

**Attachment B
To
Notice of Revised Proposal to Amend Codes
February 8, 2011
EB-2007-0722**

**Revisions to the September 30, 2010 Proposed Amendments to the July 2,
2010 Customer Service Rules**

Note: The text of the amendments is set out in italics below, for ease of identification only. The revised proposed amendments in bold italics are subject to further notice and comment.

Revised Proposed Amendments to the Distribution System Code

1. Section 1.2 of the Distribution System Code is amended to add the following definitions:

“load limiter device” means a device that will allow a customer to run a small number of electrical items in his or her premises at any given time, and if the customer exceeds the limits of the load limiter, then the device will interrupt the power until it is reset.

“timed load interrupter device” means a device that will completely interrupt the customer’s electricity intermittently for periods of time and allows full load capacity outside of the time periods that the electricity is interrupted

“load control device” means a load limiter, timed load interrupter or similar device(s) that limit(s) or interrupt(s) normal electricity service

2. Section 1.7 of the Distribution System Code is amended by adding the following paragraph s immediately before ~~after~~ the last paragraph of that section:

The amendments to the following sections come into force on January 1, 2011: sections 2.6.6.2A, 2.6.6.2B, 2.6.6.3(c), 2.7.4, 2.7.4.4, 2.7.7, 2.9, 4.2.2(k), 4.2.2.4(f), 4.2.2.7 and 4.2.4(b).

The following amendments to this Code come into force on the date on which they are published on the Board's website after having been made by the Board: sections 2.6.6.2A, 2.6.6.2B, 2.6.6.3(c), 2.7.4, 2.7.4.4, 2.7.7, 4.2.2(k), and 4.2.2.4(f).

The amendments to the following sections come into force 90 days after the date on which they are published on the Board's website after having been made by the Board: sections 1.2 (definitions of "load limiter device", "timed load interrupter device" and "load control device"), 2.9 and 4.2.2(k2).

3. Section 2.6.6 of the Distribution System code is amended by deleting current sections 2.6.6.2 and 2.6.6.3(c) and replacing them with the following new sections:

2.6.6.2A Where payment on account of a bill referred to in section 2.6.6 or 2.6.6.1 is sufficient to cover electricity charges, security deposits and billing adjustments, the distributor shall not impose late payment charges, issue a disconnection notice or disconnect electricity supply.

2.6.6.2B Subject to section 2.6.6.1, where payment on account of a bill referred to in section 2.6.6 or 2.6.6.1 is not sufficient to cover electricity charges, security deposits and billing adjustments, the distributor shall allocate the payments in the following order: electricity charges as defined in section 2.6.6.3, payments towards an arrears payment agreement, outstanding security deposit, under-billing adjustments and non-electricity charges.

2.6.6.3(c) Board-approved specific service charges, including late payment charges, and such other charges and applicable taxes associated with the consumption of electricity as may be required by law to be included on the bill issued to the customer or as may be designated by the Board for the purposes of this section, but not including security deposits or amounts owed by a customer pursuant to an arrears payment agreement or a billing adjustment.

4. Section 2.7.4 of the Distribution System Code is deleted and replaced with the following new section:

2.7.4 Where a residential customer defaults on more than one occasion in making a payment in accordance with an arrears payment agreement, or a payment on account of a current electricity charge billing, a security deposit amount due or an under-billing

adjustment, the distributor may cancel the arrears payment agreement.

5. Section 2.7 of the Distribution System Code is amended by adding the following sections:

*2.7.4.4 For purposes of sections 2.7.4 and 2.7.4.3, the defaults must occur over ~~at least two different billing periods~~ **a period of at least 2 months** before the distributor may cancel the arrears payment agreement.*

2.7.7 The distributor shall not disconnect the property of a residential customer, for failing to make a payment subject to an arrears payment agreement, unless the customer is in default, according to sections 2.7.4 or 2.7.4.3, and 2.7.4.4, and the distributor has cancelled the arrears payment agreement in accordance with the provisions of this Code.

6. The Distribution System Code is amended by adding the following sections:

2.9 Use of Load Control Devices

*2.9.1. A distributor may install a load ~~limiter~~ control device instead of disconnecting supply to a customer for non-payment provided that: **the distributor complies with the provisions set out in sections 2.9.3, 2.9.3B, 2.9.4, 2.9.5, 2.9.5B and 2.9.6.***

~~i) the distributor provides written notice at least 7 days in advance that a load limiter will be installed if the outstanding payment is not received within that time;~~

~~ii) the written notice to the customer provides a plain language explanation of the effect of the load limiter; and~~

~~iii) the written notice informs the customer that billing and payment options are available to all residential customers and that special programs and financial assistance may be available for eligible low income~~

~~customers, along with a distributor contact where customers may obtain further information.~~

2.9.1B Where a customer voluntarily requests the installation or continued use of a load limiter device, the distributor shall install a load limiter device provided the distributor ordinarily provides such a service.

2.9.3 When the distributor installs a load limiter device, either for non-payment or at the customer's request, it shall also deliver a written notice to the customer explaining in plain language the operation of the device, the maximum capacity of the device, how to reset the device if the maximum capacity is exceeded: as well as a telephone number for the customer to obtain further information and an emergency telephone number to contact if the capacity is exceeded and the customer cannot manually reset the device for any reason.

2.9.3B When the distributor installs a load limiter device for non-payment that cannot be manually reset by the customer after the maximum limit is triggered, then the distributor must provide a 24-hour telephone number the customer may call to have the load limiter device remotely reset.

2.9.3C When the distributor installs a timed load interrupter for non-payment, it shall also deliver a written notice to the customer explaining in plain language the effect of the device on service and a telephone number for the customer to obtain further information.

2.9.3D When a distributor installs a load control device for non-payment, the distributor shall also provide to the customer: (a) the Fire Safety Notice of the Office of the Fire Marshal; and (b) any other public safety notices or information bulletins issued by public safety authorities and provided to the distributor, which provide information to consumers respecting dangers associated with the disconnection of electricity service.

2.9.4 A load ~~control limiter~~ device may not be installed at a residential customer's property during the course of an arrears payment agreement, unless the agreement has been terminated in accordance with the provisions of this Code.

2.9.5 Where a distributor had previously installed a load ~~control limiter~~ device for non-payment and the residential customer then enters into an arrears payment agreement, the distributor shall remove the device within 2 business days of the customer entering into an arrears payment agreement.

2.9.5B Despite sections 2.9.4, 2.9.5 and 7.10.1(b), a customer may request the installation or continued use of the load limiter device during the course of the arrears payment agreement where the distributor ordinarily provides such a service.

2.9.6 ~~Subject to section 2.9.5, Where a load control limiter device was installed by a distributor for non-payment, the distributor shall remove the load control limiter device within 2 business days of an outstanding account being paid in full, or the customer entering into an arrears payment agreement.~~

7. Section 4.2.2 of the Distribution System Code is amended by deleting current section 4.2.2(k) and replacing it with the following new section:

(k) that a Board-prescribed standard arrears management program and equal monthly payment plan option may be available to all residential customers, along with contact information for the distributor where the customer can obtain further information;

and by adding the following new section:

(k2) that the distributor may install a load control device at the customer's premises in lieu of disconnection; and

8. Section 4.2.2.4 of the Distribution System Code is amended by deleting current section 4.2.2.4(f) and replacing it with the following new section:

(f) advise the customer that a Board-prescribed standard arrears management program and equal monthly payment plan option may be available to all residential customers; the distributor must be prepared to enter into an arrears payment agreement at that time if the customer is eligible under section 2.7;