

VIA E-MAIL, RESS & COURIER TO THE BOARD

July 15, 2011

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Attn: Kirsten Walli, Board Secretary

RE: EB-2010-0280 Proposed Changes to GDAR - Comments of FRPO

In accordance with the notification of the Board's proposed changes to the Gas Distribution Access Rule (GDAR) dated June 29, 2011, the Federation of Rental-housing Providers of Ontario (FRPO) provides the following comments.

Most importantly, we appreciate the Board's recognition and adoption of the consensus views of the utilities and intervenors. From approving a less-prescriptive, utility specific approach to requiring a publishing of current and enhanced policies, it is our view that these changes will benefit all parties in the long-term. We are especially appreciative of the Board's recognition of FRPO's concern over the Management of customer accounts in recognizing the landlord as a party who ought to be considered in the development of these policies.

It is in this area of the Management of customer accounts that FRPO provides its most specific comments. In recognizing the level of detail at which Rule changes were considered, we understand that to bring effect to the policies for publishing, the utilities will need to provide some detail to its commitments. In the case of Enbridge, their submissions included:

However, in order to enhance clarity of account ownership in landlord/tenant situations, on a go forward basis Enbridge could create clearer forms of agreement to stipulate that landlords are responsible for accounts in the event that a tenant moves away and no new tenant enrolls with Enbridge.¹

These agreements may, ultimately, be helpful to landlords, tenants and the utility in providing an effective transition. However, one would only need to think about a situation where the tenant moves away ***without notifying the landlord*** to consider where landlord would want to ensure that there would be an equitable agreement to manage the customer account.

Respecting the fact that each utility would be desiring to manage its own development of policies for publishing (and potentially agreements) and recognizing that the Board did not appear to contemplate a comment period prior to publishing, FRPO contacted Union and Enbridge to

¹ EB-2010-0280 Enbridge Gas Distribution submissions dated February 17, 2010, paragraph 45 (i)

request a commitment to engage stakeholders in this development effort. Given the limited time frame to develop and publish these policies, FRPO believes that that engagement can happen outside of this specific proceeding. Our belief is that a more effective policy or agreement can be developed with input, as in this process, than to have to engage the Board, potentially, at a later date with multiple concerns. While one utility has responded that, if necessary, it would be in touch with the appropriate parties at the appropriate time, the other would not commit to engaging stakeholders in the development and that we could go to the Board if we were dissatisfied with the resulting policies.

Given the public interest nature of GDAR and the changes contemplated, FRPO would respectfully request the Board to encourage the utilities to include stakeholders in the review of policies prior to publishing. The Board has seen that the public interest would best be served by less-prescriptive, utility-specific policies. We believe that a small fraction of the time and cost saved from requiring more prescriptive policies, consistent with the electric utilities, could be invested in stakeholder engagement prior to publishing. In our view, that would be a prudent investment to meet the original intent of the Board in revising GDAR in this area. If the inclusion of stakeholder comment, even outside of this formal proceeding, requires additional time to complete, it would be our view the delaying the coming into force date would be preferable than burdening the utilities, and potentially the Board, with a subsequent review of disputed policies.

Thank you for the opportunity to comment on the proposed Rule changes and we remain available to assist the Board and the utilities in the interest of those we serve.

Respectfully Submitted on Behalf of FRPO,



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Principal
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c. Union Regulatory Proceedings, EGD Regulatory Proceedings, V. Brescia