



EB-2011-0320

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
Haldimand County Hydro Inc. seeking a partial extension to
its mandated time-of-use pricing date.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Haldimand County Hydro Inc. ("Haldimand Hydro") filed an application dated August 19, 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-2011-0320 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

Haldimand Hydro applied for an extension to its September 2011 TOU pricing date and requested a new date of January 31, 2012 for approximately 416 General Service <50kW and 40 Residential customers. Haldimand Hydro stated the extension is necessary due to an issue with certain three phase meters that are delivering suspect interval data due to improper time-alignment of the consumption intervals.

The Notice of Application and Written Hearing was issued on September 2, 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. On October 3, 2011 Board staff filed a submission on the application stating it had no issues with the request for extension. Haldimand Hydro did not respond to the submission. No other parties participated in this proceeding.

In its application, Haldimand Hydro stated that on June 2, 2011 its meter supplier confirmed that interval data delivered from certain three phase meters was suspect due to improper time alignment of the consumption intervals. Haldimand Hydro stated it had understood the issue would be resolved much earlier but identified in its application that no firm date for a complete resolution had been provided by its meter supplier. The meter supplier recommended that the meters not be relied upon for time aligned TOU interval billing of customers. Haldimand Hydro provided the product information notice from the meter supplier as evidence in this application.

In response to interrogatories, Haldimand Hydro provided more information on the scheduled upgrade of the meters and indicated that meters would be upgraded by middle to end of October 2011. In addition, Haldimand Hydro provided a schedule for its implementation of TOU pricing in the event that the Board grants the application.

BOARD FINDINGS

I find the amendment request should be granted. I find that the circumstances encountered by Haldimand Hydro are extraordinary and unanticipated, and support an extension to Haldimand Hydro's mandated TOU pricing date. The proposed delay to January 2012 is not excessive in the circumstances. Haldimand Hydro will be

exempted from the requirement to apply TOU pricing under the Standard Supply Service Code for the affected General Service under 50 kW and Residential customers until January 31, 2012.

I expect the applicant to work diligently to implement TOU pricing for its customers and provide the Board with timely information regarding the implementation of TOU pricing.

IT IS THEREFORE ORDERED THAT:

1. Haldimand County Hydro Inc.'s distribution licence ED-2002-0539, 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 the affected customers. This exemption will expire on January 31, 2012.

DATED at Toronto, November 9, 2011

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects