



EB-2010-0308

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF an application pursuant to section
74 of the *Ontario Energy Board Act, 1998* by Milton Hydro
Distribution Inc. seeking an exemption from the Reporting
Requirements in Relation to Mandated Time-of-Use Pricing

By delegation, before: Jennifer Lea

DECISION AND ORDER

Milton Hydro Distribution Inc. ("Milton Hydro") filed an application with the Ontario Energy Board on October 14, 2010, under section 74 of the *Ontario Energy Board Act, 1998*, seeking an exemption from the monthly reporting requirements in relation to mandated time-of-use pricing for Regulated Price Plan ("RPP") customers. The Board assigned file number EB-2010-0308 to the application.

BACKGROUND

Under cover of a letter to all Ontario electricity distributors dated August 4, 2010, the Ontario Energy Board provided its determination of mandatory dates by which each distributor must bill those of its RPP customers that have eligible time-of-use meters using time-of-use pricing. The Board's determination was made pursuant to sections 3.4 and 3.5 of the Standard Supply Service Code for Electricity Distributors, which requires time-of-use pricing for RPP consumers with eligible time-of-use meters, as of the mandatory date. Compliance with this Code is a condition of licence for nearly all licensed electricity distributors in Ontario. In addition, the Board imposed a requirement to report monthly with regard to the distributor's progress in integration with the meter

data management and repository system and time-of-use implementation. The standard electricity distribution licence requires that licensed distributors provide, in the manner and form determined by the Board, such information as the Board requires.

THE APPLICATION

Milton Hydro has applied for an exemption from the monthly reporting requirement in relation to mandated time-of-use pricing for RPP customers. Milton Hydro has already satisfied one reporting requirement: the filing of a Self-Certification for Cutover Readiness, and has been sending and receiving data through the meter data management and repository since April 2008. Milton Hydro is now billing all of its RPP eligible customers using time-of-use pricing. The applicant submitted that it has met all the objectives of the Board's determination under the Standard Supply Service Code and monthly reporting of its progress is no longer needed.

The Notice of Application and Written Hearing for Milton Hydro's application was published on November 5, 2010, and interrogatories and submissions on the application were invited. Board staff filed a submission in which they did not object to the application for exemption, but recommended that the Board require one further report from Milton Hydro. This report, to be filed no later than July 10, 2011, would contain the information usually filed in the time-of-use monthly reports for the month ending June 2011, and assist the Board in assessing whether the government's expectation in regard to the number of RPP consumers to be on time-of-use pricing by June 2011 has been met. Milton Hydro, in its reply submission, did not object to the filing of this further report, acknowledging the importance of the information to be provided.

BOARD FINDINGS

I find the application should be granted. Milton Hydro has succeeded in implementing time-of-use pricing for its eligible RPP customers in advance of the date required by the Board. It has completed the implementation that was to be monitored through monthly reports. In these circumstances, monthly reporting is no longer useful.

The proposal from Board staff, supported by Milton Hydro, for a final report has merit, in that it will allow the Board to more accurately assess the attainment of the government's expectation in regard to the implementation of time-of-use pricing.

IT IS THEREFORE ORDERED THAT:

1. The distribution licence of Milton Hydro Distribution Inc., ED-2003-0014, will be amended to exempt the distributor from the requirement established by the Board's determination of August 4, 2010 under the Standard Supply Service Code, and enforced through section 14 of the distribution licence, to report monthly on its progress in integration with the meter data management and repository system and implementing time-of-use pricing.
2. Milton Hydro Distribution Inc. shall file with the Board, no later than July 10, 2011, a report containing the information usually filed in the time-of-use monthly reports, for the month ending June 2011.

DATED at Toronto, January 18, 2011.

ONTARIO ENERGY BOARD

Jennifer Lea
Counsel, Special Projects