



EB-2011-0080

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
COLLUS Power Corporation seeking an extension to its
mandated time-of-use pricing date.

By delegation, before: Jennifer Lea

DECISION AND ORDER

COLLUS Power Corporation ("COLLUS") filed an application dated March 15, 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") consumers.

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

COLLUS applied for an extension to its July 2011 mandatory TOU pricing date and requested a new date of December 2011. COLLUS stated the reasons for the extension are an unexpected loss of key human resource personnel in charge of the customer information system and implementing TOU pricing.

The Board issued a Notice of Application and Written Hearing for COLLUS' application on March 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 extension. The applicant responded to the submission stating it supports Board staff's position and further submits that the Board approve the request.

In its application COLLUS explained that a medical condition and the sudden retirement of key technical personnel created a delay in updating COLLUS' customer information system to TOU pricing. COLLUS stated that it would begin to transition customers to TOU pricing in October over a two month implementation period ending in November 2011. COLLUS further states that December 2011 represents the end date when all of its customer base will be on TOU pricing. In its interrogatory responses COLLUS provided information that smart meters have been installed for 99.9% of its customer base.

BOARD FINDINGS

I find the application should be granted. COLLUS will be exempted from the requirement to apply TOU pricing under the Standard Supply Service Code until December 31, 2011.

COLLUS 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. The applicant has provided assurance that it is on track to meeting the requested date to implement TOU pricing. COLLUS has made considerable effort towards completing TOU pricing implementation, and has installed smart meters for approximately 99.9% of

its eligible customers. I find that the difficulties and delay encountered as a result of the loss of two key technical personnel to be an extraordinary and unanticipated circumstance sufficient to justify an extension to COLLUS' mandated TOU pricing date.

IT IS THEREFORE ORDERED THAT:

1. COLLUS Power Corporation's distribution licence ED-2002-0518, 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 December 31, 2011.

DATED at Toronto, June 14, 2011

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects