

SUPPLEMENTARY DECISION ON COST ELIGIBILITY

EB-2020-0152

**Consultation on Implementing the Process for Enabling Customers
to Opt Out of Time-of-Use Pricing**

By Delegation Before: Brian Hewson

Vice President

Consumer Protection & Industry Performance

June 25, 2020

On June 1, 2020, the Government of Ontario announced its intention to provide consumers with the choice to opt out of time-of-use pricing and requested the Ontario Energy Board (OEB) to develop, in consultation with electricity distributors and other stakeholders as appropriate, the rules to implement that customer choice initiative. On June 3, 2020, the OEB issued a letter initiating a consultation focused on the development of amendments to the OEB's Standard Supply Service Code and other regulatory instruments as required in order to ensure the timely, efficient and effective implementation of the new opt-out mechanism.

The letter indicated cost awards would be available under section 30 of the *Ontario Energy Board Act, 1998* and made provision for stakeholders to apply for eligibility. The letter also stated that costs awarded will be recovered from all rate-regulated licensed electricity distributors based on the number of customers they serve. Due to the timelines of this consultation, the OEB waived the normal process of allowing objections to cost eligibility requests.

The Distributed Resource Coalition (DRC) applied for cost eligibility. The OEB's June 11, 2020 Decision on Cost Eligibility (Decision) denied this request. The Decision stated that although one of the two groups comprising the DRC, the EV Society, represents customers of distributors, the other group, Plug'n Drive, does not meet the eligibility criteria for cost awards. The Decision also stated that the broader policy questions which the DRC was raising and on which it might bring a unique perspective or specialized knowledge are not the focus of this consultation.

On June 18, 2020, the EV Society (EVS) submitted a request for cost eligibility in this consultation. EVS in setting out its interest in the consultation that:

EVS 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. EVS'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.

The OEB notes that description of the EV Society's interest in the consultation is identical to that which was previously advanced by the DRC.

In the Decision, the OEB explained that this consultation is focused on narrow, technical issues concerning the implementation of the Government's customer choice policy and it is not addressing the broader policy questions on which the DRC might bring a unique

perspective or specialized knowledge. The same issue arises with respect to the EV Society's cost eligibility request, which raises broader policy questions that are not the focus of this consultation. The OEB therefore finds that although the EV Society is welcome to participate, it is not eligible for cost awards.

DATED at Toronto June 25, 2020

ONTARIO ENERGY BOARD

Original Signed By

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