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June 8, 2020

**VIA RESS**

Ms. Christine E. Long  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4  
Attention: Registrar

Dear Ms. Long:

**Re: Consultation on Implementing the Process for Enabling Customers to Opt Out of Time-of-Use Pricing (the Consultation)**  
**Board File No.: EB-2020-0152**

We are counsel to Distributed Resource Coalition (**DRC**). Please find enclosed DRC's Notice of Participation and request for cost award eligibility in the Consultation, filed further to the Board's letter dated June 3, 2020.

DRC intends to participate in the initial stakeholder meeting scheduled for tomorrow morning.

Sincerely,

A handwritten signature in black ink, reading "Jonathan McGillivray", written in a cursive style.

Jonathan McGillivray

c. Cara Clairman, Plug'n Drive  
Wilf Steimle, Electric Vehicle Society

Encl.

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c. 15, Sched. B, as amended;

**AND IN THE MATTER OF** the consultation on  
Implementing the Process for Enabling Customers to Opt  
Out of Time-of-Use Pricing.

**EB-2020-0152**

**NOTICE OF PARTICIPATION**  
**OF**  
**DISTRIBUTED RESOURCE COALITION**  
**(DRC)**

**June 8, 2020**

**A. Application for Participant Status**

1. The Distributed Resource Coalition (**DRC**) hereby requests status to participate in the Board's consultation on implementing the process for enabling customers to opt out of Time-of-Use (**TOU**) pricing (EB-2020-0152). This notice of participation is filed pursuant to Rule 22 of the Board's *Rules of Practice and Procedure* and the Board's letter dated June 3, 2020.

**B. DRC and its Interest in the Proceedings**

2. DRC is a group of electricity customers and consumers that consists of end-use residential customers, non-profit organizations, and owners' associations that are directly affected by and interested in (i) optimizing existing energy assets, (ii) efficiently facilitating the integration of existing and innovative distributed energy resources (**DERs**), including electric vehicles (**EVs**), to achieve customer and grid solutions, and (iii) providing input on direct customer needs and local distribution company opportunities relating to EVs. DRC hopes to further these interests for the benefit of each and all of end-use customers, DER providers, and the regulatory regime. TOU pricing and customer choice mechanisms associated with same have the potential to significantly affect the efficiency and effectiveness of DERs, particularly EVs. DRC will focus on ensuring that TOU is the default pricing scheme, with available full and fair customer choice options, including, but not limited to, opt-out to tiered general pricing.
3. DRC members for this consultation include, subject to further update, the Electric Vehicle Society (**EVS**) and Plug'n Drive (**PnD**). EVS represents over 1,000 end-use, largely residential, individual EV electricity customers, which all pay membership fees to have their needs and preferences related to EVs and related DERs represented on matters that directly substantially impact them. EVS has 12 local chapters of electricity rate paying customers in Ontario and is governed to ensure that individual rate payers are informed, consulted, and can independently raise their needs and preferences on matters of direct and substantial interest with the leaders of their local EVS chapters, and all such needs and preferences are communicated to and through the President of EVS. Those customer needs and preferences are aggregated and conveyed to jointly formulate DRC positions through the President of EVS through regular DRC teleconference meetings where decisions are recorded and confirmed. In this manner, DRC reflects the public interest in electrified

transportation DER matters; it does not assume or suppose it. Further information on EVS, its more than 1,000 individual residential rate paying members, and its programs and activities may be found on its website at [www.evsociety.ca](http://www.evsociety.ca).

