



January 8, 2014

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto, ON M4P 1E4

**Re: Consultation on the Effectiveness of Part II of the *Energy Consumer Protection Act*, 2010, Board File No.: EB-2014-0158**

Dear Ms. Walli:

I am writing on behalf of Soy 20/20 and wish to participate in the Ontario Energy Board's consultation on the *Energy Consumer Protection Act*.

Soy 20/20 brings together government, academic and industry partners to stimulate and promote new global bioscience opportunities for Canadian soybeans. Soy 20/20's activities are focused on advancing industrial and food uses and opportunities for Canadian soybeans. Soy 20/20 promotes the growth of new domestic and export market opportunities for Canadian soybeans.

The continued growth and vitality of businesses in Canada's grains and oilseeds sector depends on the availability and affordability of numerous infrastructural components. Access to competitively priced natural gas and electricity to ensure that all of their essential inputs are available from dependable suppliers at competitive market prices is certainly a key element of this infrastructure.

As a member-owned and member-controlled co-operative, Ag Energy Co-operative plays an important role in supporting the growth of Ontario's agricultural and agri-processing sector. By providing members with competitive energy pricing based on members' individual risk tolerance, Ag Energy enables agricultural producers and processors to gain an important measure of control over what is often a very significant input cost in their operations. Ag Energy's commitment to its members is evidenced by the additional educational and informational services it provides to members at no additional cost so as to enable members to have the tools to help them manage their energy costs.

Unlike other energy marketers whose primary objective is to obtain a return for their shareholders, as a co-operative Ag Energy's shareholders are its consumer-members. Like other consumer co-operatives, members invest in the Co-operative primarily to obtain a service from the Co-operative. The standard of success for a consumer co-operative is the efficient delivery of the goods and services members need at a fair price.



Value for co-operative shareholders is achieved when members are satisfied with the services they obtain, even if they get no direct return on their investment. Of course, when a co-operative is profitable, it does distribute its excess profits back to members, primarily in the form of patronage dividends based on the volume of business they have transacted with the co-operative, but secondarily also in the form of dividends on any shares they hold in the co-operative. But it is always the members of the Co-operative who benefit from this return of profits, not outside investors.

In its review of the *Energy Consumer Protection Act*, Soy 20/20 would ask the OEB to give careful consideration to providing appropriate exemptions from the significant regulatory requirements established under that Act not just for Ag Energy, but for any energy co-operative owned and controlled by its consumer members. The model of consumer protection adopted by the ECPA was clearly necessary to prevent the kinds of unfair and deceptive energy marketing practices used by some unscrupulous players prior to the enactment of this important piece of legislation. But this model is inappropriate for consumer-owned energy co-operatives which are formed solely for the purpose of protecting and advancing the interests of their consumer members. By creating such exemptions for energy co-operatives, the OEB would enable Ag Energy to expand its valuable energy marketing services to additional low volume agricultural and rural business consumers across Ontario.

Thank you for your kind consideration of Soy 20/20's views on the review of the ECPA.

Sincerely yours,

Jeff Schmalz  
Chief Executive Officer  
Soy 20/20