



VIA RESS

October 23, 2009

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

Dear Ms. Walli:

**Re: Revised Proposed Amendments to the Distribution System Code, the Retail Settlement Code and the Standard Supply Service Code
Board File No. EB-2007-0722**

Attached, please find AMPCO's comments on the revised proposed amendments.

Overall, the revised proposed amendments improve on the previous proposals. AMPCO is particularly pleased that the discriminatory aspects of the proposed amendments with respect to under-billing recovery periods have been removed.

AMPCO maintains that discriminatory treatment between customer types can be justifiable only when supported by evidence and a sound rationale.

Please contact me if you have any questions or require additional information.

Sincerely yours,

ORIGINAL SIGNED

Adam White

President
Association of Major Power Consumers in Ontario

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October 23, 2009

AMPCO Comments
Notice of Revised Proposed Amendments to the Distribution System Code, the Retail Settlement Code
and the Standard Supply Service Code

Board File No: EB-2007-0722

AMPCO provides the following comments on Attachment A to the Notice of Revised Proposed Amendments dated October 1, 2009:

Part I: Revised Proposed Amendments to the Distribution System Code

- 2.6.5: AMPCO concurs with the revisions to the payment date definition as worded.
- 4.2.2.1: AMPCO concurs with the revision as worded, on the understanding that the Board is not prohibiting distributors from using special envelopes for disconnection notices if they so chose.
- 4.2.3: AMPCO strongly disagrees with distinct and different disconnection notice periods for residential vs. other customers. The specific treatment in 4.2.3 (a) for customers with specific health risks is justified and the rationale is apparent. The same cannot be said for the discrimination between residential and “other” customers. No rationale is provided for the different notice periods.

As with all customers, businesses may occasionally require time to find the funds to settle an outstanding account, or to prepare for disconnection. A customer-centred approach to this issue should recognize that businesses, like residential customers (many of which include businesses) also require time to address issues.

AMPCO submits that discriminatory treatment can be justified only when there is a strong rationale, based on sound factual evidence.

Part II: Revised Proposed Amendments to the Retail Settlement Code

- 7.7.7: AMPCO concurs with the revisions as worded, as they remove the discriminatory treatment of the previous proposed revisions.

Part III: Revised Proposed Amendments to the Standard Supply Service Code

- 2.6.2: AMPCO supports the revisions in 2.6.2 (e) iii) to require distributors to review equal payment plans on a quarterly or semi-annual basis to help prevent excessive annual reconciliations. However, AMPCO continues to recommend that the Board consider language that would provide distributors the freedom to explore budget payment plan designs that may provide customers with more attractive options, such as rolling average designs.