



EB-2011-0365

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 Guelph Hydro Electric Systems Inc. seeking an extension to its mandated time-of-use pricing date.

By delegation, before: Jennifer Lea

DECISION AND ORDER

Guelph Hydro Electric Systems Inc. ("Guelph Hydro") filed an application dated October 14, 2011 with the Ontario Energy Board for a licence amendment under section 74 of the *Ontario Energy Board Act, 1998* requesting 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

Guelph Hydro applied for an extension to its June 2011 mandated TOU pricing date and requests a new TOU pricing date of August 31, 2012 for 2,482 small commercial customers. Guelph Hydro stated the extension is necessary due to a meter interval data configuration issue for 2,096 of these customers' meters. The remaining 386 meters are not affected by the meter issue but Guelph Hydro indicated that to bill some of the 2,482 customers on a TOU basis and others on the present basis is impractical and could compromise the accuracy of customer bills. As a result, Guelph Hydro is seeking a TOU pricing date extension for all 2,482 customers.

The Board issued a Notice of Application and Written Hearing for the application on November 2, 2011 and interrogatories and submissions on the application were invited. Board staff filed a submission on the application stating it had no issues with the request for extension. The applicant did not reply to the submission. No other parties filed interrogatories or submissions on the applications.

BOARD FINDINGS

I find the application should be granted. The applicant's small commercial meter issues represent operational and technical barriers to implementing TOU pricing. In its application, Guelph Hydro stated that 2,096 small commercial meters had to be removed, reprogrammed, resealed and reinstalled to meet Measurement Canada requirements due to the meter interval data configuration issue. Guelph Hydro is working with its networking system and smart meter providers to develop a realistic project plan and timeline to address the issue. Guelph Hydro expects to receive a group of 400 meters that will be used to process the meter exchanges in a series of cycles starting in November 2011 and continuing through to the end of July 2012. Guelph Hydro proposes to activate TOU billing for all 2,482 small commercial customer accounts after all the problematic meters have been exchanged.

I find that the difficulties and delays encountered to be extraordinary and unanticipated circumstances sufficient to justify an extension to the applicant's mandated TOU pricing date. Guelph Hydro will be exempted from the requirement to apply TOU pricing under the Standard Supply Service Code until August 31, 2012 for the 2,482 small commercial customers.

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

IT IS THEREFORE ORDERED THAT:

1. Guelph Hydro Electric Systems Inc.'s distribution licence ED-2002-0565, 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 2,482 small commercial customers. This exemption will expire on August 31, 2012.

DATED at Toronto, December 22, 2011

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects