



EB-2012-0366

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
PowerStream Inc. to amend its Electricity Distribution
Licence ED-2004-0420

By delegation, before: Theodore Antonopoulos

**DECISION AND ORDER
LICENCE AMENDMENT
December 20, 2012**

BACKGROUND

PowerStream Inc. ("PowerStream") filed an application on August 22, 2012 with the Ontario Energy Board (the "Board") under section 74 of the *Ontario Energy Board Act, 1998* (the "Act") for an order of the Board granting PowerStream an amendment to its electricity distribution licence (ED-2004-0420). The amendment seeks a temporary exemption, effective January 1, 2013, from the new reporting requirements known as Section 2.1.8 of the *Electricity Reporting and Record Keeping Requirements* (the "RRR"), issued by the Board on March 19, 2012 with an implementation date of January 1, 2013. The new reporting requirement expands the reporting on residential and eligible low income customers. The Board assigned file number EB-2012-0366 to the application.

The Board issued a Notice of Application and Hearing on September 26, 2012. No other party except for Board staff participated in the hearing. Board staff filed

interrogatories on October 17, 2012 and PowerStream responded to the interrogatories on October 25, 2012. Board staff filed a submission on November 6, 2012, and PowerStream filed its reply submission on November 15, 2012.

THE APPLICATION

PowerStream seeks to amend its electricity distribution licence ED-2004-0420 to reflect an exemption until mid-2014 of the collection of data and reporting requirements listed in section 2.1.8 of the RRR. Section 2.1.8 of the RRR requires distributors (as of January 1, 2013) to provide annually, by April 30, certain information with respect to residential and eligible low income customers.

PowerStream states that it is currently operating an older customer information system ("CIS") which cannot handle complex customer transactions and interactions to satisfy the data collection requirements under section 2.1.8 of the RRR. PowerStream is in a process of installing a new CIS and is seeking a temporary exemption until the new CIS will be operational.

FINDINGS

After considering the application, I find it to be in the public interest to grant an amendment.

PowerStream states that the new reporting requirements entail significant programming as it requires the implementation of new codes to PowerStream's existing CIS programs. The changes are required in order to separate residential customers from total customers and for eligible low income customers from residential customers with respect to tracking of bad debts, aging of receivables, deposit information, arrears management programs and disconnection data.

PowerStream also states that to reduce costs and resource requirements it is seeking to avoid modifying its existing CIS considering that a new CIS, which will be able to track and report the information required under section 2.1.8 of the RRR, is scheduled to be in service by the end of the second quarter of 2014. While PowerStream did not quantify the costs associated with an upgrade to its existing CIS (which would have allowed for an assessment of the benefits of tracking the subject information over the 18 month period in question), I note that PowerStream attested to the fact that it is nonetheless compliant with the new low-income customer service rules described in the

Distribution System Code and Standard Supply Service Code (e.g. treatment of security deposits and billing plan options).

While I find that PowerStream's circumstances warrant a temporary exemption from section 2.1.8 of the RRR, it became evident through this proceeding that PowerStream should be able to comply with certain subsections of section 2.1.8 of the RRR.

In its response to Board staff interrogatory 1b), PowerStream indicated that it would be able to provide some of the information required under section 2.1.8 and amended its application to exclude subsections a), d) iii, e) i and f) ii. In its submission, Board staff recommended to exclude some additional subsections which PowerStream should be able to comply with based on its response to Board staff interrogatory 1a). In addition, Board staff submitted that the requested temporary exemption should cease on June 30, 2014 and PowerStream should start collecting information for the second half of 2014 to be filed by 2015.

In its reply, PowerStream confirmed that it will be able to comply with additional subsections b) i, c) v, vii and f) i, and with staff's recommended exemption end date of June 30, 2014. Overall, PowerStream and Board staff mutually agreed that the sections dealing with the following activities would be reported on by PowerStream as per section 2.1.8:

A.) Number of Eligible Low-Income Customer Accounts

i.) number of eligible low-income customer accounts at year end;

B.) Disconnection for Non-Payment

i.) number of residential customer accounts disconnected for nonpayment during the course of the year;

C.) Arrears and Arrears Payment Agreements

v.) number of arrears payment agreements entered into during the course of the year with residential customers;

vii.) total amount of monies owing under arrears payment agreements entered into during the course of the year with residential customers;

D.) Bad Debt

iii.) total dollar amount of bad debt expense for residential customer accounts during the course of the year;

E.) Equal Billing and Equal Monthly Payment Plans

- i.) number of residential customer accounts enrolled in equal billing plans at year end;
- iii.) number of residential customer accounts enrolled in equal monthly payment plans at year end;

F.) Security Deposits

- i.) number of residential customer accounts with security deposits held at year end; and
- ii.) total dollar amount of security deposits held in respect of residential customers at year end.

I find that PowerStream shall be granted a temporary exemption for the remaining subsections of section 2.1.8 as outlined below.

IT IS THEREFORE ORDERED THAT:

1. PowerStream's Electricity Distribution Licence (ED-2004-0420), specifically Schedule 4 of the licence, is amended to reflect an exemption from the requirements of subsections b) ii; c) i, ii, iii, iv, vi, viii, ix, x; d) i, ii, iv; e) ii, iv; f) iii, iv and g) of section 2.1.8 of the *Electricity Reporting and Record Keeping Requirements*. This exemption will expire on June 30, 2014.

DATED at Toronto, December 20, 2012

ONTARIO ENERGY BOARD

Original signed by

Theodore Antonopoulos,
Manager, Electricity Rates