

VIA COURIER AND EMAIL (boardsec@ontarioenergyboard.ca)

November 16, 2015

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O.Box 2319
2300 Yonge Street, Suite 2700
Toronto, Ontario M4P 1E4

Dear Kirsten Walli:

RE: OEB File Number EB-2015-0268

On October 30, 2015 the Ontario Energy Board (“OEB”) invited parties to comment on its proposed revisions to the Disclosure Statements, Price Comparison Forms, Cover Sheet, Tip Sheet and Verification Script (“Documents”). The changes are a continuation of the OEB’s efforts to implement certain recommendations set out in the OEB’s “Consumers Come First: A Report of the Ontario Energy Board on the Effectiveness of Part II of the *Energy Consumer Protection Act, 2010*” (“Report”), Bill 112 and the proposed changes to Regulation 389/10. Below are Active Energy’s comments to the proposed Documents.

Cover Sheet

It appears to Active Energy that the OEB introduced the Cover Sheet as a tool to address the Report’s finding that consumers need “clearer and better information in order to make informed decisions and to understand their rights and obligations under energy contracts” (page 20 of the Report). Active submits that the Cover Sheet is not necessary either for residential and commercial low-volume consumers for the following reasons.

1. It is premature to assume that a Cover Sheet will be required when door-to-door sales will no longer take place as proposed under Bill 112. With the removal of door-to-door sales, consumers will take time to consider all aspects of a retail contract by reviewing the contract terms and conditions, the Disclosure Statement, and Price Comparison Form; thus eliminating the need for a Cover Sheet.
2. The proposed changes to the Disclosures Statements, Price Disclosure Form, verification script, and the new heading requirements for retail contracts fully achieves the goal of clearly communicating, in a consumer-friendly manner, how an energy retail contract works and the

consumer's rights under the contract. Requiring retailers to provide a Cover Sheet to consumers would result in an unnecessary use of resources on the retailer's part and not be environmentally friendly as it would require the printing of an additional document which contains content that is already provided to the consumer under existing instruments.

3. Active Energy submits that commercial low-volume consumers do not require additional disclosure as provided in the Cover Sheet. Commercial consumers are accustomed to entering into commercial contracts as part of their day to day business practices and familiar with reading contract terms and conditions. Therefore they do not require a separate document to summarize key contract terms.
4. Should the OEB proceed with a Cover Sheet, Active Energy provides the following comment on the proposed Cover Sheet:
 - a. Under the Contract Price section, change the current wording of " Any other amount that the Energy Retailer is making you pay under the Contract" to " Any other amount under the Energy Retailer Contract." Active's submits that this recommended wording is more neutral and communicates that same idea.
 - b. Under Your Right to End the Contract: the statement "you can cancel without paying" is repetitive. Active suggest removing this statement in each of the bullet points, and inserting the following words in bold after the heading "Here are some of those reasons **you can cancel without paying a Cancellation Fee:** "

Disclosure Statement

Active Energy supports the introduction of a dual fuel Disclosure Statement and has no comment to make on this document. Active Energy reserves the right to provide comment on the non-residential Disclosure Statement that will be provided to the retail community at a later date as it was not part of the OEB's October 30, 2015 Notice.

Price Comparison Form

Active Energy submits that the Price Comparison Form disclose the Global Adjustment in Table A: "Prices if you purchase electricity from your Electricity Utility". Separating the GA from the RRP and disclosing it in Table A will address consumer concerns (as summarized on page 8 of the Report) that the difference in how the GA is presented when a consumer is purchasing their electricity from the utility versus how it's presented when energy is purchased from supplier "is an obstacle for consumers in comparing prices when considering whether to sign a retail electricity contract or remain with their utility." Active submits that electricity utilities can accommodate separating the GA from the RPP price since its already being done for supplier bills.

Active Energy reserves the right to provide comment on the non-residential Price Comparison Form that will be provided to the retail community at a later date as it was not part of the OEB's October 30, 2015 Notice.

Verification Script

Active Energy support's the OEB's introduction of a verification script for non-residential consumers and the accommodation for verifying multiple locations on a contract. Active Energy's only comment on the script is with respect to question 7 "Do you understand that you will pay [energy retailer]'s contract

price[s] for [X years]”? Y/N. Active submits that question 7 is not necessary, and should be removed, since the price and term are already confirmed in question 6.

Thank you for the opportunity to make this submission. Please contact me should you have any questions.

Regards,

A handwritten signature in black ink, appearing to read 'G. Girardi', with a stylized flourish at the end.

Gaetana Girardi

Director, Operations

Email: Gaetana.girardi@activeenergy.ca

Phone: 289-983-0162