



EB-2011-0245

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
Oakville Hydro Electricity Distribution Inc. seeking a partial
extension to its mandated time-of-use pricing date.

By delegation, before: Theodore Antonopoulos

DECISION AND ORDER

Oakville Hydro Electricity Distribution Inc. ("Oakville Hydro") filed an application dated June 17, 2011 with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998* for a licence amendment granting an extension in relation to the mandated date for the implementation of time-of-use ("TOU") pricing rates for certain Regulated Price Plan ("RPP") consumers. The Board assigned file number EB-2011-0245 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 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

Oakville Hydro applied for an extension to its June 2011 TOU pricing date and requested a new date of March 2012 for 3,413 consumers in the General Service under 50 kW rate class and 1,173 customers in the Residential rate class. Oakville Hydro has approximately 4,600 consumers in its General Service under 50 kW rate class and 57,500 customers in the Residential rate class.

The Notice of Application and Written Hearing was issued on July 8, 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. No other parties participated in this proceeding.

Oakville Hydro stated that an extension is necessary due to an issue with certain new three phase meters that are delivering suspect interval data due to improper time-alignment of the consumption intervals. The applicant provided a letter from the smart meter provider confirming the problem. Oakville Hydro also stated that the problem with the commercial meters would not affect the transition of the balance of Oakville Hydro's RPP consumers to TOU pricing.

In its interrogatory responses Oakville Hydro stated that it is not presently aware of any other factors that may hinder its ability to meet a March 2012 TOU pricing date for the affected customers. Board staff filed a submission on the application stating it supports the request for extension. The applicant did not respond to the submission.

BOARD FINDINGS

I find the request should be granted for those Residential and General Service under 50 kW customers with meters with improper time-alignment of the consumption intervals. Oakville Hydro will be exempted from the requirement to apply TOU pricing under the Standard Supply Service Code until March 1, 2012 for the affected General Service under 50 kW rate class and Residential rate class customers. I find that the difficulties and delay encountered for those specific customers to be an extraordinary and unanticipated circumstance sufficient to justify an extension to Oakville Hydro's mandated TOU pricing date for those affected customers.

I expect that Oakville Hydro will continue to provide timely information regarding the implementation of TOU pricing to all customers in the subject classes.

IT IS THEREFORE ORDERED THAT:

1. Oakville Hydro Electricity Distribution Inc.'s distribution licence ED-2003-0135, 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, for those customers in its General Service under 50 kW and Residential rate classes with meters with improper time-alignment of the consumption intervals. This exemption will expire on March 1, 2012.

DATED at Toronto, August 30, 2011

ONTARIO ENERGY BOARD

Original Signed By

Theodore Antonopoulos
Manager, Electricity Rates