



**FINANCIAL SERVICES DEPARTMENT  
KITCHENER UTILITIES**

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**BY E-MAIL & COURIER**

October 29, 2010

Ontario Energy Board  
Attn: Ms. Kirsten Walli, Board Secretary  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, Ontario, M4P 1E4

Dear Ms. Walli:

**Re: EB-2010-0245 – Notice of Revised Proposal to Revoke and Re-Issue a Code and to Amend a Rule**

Pursuant to the Ontario Energy Board's ("Board's") Notice dated October 15, 2010 ("Notice"), The Corporation of the City of Kitchener ("Kitchener") respectfully provides the following comments for consideration with our appreciation to the Board for the opportunity to do so.

With respect to the revised proposed disclosure statements, Kitchener agrees with the Board's proposal to include a signature space on each disclosure statement. In facilitating direct purchase within its municipal franchise area for a number of years, Kitchener has used a City Council approved "Disclosure Form – Change of Natural Gas Supplier". This single page, multi-part disclosure form includes comparative pricing, among other information, and is signed and dated by the consumer, with one copy to remain with the consumer and a second copy to be provided to Kitchener by the retailer submitting the supplier change.

Kitchener's legacy disclosure form would appear to be compliant with the ECPA and the Final Regulations; however, Kitchener also recognizes "...the Board's view that it is important that all suppliers be required to use the same disclosure statements, and that disclosure statements be available in a number of languages." [Page 21 of the Notice] Upon finalization and issuance of the Board's amendments to the Codes to reflect the ECPA, it is reasonable to expect that Kitchener's legacy disclosure form would no longer be required, subject to Council approval.

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Ms. Walli

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Due to a lack of consumer demand / supplier requests for storage offers and insufficient flexibility in its billing system, Kitchener currently does not provide storage as an unbundled service (supply and transportation are unbundled in its billing system). Therefore, the proposed price comparison templates for non-rate regulated utilities which include storage as a separate service are not currently applicable for Kitchener.

With respect to the text box reference in the proposed templates to the Board's website and "interactive online bill calculator", Kitchener respectfully suggests that this reference to the Board's website be replaced with a reference to the non-rate regulated utility website ([www.kitchenerutilities.ca](http://www.kitchenerutilities.ca)). The intent here is to avoid inadvertent confusion for consumers in Kitchener (and Kingston) that the OEB regulates the gas rates of their local municipal gas utilities. An interactive online bill calculator would be added to the Kitchener Utilities website to provide equivalence to the OEB website and meet the requirements of the ECPA under the Final Regulations.

With respect to the Board's interest in receiving feedback on its proposed use of three illustrative consumption levels for non-residential consumers in the proposed price comparison templates, Kitchener is of the view that these illustrative levels are reasonable.

I hope these comments are helpful and thank the Board again for this opportunity to provide them.

Sincerely,



James A. Gruenbauer, CMA  
Manager, Regulatory Affairs and Supply

Cc: W. Malcolm (Kitchener)  
N. Taylor (Utilities Kingston)  
J. Alick Ryder, Q.C. (RWBH)