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Delivered by email and post

October 29, 2010

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

Dear Ms. Walli:

Re: Implementation of Consumer Protection (Retailer/Marketer) Provisions of the Energy Consumer Protection Act, 2010; Board File Number EB-2010-0245  
Comments on Revised Proposed Electricity Retailer Code of Conduct (October 15, 2010), etc.

I am writing to provide comments on the revised proposed electricity disclosure statements (Attachment E) and proposed electricity price comparison templates (Attachment F).

I work in the Ontario energy industry as a consultant. My employer does not represent residential consumers and so is not participating in this process. They have however graciously allowed me to participate in this process on my own.

### **Disclosure Statement, Electricity (DS)**

I will focus my comments on the Revised Proposed Door-to-Door Disclosure Statement (Electricity) but where the same items appear on other Disclosure Statement (Electricity) versions, my comments apply to those as well.

DS Comment #1

From DS: *There is **no guarantee of savings** if you sign a contract.*

I still firmly believe that there should be no statement of any kind concerning savings. In fact, there should be a statement that **"If you sign a contract, the resulting future cost of electricity could be higher or lower"**.

DS Comment #2

Under comments related to the Global Adjustment, a fourth bullet point should be added for emphasis, stating that **"The Global adjustment amount is effectively the same, whether buying from your utility or a retailer"**.

### **Price Comparison for Residential Electricity Consumers (PC)**

If executed and policed properly, the Price Comparison will go a long way to providing vastly improved consumer protection. Still and in my view, this element of the set of contract documents will be Ground Zero for obfuscation, deception and other Unconscionable Acts, at least for those retailers that choose to conduct themselves in this way.

PC Comment #1

I note references to the Price Comparison being left with the Consumer. In that it is to be signed, I assume the Consumer will receive the original and the retailer will retain a copy, or vice versa.

PC Comment #2

From PC: Monthly Electricity Supply Cost

For the RPP options, this item should read **“Monthly Electricity Supply Cost With Your Utility”**.

PC Comment #3

Related to the comment above, the same items in the Retailer section should read **“Monthly Electricity Supply Cost With (insert retailer)”**.

PC Comment #4

I do not believe it would be unduly restrictive to provide more of a defined structure for Part B. Below is a suggested example. The retailer energy pricing is taken from [www.energyshop.com](http://www.energyshop.com) and is their best published 5-year rate available to residential customers served by Toronto Hydro (on October 29, 2010). The Global Adjustment value is that forecast in the OEB's most recent RPP Price Report: \$ 26.38/MWh or 2.64 cents/kWh (rounded to two decimal places, similar to retail prices).

**(insert retailer) Prices**

Energy	800 kWh	X	7.29 ¢ / kWh	=	\$	58.32
Global Adjustment	800 kWh	X	2.64 ¢ / kWh	=	\$	21.12
<b>Monthly Electricity Supply Cost With (insert retailer)</b>						<b>\$ 79.44</b>

PC Comment #5

One last comment is that it is unfortunate the Price Comparison is no longer Side-by-Side. If the Price Comparison sheet cannot be reconfigured (perhaps in a landscape page orientation) to allow this, then it would be helpful to emphasize for customers the values they should compare. Below is an example showing comparison tables.

**RPP Tiered Prices**

Lower tier -- up to 600/1000 kWh each month	700 kWh	X	6.4 ¢ / kWh	=	\$	44.80
Higher tier -- above 600/1000 kWh each month	100 kWh	X	7.4 ¢ / kWh	=	\$	7.40
<b>Monthly Electricity Supply Cost With Your Utility</b>						<b>\$ 52.20</b>

**(insert retailer) Prices**

Energy	800 kWh	X	7.29 ¢ / kWh	=	\$	58.32
Global Adjustment	800 kWh	X	2.64 ¢ / kWh	=	\$	21.12
<b>Monthly Electricity Supply Cost With (insert retailer)</b>						<b>\$ 79.44</b>



**Closing Statement**

I trust that with this submission I have continued to make a significant contribution to the dialogue on this subject. I look forward to continued participation.

Yours truly,

*Original signed*

Bruce Sharp, P. Eng.