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October 28, 2010

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

Dear Ms. Walli:

**Re: EB-2010-0245 - Notice of Revised Proposal to Revoke and Re-Issue a Code -
Revised Proposed Revocation and Re-Issuance of the Electricity Retailer Code of
Conduct**

and

**Notice of Revised Proposal to Revoke and Re-Issue a Rule and to Amend a Rule -
Revised Proposed Revocation and Re-Issuance of the Gas Marketer Code of
Conduct and Proposed Amendments to the Gas Distribution Access Rule**

Written Comments of the London Property Management Association

A. INTRODUCTION

These are the written comments of the London Property Management Association ("LPMA") in response to the Board's October 15, 2010 letter in which the Ontario Energy Board ("Board") gave notice under section 45 and section 70.2 of the *Ontario Energy Board Act, 1998* of its revised proposal to:

- i) revoke and re-issue the Electricity Retailer Code of Conduct;
- ii) revoke and re-issue the Code of Conduct for Gas Marketers; and
- iii) amend the Gas Distribution Access Rule.

The purpose of the revised proposed revisions to the regulatory instruments noted above is to implement the provisions of the *Energy Consumer Protection Act, 2010* ("ECPA") in relation to the activities of licensed electricity retailers and gas marketers.

The Board has invited interested parties to submit written comments on the revised proposed restated Retailer Code and the revised proposed restated Marketer Code set out in Attachments A and C, respectively, to the Notice. The Board has also invited written comments on the revised proposed disclosure statements, proposed price comparisons, revised proposed verification call scripts and revised proposed renewal/extension call scripts set out in Attachments E, F, G and H, respectively, to the Notice.

The comments below have been organized by Attachment.

B. ELECTRICITY RETAILER CODE OF CONDUCT (Attachment A)

LPMA has reviewed the Revised Proposed Restated Electricity Retailer Code of Conduct attached to the Board's Notice as Attachment A. LPMA believes that the revised proposal, adequately and accurately reflects the provisions of the ECPA.

LPMA does have one comment on Section 5 of Attachment A. Section 5.6(c) has been modified to indicate that in order to be considered to have successfully complete(d) training, the salesperson or verification representative must achieve a minimum 80% pass mark on the training test. This 80% is a reduction from the previously proposed 90%. LPMA does not oppose the reduction in the pass mark to 80% but suggests that additional action should be required to deal with a salesperson or verification representative against whom complaints have been received.

Sections 5.8 and 5.9 deal with two specific situations which require re-training. However, there is a third situation that LPMA believes warrants re-training as well. When the number of complaints against a salesperson or verification representative reaches a predefined number to be determined by the Board (for example, three) in a twelve month period, LPMA submits that the salesperson or verification representative should be required to undergo retraining immediately. This re-training should help to reduce the number of additional future complaints by customers by identifying salespersons and verification representatives in need of a refresher course.

C. CODE OF CONDUCT FOR GAS MARKETERS (Attachment C)

LPMA submits that the comments provided above related to Section 5 of the Electricity Retailer Code of Conduct are also valid with respect to Section 5 of the Code of Conduct for Gas Marketers.

D. DISCLOSURE STATEMENTS (Attachment E)

LPMA has no comments on the proposed revised disclosure statements shown in Attachment E.

E. PRICE COMPARISON TEMPLATES (Attachment F)

LPMA has reviewed both the natural gas and electricity price comparison templates and believe that they adequately provide consumers with the information needed to compare the utility price with the price offered by a marketer. Future enhancements may be required in the future if the Board and/or utilities get negative feedback from customers, but this could be addressed at that time through a change in the templates.

F. VERIFICATION CALL SCRIPTS & RENEWAL/EXTENSION CALL SCRIPTS (Attachments G & H)

LPMA has no further comments on the call scripts beyond those in its original submission.

Sincerely,

Randy Aiken

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