



Summary of Customer Service Code Amendments for Eligible Low-Income Electricity Customers

Updated November 2011

The table below summarizes additional customer service code amendments for eligible low-income electricity customers approved by the Ontario Energy Board. They came into effect on October 1, 2011.

These amendments supplement the customer service rules applicable to residential customers that came into effect in stages in 2010 and 2011. A separate table summarizes the [residential customer service amendments](#).

1. Eligible Low-income Customer Definition

Sections 1.2, 1.3.2 and 1.3.3 of the DSC, RSC and SSSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
The definition of eligible low-income customers is not relevant for purposes of the rules applicable to all residential customers.	<p>Eligible low-income customers are residential electricity customers who have a pre-tax household income at or below Statistics Canada's most recent pre-tax Low Income Cut-Off plus 15%, taking into account family and community size and are qualified by a Social Service or Government Agency.</p> <p>A customer must be qualified by a Social Service or Government Agency that:</p> <ul style="list-style-type: none"> i) partners with a local electricity distributor to assess eligibility for Emergency Financial Assistance; or ii) assesses eligibility for other energy financial assistance or low-income financial assistance programs, and partners with a local distributor to qualify customers for eligibility. [1.2] <p>A customer who is qualified for Emergency Financial Assistance under the Low-income Energy Assistance Program (LEAP) will automatically qualify for all of the low-income customer service rules under the codes. [1.2]</p> <p>After a customer is qualified as an eligible low-income electricity customer, the low-income status will remain in effect for purposes of the codes for 2 years from the date the customer was qualified. [1.3.2]</p> <p>A customer must contact his or her distributor before a special eligible low-income customer code rule will be made</p>

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
	available.

2. Security Deposits

Sections 2.4.11(c), 2.4.11.1, 2.4.23B and 2.4.23C of the DSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
Electricity distributors may collect security deposits from residential customers which may be paid in equal instalments over 6 months.	<p>If an eligible low-income consumer has previously paid the distributor a security deposit, the customer may ask for it to be returned, after he or she has paid any outstanding arrears. [2.4.23B] Any remaining security deposit returned will be credited to the customer's account if the amount due is less than the customer's average monthly bill. If the amount is equal to or greater than the customer's average monthly bill, the customer may request a refund by cheque. [2.4.23C]</p> <p>If the customer is an eligible low-income customer and the distributor requests a security deposit, the customer may request and receive a waiver. [2.4.11 (c) and 2.4.11.1]</p>

3. Under-Billing Adjustments

Sections 7.7.4.1 and 7.7.4.2 of the RSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
Customers must pay any under-billing adjustment over a period at least equal to the duration of the billing error, to a maximum of 2 years.	<p>When a billing error has occurred and an eligible low-income customer owes the electricity distributor for an underpayment, the distributor must notify the customer that he or she may elect to pay over:</p> <ul style="list-style-type: none"> i) a period equal to the duration of the billing error, up to a maximum of 2 years; <u>or</u> ii) over a period of 10 months where the under-billed amount is less than twice the customer's average monthly bill, and over a period of 20 months where the under-billed amount equals or exceeds twice the customer's average monthly bill. [7.7.4.1 and 7.7.4.2] <p>The code specifies how to calculate the average monthly bill for the above purposes. [7.7.5]</p>

4. Equal Monthly Payment and Equal Billing Plans

In addition to the "equal monthly payment plans" available to all customers (including low-income customers), which require the customer to have a bank account, eligible low-income customers could request from their distributor to provide them with an equal billing plan that does not require monthly withdrawals from a bank account.

An “equal billing plan” means a billing plan where a bill is issued, for example monthly or bi-monthly, to a customer and the amount due in each bill is equalized over the billing periods in the year.

Section 2.6.2B of the SSSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
<p>Distributors are required to offer residential customers receiving standard supply service (i.e. customers not enrolled with a retailer) either a prescribed equal monthly payment or equal billing plan.</p>	<p>Where an eligible low-income customer is served by a distributor that bills monthly or bi-monthly and is not enrolled with an energy retailer, the customer may request from the distributor a prescribed equal billing plan where payments are equalized over the billings periods in the year. [2.6.2B] and [2.6.2B (b)]</p> <p>The code prescribes the terms and conditions of the above equal billing plan to be offered to eligible low-income customers [2.6.2B (b) – 2.6.2B (d)], and they generally parallel the prescribed conditions for the equal monthly payment plan to be offered residential customers (with the exception that a customer under an equal billing plan does not need to agree to withdrawals from an account with a financial institution, as required under an equal monthly payment plan).</p> <p>Some distributors may voluntarily offer equal billing or equal payment plans to residential customers, including low-income customers, enrolled with retailers.</p>

5. Disconnection Period

Section 4.2.2.6 of the DSC.

Code Provisions Applied to all Residential Customers	Additional Code Provision
<p>A distributor may not disconnect for non-payment until a minimum of 10 days from the date the customer receives the disconnection notice.</p>	<p>If, during the disconnection notice period a social service or government agency advises a distributor that they are assessing whether a residential customer is eligible for bill payment assistance, the distributor must suspend disconnection action for a period of 21 days after receiving notification from the agency. [4.2.2.6]</p>

6. Assistance Information before Disconnection

Sections 4.2.2 and 4.2.2.4 of the DSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
<p>Information about the standard arrears program available to all residential customers must be disclosed in a disconnection notice for non-payment issued to a residential customer.</p> <p>Distributors must also try to convey the same information in a final telephone call 48 hours before disconnection proceeds.</p>	<p>Information provided by the distributor in the written disconnection notice, and in the final attempted telephone call 48 hours before disconnection, must include reference to the special arrears payment agreement available for eligible low-income customers. [4.2.2 (k1) i] and 4.2.2.4 (f1) i]</p> <p>The disconnection notice, and telephone call to be attempted 48 hours before disconnection, must also inform customers that emergency financial assistance and other programs are available for eligible low-income customers, and that more information is available from their electricity distributor. [4.2.2 (k1) ii] and 4.2.2.4 (f1) ii]</p>

7. Arrears Payment Agreements

7a) Down-Payment

Section 2.7.1.3 of the DSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provision
<p>A standard residential customer arrears agreement may require a down payment of up to 15% from the customer.</p>	<p>A down payment of up to 10% may be requested the first time an eligible low-income customer enters into a low-income arrears agreement or after having successfully completed a previous such agreement. [2.7.1.3]</p>

7b) Repayment Time Periods

Sections 2.7.2 (c) - (e) of the DSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
<p>The time periods to repay arrears is 5 months if the customer owes less than two times your average monthly bill and 10 months if the amount owed is greater than or equal to 2 times the customer's average monthly bill.</p> <p>The amount becomes due if the customer moves out of the distributor's service territory.</p>	<p>The time periods to repay arrears under a low-income arrears agreement are:</p> <ul style="list-style-type: none">• 8 months if the amount the customer owes is less than or equal to 2 times his or her average monthly bill [2.7.2 (c)]• 12 months if the amount the customer owes is more than 2 and less than or equal to 5 times his or her average monthly bill [2.7.2 (d)]• 16 months if the amount the customer owes is more than 5 times his or her average monthly bill. [2.7.2 (e)] <p>The DSC also sets out how to calculate the customer's average monthly bill for above purposes. [2.7.3]</p>

7c) Service Charges and Late Payment Charges

Sections 2.7.6 and 2.7.6A of the DSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
Distributors are not required to waive any service charges or late payment charges when a residential customer enters into a standard arrears agreement. Distributors may collect interest during the course of such an agreement.	<p>Outstanding late payment charges need not be waived by the distributor when an eligible customer enters into a low-income arrears agreement; however, such an eligible low-income customer cannot be charged additional late payment charges on the amount that is covered by the agreement after he or she has entered into the low-income arrears agreement. [2.7.6A]</p> <p>Service charges related to collection, disconnection, non-payment and/or load control devices are to be waived when an eligible low-income customer enters into a low-income arrears agreement for the first time or after he or she has successfully completed a previous such agreement. [2.7.6]</p>

7d) Payment Defaults

Sections 2.7.4.3 and 2.7.4.4 of the DSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
Residential customers are allowed at least one payment default before a distributor may cancel a standard arrears agreement.	<p>Distributors can cancel the arrears agreement if an eligible low-income customer defaults more than twice on making an arrears payment, a current bill payment, a security deposit due or an under-billing adjustment due. [2.7.4.3]</p> <p>The above defaults must occur over at least a 2 month period. [2.7.4.4]</p>

7e) Second or Further Arrears Payment Agreement

Section 2.7.5.1 of the DSC.

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
<p>Residential customers may request a second standard arrears agreement 2 years after a prior agreement was entered into, provided the first agreement was successfully completed.</p> <p>A distributor may require the customer to wait 1 year from the date a prior arrears payment agreement was terminated early under the code rules, before offering a second arrears agreement.</p>	<p>If an eligible low-income customer successfully completes an arrears payment agreement, he or she can request a new agreement anytime needed thereafter. [2.7.5.1]</p> <p>However, if a new arrears agreement is requested within 12 months of the end of the first successfully completed low-income arrears agreement, the distributor can offer the new arrears agreement on the terms applicable to the standard residential customer arrears agreements. [2.7.5.1 i)]</p>

8. Coming into Force Periods

Code Provisions Applied to all Residential Customers	Low-Income Code Provisions
<p>The standard arrears management rules for all residential customers took effect October 1, 2010.</p> <p>Rules regarding bill issuance and payment, disconnection process and security deposits for non-low income customers took effect January 1, 2011.</p> <p>Rules regarding monthly equal payment plans for distributors that bill bi-monthly, correcting billing errors and customer account management came into effect April 1, 2011.</p> <p>The load control device rules applicable to all residential customers came into effect July 1, 2011.</p> <p>The additional equal billing or payment options that will be offered to residential customers that are billed monthly and not enrolled with a retailer came into effect October 1, 2011.</p>	<p>The eligible low-income customer service rules came into effect on October 1, 2011.</p>

The summary of the low-income electricity customer service rules set out above is a synopsis and is not intended, nor should it be used as an interpretive tool for the Code amendments for any purpose, or in any forum. The summary is a narrative and informal description of the various amendments made to the Codes and it has no legal or regulatory role in its interpretation, implementation or enforcement.

If a low-income electricity customer has an enquiry or complaint, they may contact the Ontario Energy Board's Consumer Relations Centre at 1-877-632-2727 (toll-free within Ontario) or 416-314-2455 (within Greater Toronto) from Monday to Friday, 8:30 a.m. to 5:00 p.m.

If a distributor has any implementation questions, they may forward them in writing to market.operations@ontarioenergyboard.ca.