4. PnD is the authoritative convener of current and future EV customers and acts to provide access to facts and information to electricity and EV customers on electricity and electric mobility issues and choices. PnD works with each and all of electricity/EV customers, vehicle manufacturers, governments, and utilities to ensure that all are afforded best available information in order to make fact-based plans and choices. PnD regularly surveys, and/or collects aggregated information from, the thousands of rate paying customers that come to it through its programs and activities, website ([www.plugndrive.ca](http://www.plugndrive.ca), through which further detailed information on its programs and activities may be found), and/or Discovery Centre with their questions, needs, and preferences related to electrified transportation DERs. Those customer needs and preferences are aggregated and conveyed to jointly formulate DRC positions through the President and CEO of PnD through regular DRC teleconference meetings where decisions are recorded and confirmed.
5. DRC was also an active, Board-approved intervenor in the recent Toronto Hydro custom incentive rate proceeding (EB-2018-0165), providing the Board with expert evidence on the impact of electrified mobility on the matters at issue in order to inform its decision-making and set just and reasonable rates for a five-year time period. DRC was also active in the Alectra Utilities' electricity distribution rate proceeding (EB-2019-0018), which included a 10-year distribution system plan. DRC is an active participant in the Board's ongoing Utility Remuneration and Responding to DERs consultation (EB-2018-0287 / EB-2018-0288) and the Board's ongoing Hydro Ottawa rate proceeding (EB-2019-0261).
6. DRC has a direct and substantial interest in the consultation in that its members are directly affected by TOU pricing, customer choice mechanisms associated with same, including the proposed customer choice initiative, and matters related to time-based or tiered electricity prices. DRC will focus on ensuring that TOU is the default pricing scheme, with available full and fair customer choice options, including, but not limited to, opt-out to tiered general pricing. DRC's members are particularly interested in the impact of TOU pricing, the proposed customer choice initiative, and related matters on electricity ratepayers that are EV owners and may be uniquely affected by pricing.

7. **Nature and Scope of DRC's Intended Participation**

8. DRC intends to be an active participant in this consultation and will act responsibly to coordinate with other intervenors where common issues may arise and be otherwise addressed. DRC intends to participate actively in order to participate in any stakeholder meetings or working groups, file submissions, and/or adduce evidence should the Board's procedures provide for same.
9. DRC will attend the initial stakeholder meeting scheduled for June 9, 2020 and is interested in being part of the TOU Customer Choice Working Group to be selected by the Board.

C. **Costs**

10. DRC is, in accordance with s. 3.03(a) of the Board's *Practice Direction on Cost Awards* (the **Practice Direction**), eligible to seek an award of costs as DRC is a party that primarily represents the direct interests of consumers (residential customers, small- and medium-sized commercial and industrial customers) in relation to services that are regulated by the Board. DRC is also, in accordance with s. 3.03(b) of the Practice Direction, eligible to seek an award of costs as DRC represents organizations that have a policy interest in electricity conservation and demand management, implementation of a smart grid in Ontario, promotion of the use of electricity from renewable energy sources, each of which are components of the Board's mandate and relevant to the consultation
11. The Board has granted DRC cost eligibility in several Board proceedings, including EB-2018-0165, EB-2019-0018, and EB-2019-0261 referred to above in paragraph 5.
12. DRC therefore requests cost eligibility in this consultation as its comments will serve an important and unique interest and policy perspective relevant to the Board's mandate.

D. **DRC's Representatives**

13. DRC hereby requests that further communications with respect to the consultation be sent to the following:

**Electric Vehicle Society**  
34 Hopkins Court  
Dundas, Ontario. L9H 5M5

Attention: Wilf Steimle

Email: [Wilf.Steimle@EVSociety.ca](mailto:Wilf.Steimle@EVSociety.ca)

AND TO

**Plug'n Drive**

1126 Finch Avenue West, Unit 1  
North York, ON M3J 3J6

Attention: Cara Clairman  
Telephone: 647-717-6941  
Email: [cara@plugndrive.ca](mailto:cara@plugndrive.ca)

AND TO ITS COUNSEL

**DeMarco Allan LLP**

Bay Adelaide Centre  
333 Bay Street, Suite 625  
Toronto, ON M5H 2R2

Attention: Lisa (Elisabeth) DeMarco  
Telephone: 647-991-1190  
Facsimile: 1-888-734-9459  
Email: [lisa@demarcoallan.com](mailto:lisa@demarcoallan.com)

Attention: Jonathan McGillivray  
Tel: 647-208-2677  
Facsimile: 1-888-734-9459  
Email: [jonathan@demarcoallan.com](mailto:jonathan@demarcoallan.com)

ALL OF WHICH IS RESPECTFULLY  
SUBMITTED THIS  
8<sup>th</sup> day of June, 2020



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Lisa (Elisabeth) DeMarco  
DeMarco Allan LLP  
Counsel for Distributed Resource Coalition