



EB-2010-0337

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 Cambridge and
North Dumfries Hydro Inc. seeking an exemption from their
Mandated Time-of-Use Pricing Date.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Cambridge and North Dumfries Hydro Inc. (“Cambridge and North Dumfries”) filed an application with the Ontario Energy Board on September 9, 2010, under section 74 of the *Ontario Energy Board Act, 1998*, seeking an exemption from their mandated time-of-use (“TOU”) pricing date for Regulated Price Plan (“RPP”) customers. The Board assigned file number EB-2010-0337 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 TOU meters using TOU 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 TOU pricing for RPP consumers with eligible TOU meters, as of the mandatory date. For some distributors the determination also included a required date for meter data management and repository (“MDM/R”) testing. Compliance with this Code is a condition of licence for nearly all licensed electricity distributors in Ontario.

THE APPLICATION

Cambridge and North Dumfries applied for an exemption from both its MDM/R testing date of December 2010 and mandatory TOU date of October 2011. Cambridge and North Dumfries proposed a new MDM/R testing date of August 26, 2011 and a new mandatory TOU pricing date of February 1, 2012.

The reason cited for the exemption was a delay in implementation of a customer information billing system ("CIS") that would not be completed until May 27, 2011. The registration process for the MDM/R dictated the need to file this TOU exemption application. The applicant had assumed the registration process would take place concurrently with the conversion of the CIS. It was then determined that the majority of the registration process could only be completed sequentially. The billing system is critical to the MDM/R testing process, and until the new system is operational, testing of the enrollment process cannot take place. Cambridge and North Dumfries asked the Board to consider these extraordinary circumstances and adjust its MDM/R testing and mandatory TOU pricing dates accordingly.

In its 2010 cost of service rate application (EB-2009-0260) Cambridge and North Dumfries stated it required a new CIS to transition to monthly billing and to lead into the implementation of TOU pricing. In January 2010, the applicant stated it had to abort the CIS and start looking for a new system. On April 20, 2010 the Board approved Cambridge and North Dumfries' cost of service rate application and plan to implement a new CIS. In July 2010 the applicant selected a new system with a target conversion date of May 2011.

The Notice of Application and Written Hearing for Cambridge and North Dumfries' application was issued on November 25, 2010, and interrogatories and submissions on the application were invited. The applicant responded to interrogatories filed by Board staff, providing more information about the delays and progress to date in implementing TOU pricing. Neither Board staff nor any other party filed a submission on the application.

BOARD FINDINGS

I find the application should be granted. Cambridge and North Dumfries will be exempted from the requirement to commence MDM/R testing and apply TOU pricing

under the Standard Supply Service Code until August 26, 2011 and February 1, 2012, respectively.

Cambridge and North Dumfries has taken the responsible step of seeking an exemption from the Board well in advance of its mandated TOU date. The reasons given in the application for missing the original date are credible and supported by the evidence filed with the application. The CIS scheduling issues encountered by the applicant appear to fit the criterion of an “extraordinary and unanticipated” circumstance mentioned by the Board in its letter of August 4, 2010 as a possible ground for adjustment of a mandatory TOU date.

Cambridge and North Dumfries has made an effort towards completing TOU pricing implementation within approximately three months of its original mandatory TOU date. The applicant has completed approximately 98% of its smart meter installation for its customers. The applicant has stated the consequences of this delay will have a minimal impact on costs.

IT IS THEREFORE ORDERED THAT:

1. Cambridge and North Dumfries Hydro Inc.’s distribution licence ED-2002-0574, specifically Schedule 3 List of Code Exemptions, is amended to include an exemption from the requirement to commence meter enrollment testing and apply time-of-use pricing by a mandatory date under the Standard Supply Service Code for Electricity Distributors. These exemptions will expire August 26, 2011 and February 1, 2012, respectively.

DATED at Toronto, March 21, 2011

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects