

## *Aiken & Associates*

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October 25, 2010

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, ON  
M4P 1E4

Dear Ms. Walli:

**Re: EB-2007-0722 – LPMA Comments on Updated Proposed Low-Income and Other Customer Service 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 Updated Proposed Low-Income and Other Customer Service Amendments to the Distribution System Code, the Retail Settlement Code and the Standard Supply Service Code dated September 30, 2010.

These comments are made in response to the Board’s letter inviting participants in the EB-2007-0722 and EB-2008-0150 processes to provide comments on the Updated Proposed Amendments.

**Updated Proposed Low-Income Customer-Service Amendments to the Codes**

**A. Definition of Eligible Low-Income Electricity Customer**

LPMA agrees with the fact that the present package of amendments does not require distributors to verify low-income eligibility. This would be an activity that the distributors are not suited to, could result in privacy issues, and ultimately lead to unnecessary and additional costs that would be recovered from all customers.

LPMA notes that the Board's proposal anticipates that social service agencies or government agencies will undertake the actual evaluation and confirmation of low-income eligibility requests submitted by interested electricity consumers.

LPMA is concerned about the information available to potential low-income electricity consumers. Many eligible low-income customers may not realize that they may qualify for assistance with their electricity bills.

LPMA believes bill inserts should be included on a regular basis indicating where a customer can obtain further information about low-income eligibility along with a referral to a social service agency or government agency to review the customer's low-income eligibility.

#### B. Deferred Payment Data Option

LPMA supports the addition of the flexible payment option targeting eligible low-income customers who do not join or belong to an equal monthly payment plan. This option will assist with cash flow for many tenants that receive monthly government income support payments.

LPMA is concerned, however, with the provision to delay the bill payment date to the 5<sup>th</sup> business day of the following month. In particular, it may be an issue for computer systems to determine the 5<sup>th</sup> business day of a month. This methodology may involve costs to change computer programs. If no such costs would be incurred, then LPMA accepts that timing as appropriate.

If additional costs would be incurred by the distributors, then rather than specifying the days based on the number of business days, the Board may want to indicate that the bill payment date be the 8<sup>th</sup> day of a month (includes 5 business days, 2 weekend days, and an allowance of 1 day for statutory holidays).

#### C. Correction of Billing Errors

LPMA supports the new rule proposed in section 7.7.4.1 of the RSC. However, it is submitted that the customer's average monthly billing needs to be better defined. It is not clear whether this average is over the most recent 12 months or over the period in which the billing error occurred. It is also not clear whether the average includes the impact of the error or whether the average is based on what the correct monthly billings should have been. Further, in instances where a customer has less than 12 months of billing history available, it is not clear that the average monthly billing over a period of less than 12 months would be appropriate given the potential for seasonal differences associated with electric heating.

#### D. Equal Billing Plan Option

LPMA supports the equal billing plan option set out in section 2.6.2B of the SSSC, subject to any concerns that may be raised by the distributors related to the implementation of the plan.

#### E. Disconnection for Non-Payment Notice

LPMA believes the changes noted are appropriate.

#### F. Security Deposits

LPMA believes the changes proposed are appropriate.

#### G. Arrears Payment Agreements

LPMA believes the changes proposed are appropriate.

### **Amendments to July 2, 2010 Customer Service Rules**

#### A. Proposed Implementation Amendments

LPMA believes that the clarifications provided in response to enquiries from the distributors are appropriate.

## **B. Proposed Load Limiter Installation and Removal Amendments**

Proposed new section 2.9.3 of the DSC requires that a distributor deliver a written notice to the customer explaining in plain language the operation of the device, the maximum capacity of the device and how to reset the device if the maximum capacity is exceeded.

LPMA believes in addition to the items listed above, the distributor should provide a telephone number that the customer can contact for further information and an emergency telephone number to contact if the customer cannot reset the device if the maximum capacity is exceeded.

## **Specific Comments**

The following comments are on specific sections in Attachments A and B

### **Attachment A - Amendments to the Distribution System Code**

**Section 2.6.3.1A** - This section states that the bill payment due date be deferred to the 5<sup>th</sup> day of the following month. This is not consistent with the explanation provided in the main body of the Board's letter at page 5 which refers to the bill payment date being deferred to the 5<sup>th</sup> business day of the following month. As noted above, the 5<sup>th</sup> business day of a month may cause additional computer related costs. LPMA submits that the 5<sup>th</sup> day is preferable to the 5<sup>th</sup> business day.

## **Final Comments**

Though not part of the codes being amended in this process, LPMA submits that the Board should direct distributors to target/prioritize the delivery of CDM programs and their associated benefits to customers that are identified as eligible low-income customers. Providing this assistance is likely to be as effective or even more so in the long term than arrears payment agreements, billing options and so on. Reducing the number of arrears payment agreements will reduce administrative burdens on the distributors. Bad debt and collection expenses are also likely to be reduced through this prioritization.

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

Sincerely,

*Randy Aiken*

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Aiken & Associates