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April 2, 2010

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street
27th Floor
Toronto, ON
M4P 1E4

Dear Ms. Walli:

Re: EB-2007-0722 – LPMA Comments on Further Revised Proposed Amendments to the Distribution System Code, the Retail Settlement Code and the Standard Supply Service Code

These are the comments made on behalf of the London Property Management Association (“LPMA”) on the Further Revised Proposed Amendments to the Distribution System Code, the Retail Settlement Code and the Standard Supply Service Code dated March 12, 2010.

These comments are made in response to the Board’s March 12, 2010 letter inviting participants in the EB-2007-0722 and EB-2008-0150 processes to provide comments on the Further Revised Proposed Amendments.

LPMA generally supports the revised proposals. Specific comments are provided below on a number of areas. The comments provided have been limited to the proposed amendments that are shown in bold italics in Attachment A to the March 12, 2010 letter.

REVISED PROPOSED AMENDMENTS TO THE DISTRIBUTION SYSTEM CODE

Section 2.7.2

The Board proposes to include the current bill amount to the arrears payment agreement referred to in section 2.71. This amount is then to be paid by the customer over a period of 5 or 10 months, depending on the amount outstanding after apply any security deposit to the balance outstanding.

LPMA submits that this may cause some confusion for residential customers. Distributors should make it clear to the customer that the current bill amount which is now to be included in the arrears amount is not overdue for payment. Otherwise customers may believe they are further in arrears than they actually are and may believe that late payments charges have been included for the current bill amount.

Section 2.7.5

LPMA supports the inclusion of this section, but notes that a customer may not be aware of the availability of a second arrears payment agreement. LPMA suggests that when a customer has successfully completed their obligations under the first arrears payment agreement, the customer should be notified of when they become eligible for a second agreement if required. This could help reduce enquiries to the distributor should the customer find themselves in a similar circumstance in the future.

Sections 2.8.3A, 2.8.4A, 2.8.4B & 2.8.5

LPMA supports the inclusion of these sections as they should simplify the process needed to establish the agreements between a landlord and the distributor.

Section 4.2.2, parts (e), (f), (g) & (h)

LPMA supports the amendments as proposed. These amendments will provide greater clarity to customers on what methods of payment are available. It will also provide customers with information on what form(s) of payment are available when the distributor attends the customer's property to execute a disconnection.

Section 4.2.2.4

LPMA agrees with the various parts of this new section, but believes there should be an additional part added to this section.

As noted in part (h) of Section 4.2.2, a disconnection may take place whether or not the customer is on the premises and this is to be included in the disconnection notice. The Board has explained that this will help customers understand the connection process and the importance of timely payment of the amount overdue.

Section 4.2.2.4 deals with the reasonable efforts that a distributor needs to undertake at least 48 hours prior to the scheduled date of disconnection. LPMA recommends that the Board add a clause that would require the distributor to again clearly indicate to the customer that the disconnection may take place whether or not the customer is on the premises. This would reinforce the importance of payment and the gravity of failure to pay.

Sections 4.2.2.6, 4.2.2.7 & 4.2.3 (b)

LPMA agrees that 10 day period in Section 4.2.2.6 and the remaining 11 days reflected in Section 4.2.2.7 are appropriate, as is the addition of part (b) of Section 4.2.3 to reflect the 10 days period from Section 4.2.2.6.

Section 4.2.4

LPMA believes the changes in Section 4.2.4 are appropriate as they mirror the changes in Section 4.2.2.4. As noted above, LPMA agrees with these changes.

Section 6.1.2.2

LPMA is concerned that this section does not appear to contemplate the circumstances outlined in Section 2.8.4B, but appears to be limited to the circumstances outlined in Section 2.8.4A.

Section 2.8.4B, as proposed by the Board, would require that distributors retain a recording of the verbal request over the telephone for the length of the agreement, plus an additional 6 months.

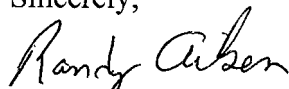
LPMA submits that the Board should amend Section 6.1.2.2 to reflect the circumstances as contemplated in Section 2.8.4B. That is, telephone recordings should be retained for the length of the agreement, plus an additional 6 months.

COMING INTO FORCE

The Board has proposed January 1, 2011 as the date for the coming into force for all of the proposed amendments set out in Notice for Distribution System Code, the Retail Settlement Code and the Standard Supply Service Code. Given the total number of system changes required to implement changes driven by the amendments, LPMA agrees that January 1, 2011 is a reasonable date for the amendments to come into force.

Please contact me if the Board requires any further information related to these comments.

Sincerely,



Randy Aiken
Aiken & Associates