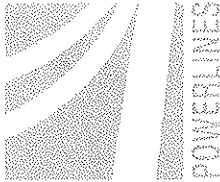


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ERIE THAMES

Your Home Town Utility



April 17, 2013

**PROPOSED AMENDMENTS TO THE DISTRIBUTION SYSTEM CODE
BOARD FILE NO.: EB-2012-0246**

LDC Commentary – Erie Thames Powerlines Corp.

The issues noted below revolve around the required timeline that an LDC must offer connection, after receiving the proponent's application. The timelines suggested vary largely from the current OPA framework, which also governs how these projects are completed.

Recent OPA revisions to the FIT rules have extended the window of time that LDC's have to Offer Connection. This was due to the fact that previous timelines were too short.

The OEB seems to be going back to the shorter timelines, which the OPA just extended based on LDC recommendations.

Please see DSC and OPA FIT 2.0 references below to see the difference. Commentary is offered below each section reference. FIT 2.0 rules have been attached for reference.

Proposed DSC change, section 6.2.6 b)

States that an LDC has 30 days (if site visit needed) to offer connection, after receiving proponents application.

OPA FIT 2.0 Rules, section 3.4 (rules attached for reference)

b) *Paraphrase* – Upon receiving the proponent's application, the LDC has up to 30 days to acknowledge receipt of the application.

ETPL Comment – This does not even pertain to Offering Connection. This 30 day period is merely to acknowledge receipt of application. This alone runs out the DSC timeframe for offering connection, of 30 days from Application receipt.

PO Box 157, 143 Bell Street, Ingersoll ON N5C 3K5
T: 519-485-1820 • TF: 877-850-3128 • Fax: 519-485-5838
www.eriethamespowerlines.ca



OPA FIT 2.0 Rules, section 3.4

d) Paraphrase – After the 30 day window to acknowledge the proponents application, the LDC then has a 90 day window to offer connection (90 days from acknowledging application).

ETPL Comment - This brings the maximum timeline for an MFIT project up to 120 days by OPA rules, once the application has been received by the LDC. These timelines were developed from LDC input and feedback relating to how long the process takes.

The proposed DSC amendments are now drastically reducing the LDC timeframe from 120 days, to 30 days. This poses large problems for resources and manpower for LDC's to accomplish.

Also, the OEB and OPA's rules should flow together to form a seamless system. At this point, they clearly contradict.

Assuming my interpretation is correct, can you please clarify which set of rules take precedent, and if the two groups (OEB & OPA) try to coordinate on these standards, that both affect the same work.

Sincerely,

Mark Bax, C. Tech.
Supervisor, Metering & Field Services
Erie Thames Powerlines



- (d) Once an Application has been submitted it may not be amended other than to update contact information.
- (e) Applications are not transferrable to a new Applicant at any time.
- (f) By submitting an Application, the Applicant is authorizing the collection, use and disclosure of its information (including personal information) as provided in more detail in Section 6.2 below.
- (g) When the Application for the microFIT Project representing the project that achieves the Annual Procurement Target has been set to “Pending LDC Offer to Connect” (see Section 3.4), no further Applications will be set to “Pending LDC Offer to Connect” in that year unless capacity within the Annual Procurement Target subsequently becomes available or additional capacity is added to the Annual Procurement Target.
- (h) If there is not sufficient capacity within the Annual Procurement Target for an Application, the Applicant may keep its Application active in the event more capacity becomes available in the year that the Application was submitted. Applications that have not been set to “Pending LDC Offer to Connect” by December 31 of the year in which the Application was submitted will be terminated and may re-apply the following year.

3.3 Completeness Review

The OPA will review the Application to confirm that it is complete and that all required information has been submitted to the satisfaction of the OPA. The OPA may, but is not required to, ask for additional clarification with respect to the Application, if required to resolve ambiguity, and may verify information in the Application with third parties. The Applicant may be requested to provide authorizations to third parties to enable the OPA to verify information in an Application. If the Application is not complete or if all required information has not been submitted to the satisfaction of the OPA, the Application will be terminated.

3.4 Pending LDC Offer to Connect

- (a) If the OPA determines that the Application is complete and that sufficient capacity is available within the Annual Procurement Target, the OPA will set the Application’s status on the Applicant’s My microFIT Home Page to “Pending LDC Offer to Connect”. It is the Applicant’s responsibility to monitor its My microFIT Home Page for a change to its Application’s status.
- (b) The Applicant must submit its Connection Request for its proposed microFIT Project to the LDC no later than 30 days following the date the Application is set to “Pending LDC Offer to Connect”. An Application will be terminated if an Applicant fails to submit its Connection Request within the required 30 day period.
- (c) The Applicant must, in its Connection Request to the LDC, provide the LDC with the Reference Number. The LDC will report to the OPA whether a Connection Request has been received.

- (d) The Applicant must receive an offer to connect from the LDC no later than 90 days following the date the Connection Request was received by the LDC. The LDC will report to the OPA whether an offer to connect has been issued or denied.
- (e) A proposed microFIT Project that is denied an offer to connect or is not issued an offer to connect within the 90 day period will be terminated. Applicants are solely responsible for the consequences caused by any delay in receiving an offer to connect.

3.5 Application Approval

- (a) The OPA will not issue an Application Approval Notice unless²:
 - 1) the Applicant had requested an offer to connect from the LDC within 30 days of the status on its My microFIT Home Page being set to “Pending LDC Offer to Connect”;
 - 2) the LDC has issued an offer to connect for the microFIT Project within the required 90 day period; and
 - 3) the OPA determines that the Application meets the microFIT Program eligibility requirements.

When the Application Approval Notice is issued, the Application’s status on the My microFIT Home Page will be set to “Pending Connection”.

- (b) When an Application Approval Notice is issued, the Applicant must install its microFIT Project and obtain the Electrical Safety Authority Connection Authorization within 180 days from the date of the Application Approval Notice. The Application approval will expire and the Application will be terminated if the Electrical Safety Authority Connection Authorization is not obtained by the Applicant within 180 days of the date of the Application Approval Notice.
- (c) The Application Approval Notice will indicate that the OPA will, subject to the Applicant satisfying certain conditions, offer a microFIT Contract to the Applicant for the project described in the Application. The conditions that must be satisfied will include:
 - 1) compliance with the microFIT Rules in effect at the time the Application Approval Notice was issued;
 - 2) confirmation by the LDC of the connection of the microFIT Project to the distribution system; and
 - 3) receipt by the OPA of all information necessary to complete preparation of a microFIT Contract using the form of microFIT Contract in use at the time the Application Approval Notice was issued.

² If the Applicant is an LDC, steps 1 and 2 are satisfied by the LDC providing confirmation that it can connect the proposed microFIT Project by using the microFIT portal to notify the OPA that an offer to connect has been issued.