhere in the Province of Ontario for the same small business or registered charity,
- e) the account holder has provided a complete Application Form and has declared, through the Application Form, that their small business or registered charity’s premises was required to close to the public for regular operations for at least 15 days as a result of a government order or inability to comply with public health recommendations.

Note that the Licensee is only required to verify the information in items (b), (c), and (e) above.

“electricity charges” means:

- a) charges that appear under the sub-headings “Electricity”, “Delivery”, and “Regulatory Charges” as described in Ontario Regulation 275/04 (Information on Invoices to Certain Classes of Consumers of Electricity) made under the Act, and all applicable taxes on those charges;
- b) where applicable, charges prescribed by regulations under section 25.33 of the Electricity Act and all applicable taxes on those charges
- c) Board-approved specific service charges, including late payment charges, and such other charges and applicable taxes associated with the consumption of electricity as may be required by law to be included on the bill issued to the customer or as may be designated by the Board for the purposes of this definition, but not including security deposits, amounts owed by a customer pursuant to a billing adjustment, or amounts under a payment agreement entered into prior to March 17, 2020; and
- d) any financial assistance provided for under the *Ontario Rebate for Electricity Consumers Act, 2016*; and

“Overdue Balance” means the amount by which the account holder’s balance is past due in respect of Electricity Charges at the time the Application Form is received by the Licensee. Amounts that may be on the bill but are not yet past due are not part of the Overdue Balance.

13.2 The Licensee shall start to accept Application Forms as of August 31, 2020.

13.3 The Licensee shall:

- a) Make copies of the Application Form available on its web site and to any customer on request.
- b) Process all complete Application Forms in the order in which they are received.
- c) Accept Application Forms by e-mail or mail, and may also allow the Application Form to be completed online or by telephone, provided that where Application Forms are completed by telephone the call must be recorded and must document confirmation of all information requested on the Application Form, including consent and the applicant’s declaration of eligibility.
- d) Process each complete Application Form within 10 business days of receipt. This provision is not in effect for the period October 1, 2020 and October 20, 2020.
- e) Notwithstanding the requirements of 13.3 (d), each Application Form that was received before September 30, 2020 and rejected for not meeting the then applicable CEAP-SB eligibility requirements shall be re-processed by the Licensee as quickly as practicable and not later than October 19, 2020 using the current (amended) CEAP-SB eligibility requirements.

13.4 The Licensee shall provide a credit to a CEAP-SB eligible account up to the amount of the Overdue Balance for the account:

- c) to a maximum of \$850, where the Application Form declares that the account is for small business or registered charity premises that primarily uses electricity for heating; or
- d) to a maximum of or \$425, in all other cases.

The credit must be applied on the next bill issued to the CEAP-SB eligible account after the processing of the Application Form for the account as set out in paragraph 1.3(d), where feasible, and in any event no later than on the following bill.

- 13.5 Despite paragraph 13.4:
- a) The Licensee is not required to provide a credit to a CEAP-SB eligible account if the total amount of CEAP-SB funding available to the Licensee as specified by the Board has been expended; and
 - b) The Licensee shall not provide a credit to a CEAP-SB eligible account more than once.
- 13.6 Reimbursement for credits provided by the Licensee to CEAP-SB eligible accounts, up to the total referred to in paragraph 13.5(a), are recoverable from the Independent Electricity System Operator. The Licensee shall provide information in such form and manner, and within such time, as the IESO may reasonably require, in respect of requests for reimbursement. The Licensee shall not seek reimbursement from the Independent Electricity System Operator for any amount above the total referred to in paragraph 13.5(a) or on account of any costs relating to the administration of CEAP-SB.
- 13.7 The Licensee shall keep the following records for two years, and make them available to the Board upon request:
- a) Copies of all Application Forms received, including recordings of calls where the Application Form is provided by telephone, and copies of any communications with customers about CEAP-SB.
 - b) A record of all Application Forms that were accepted as complete and a credit was provided to CEAP-SB eligible accounts, and a record of all Application Forms that were denied.
 - c) A record of the credit provided to each CEAP-SB eligible account, as well as the total amount of credits provided to all CEAP-SB eligible accounts.
- 13.8 The Licensee shall report to the Board, as soon as practicable, the date on which the total amount of CEAP-SB funding referred to in paragraph 13.5(a) has been expended.
- 13.9 Paragraphs 13.1 to 13.8 govern over any provisions of the Distribution System Code or the Standard Supply Service Code in the event of any inconsistency.