



**EB-2011-0118**

**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 Hydro One Networks Inc. for an Order or Orders including an exemption from section 6.2.6 and section 6.2.7 of the *Distribution System Code* relating to the connection of micro-embedded generation facilities to its distribution system.

## **ORDER**

Hydro One Networks Inc. ("Hydro One") filed an application dated April 19, 2011 for a six month exemption from certain sections of the *Distribution System Code* ("DSC" or "Code") relating to the required timelines for the assessment and connection of micro-embedded generation facilities to Hydro One's distribution system (the "Application"). The Board held an oral hearing on August 11 and 12, 2011, and a Decision and Order on the Application was issued on October 11, 2011.<sup>1</sup>

In its Decision and Order the Board made provision for a limited exemption, with conditions, to be in effect from the date of the Decision and Order until April 12, 2012. The two main conditions on the exemption were for Hydro One to file a Compliance Plan, and to provide monthly compliance reporting on its progress towards compliance over the exemption period. Hydro One filed a Compliance Plan and draft form of compliance reporting on November 15, 2011. The Board made provision in its Decision and Order for comments on the draft form of compliance reporting. The matter of the draft form of compliance reporting is addressed below.

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<sup>1</sup> The Board issued a corrected Decision and Order on October 12, 2011.

Comments on Hydro One's draft form of compliance reporting were received by CanSIA, OSEA, and Board staff. Hydro One replied to these comments on November 29, 2011.

The Board is of the view that the form of compliance reporting provided by Hydro One efficiently communicates its efforts and progress towards compliance during the exemption period. Hydro One has confirmed that it will provide a description of any outages or power restoration efforts or any other assumptions identified in the Compliance Plan that affect its compliance efforts. The Board believes that Hydro One has adequately addressed the comments of intervenors and Board staff in its reply and draft form of compliance reporting.

The Board approves the form of compliance reporting submitted by Hydro One.

The Board agrees with Board staff that the first compliance report should reflect all applications received from the date of the Decision and Order to November 30, 2011. In its reply, Hydro One agreed to implement the first compliance report in this manner. The compliance report for the month ending November 30, 2011 shall be filed on or before January 3, 2012, and subsequent monthly reports shall be filed on the seventh business day of each month following month end.

**THE BOARD ORDERS THAT:**

1. Hydro One Networks Inc. shall file its first monthly compliance report on or before January 3, 2012. This first report shall reflect all applications received on or after the date of the Decision and Order in this proceeding and up to and including November 30, 2011.
2. Hydro One Networks Inc. shall file its subsequent monthly compliance reports on or before the seventh (7<sup>th</sup>) business day following month end.
3. Hydro One Networks Inc. shall continue to file monthly compliance reports until such time as Hydro One has met the requirements of sections 6.2.6 and 6.2.7 of the *Distribution System Code* for three (3) consecutive months.
4. Hydro One shall publish its Compliance Plan and all monthly compliance reports on its website and provide the same materials for publication on websites of any other party to the proceeding, upon request.

**DATED** at Toronto, December 14, 2011

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary