



Ontario  
Energy  
Board | Commission  
de l'énergie  
de l'Ontario

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# **DECISION AND ORDER**

## **EB-2020-0214**

### **BURLINGTON HYDRO INC.**

**Application for Electricity Distribution Licence Amendment**

**BY DELEGATION, BEFORE: Brian Hewson**

Vice President,

Consumer Protection & Industry Performance

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**November 19, 2020**

## INTRODUCTION AND SUMMARY

Through this Decision and Order, the Ontario Energy Board (OEB) grants Burlington Hydro Inc. (Burlington Hydro) an amendment to its electricity distribution licence that provides for an exemption from compliance with section 2.6.3 of the Distribution System Code (DSC) and section 2.6.2 (d) of the Standard Supply Service Code (SSSC) for a temporary period, until no later than March 31, 2021.

Burlington Hydro currently holds an exemption from section 2.6.3 of the DSC and section 2.6.2 (d) of the SSSC that is set to expire on December 31, 2020. On August 28, 2020, Burlington Hydro filed an application with the OEB for a further extension of this exemption from December 31, 2020 to March 31, 2021. This application follows two prior related amendments to Burlington Hydro's licence (discussed below), that were approved by the OEB.

This Decision and Order is being issued by the Delegated Authority, without holding a hearing pursuant to section 6(4) of the OEB Act.

## BACKGROUND

Burlington Hydro operates under electricity distribution licence No. ED-2003-0004.

On March 14, 2019, the OEB gave notice under sections 70.2 and 45 of the *Ontario Energy Board Act, 1998* (OEB Act) of a number of customer service rules-related amendments to the DSC and SSSC that would take effect on March 1, 2020.<sup>1</sup>

On October 25, 2019, Burlington Hydro filed an application with the OEB for a licence amendment that would exempt Burlington Hydro from having to comply with the customer service rules-related amendments relating to section 2.6.3 of the DSC and section 2.6.2 (d) of SSSC by their March 1, 2020 in-force date. In its Decision and Order issued on February 11, 2020 (EB-2019-0265), the OEB approved the amendment to Burlington Hydro's licence, exempting the utility from compliance with the identified sections of the DSC and SSSC until August 31, 2020. Through the application,

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<sup>1</sup> Ontario Energy Board Notice of Amendments to the Distribution System Code, the Standard System Supply Code, the Unit Sub-Metering Code and Gas Distribution Access Rule, EB-2017-0183, issued March 14, 2019.

Burlington Hydro claimed that it was in the process of winding down its legacy Customer Information System (CIS), and replacing it with a new CIS which, once fully implemented, would meet all the requirements of the amended customer service rules. Burlington Hydro submitted that its new CIS would have an estimated in-service date in Q3 of 2020. In the light of this evidence, the OEB granted the exemption, concluding that it would not be prudent for Burlington Hydro to incur significant costs to customize its legacy CIS, which was to soon be replaced.

On June 2, 2020, Burlington Hydro filed a second application with the OEB for an extension of the period for which the utility would be exempt from compliance with section 2.6.3 of the DSC and section 2.6.2 (d) of the SSSC. Burlington Hydro requested that the exemption period be extended from August 31, 2020 to December 31, 2020. Burlington Hydro's rationale for the extension request was that the CIS go-live date was delayed due to key project resources being re-allocated from the CIS project to support unplanned customer service and billing system changes related to the COVID-19 pandemic, and to support continued business operations in light of the challenges imposed by the COVID-19 pandemic. On July 23, 2020, the OEB granted the application and approved an amendment to Burlington Hydro's licence which exempted the utility from compliance with the identified sections of the DSC and SSSC until December 31, 2020 (EB-2020-0154).

## THE APPLICATION

Burlington Hydro, in its August 28, 2020 application, projects that it will not be able to comply with the identified sections of the DSC and SSSC by the December 31, 2020 deadline. Burlington Hydro states that the challenges related to the COVID-19 pandemic have resulted in further delays to the planned implementation schedule and in-service date of the utility's new CIS. Burlington Hydro submits that it expects its new CIS to go live in Q1 of 2021, and that it will be able to fully comply with the requirements set out in section 2.6.3 of the DSC and section 2.6.2 (d) of the SSSC by March 31, 2021.

## FINDINGS

The OEB finds that Burlington Hydro's ongoing challenges related to the COVID-19 pandemic have resulted in a justifiable delay to Burlington Hydro finalizing the

implementation of its new CIS. