



EB-2011-0048

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
Brantford Power Inc. seeking an extension to its mandated
time-of-use pricing date.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Brantford Power Inc. ("Brantford Power") filed an application dated February 11, 2011 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B) for a licence amendment granting an extension in relation to the mandated date for the implementation of time-of-use ("TOU") pricing rates for Regulated Price Plan ("RPP") customers.

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. Compliance with this Code is a condition of licence for nearly all licensed electricity distributors in Ontario.

THE APPLICATION

Brantford Power is seeking an extension of its July 2011 TOU pricing date to November 2011. The new TOU pricing date is requested due to Brantford Power's unanticipated delays encountered in completing programming changes to the customer information system software necessary to implement TOU pricing.

Brantford Power states it worked collaboratively with its customer information software ("CIS") vendor and another electricity distributor to implement meter data management repository communication and TOU pricing. After reviewing the results of the programming work, the differences between the other distributor's Advanced Metering Infrastructure and Brantford Power's base package software became apparent. Brantford Power and the CIS vendor agreed that the CIS vendor was not able to "piggyback" on work previously done for the other distributor, but would need to start at the beginning for the programming changes needed by Brantford Power. In its interrogatory response, Brantford Power states it continued to work in cooperation with some of the other electricity distributors that use the same CIS software in order to benefit from shared learning experiences and reduce costs; however, many of these other distributors were at different stages of development than Brantford Power. As a result of this delay in coordination Brantford Power is requesting an extension to its July 2011 TOU pricing date.

The Board issued a Notice of Application and Written Hearing for Brantford Power's application on February 28, 2011, and interrogatories and submissions on the application were invited. The applicant responded to interrogatories filed by Board staff, providing more information about the delay and progress to date in implementing TOU pricing. Board staff filed a submission on the application stating it had no issues with the request for exemption. The applicant responded to the submission stating it had no further submission on the matter.

BOARD FINDINGS

I find the application should be granted. Brantford Power will be exempted from the requirement to apply TOU pricing under the Standard Supply Service Code until November 30, 2011.

Brantford Power has taken the responsible step of seeking an extension from the Board 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. Brantford Power has made a considerable effort towards completing TOU pricing implementation, and has installed smart meters for approximately 97% of its eligible customers. I find that the difficulties and delays encountered in working with the CIS vendor and with other electricity distributors to be an extraordinary and unanticipated circumstance sufficient to justify an extension to Brantford Power's mandated TOU pricing date.

IT IS THEREFORE ORDERED THAT:

1. Brantford Power Inc.'s distribution licence ED-2003-0060, specifically Schedule 3 List of Code Exemptions, is amended to include an exemption from the requirement to apply time-of-use pricing by a mandatory date under the Standard Supply Service Code for Electricity Distributors. This exemption will expire on November 30, 2011.

DATED at Toronto, June 14, 2011

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects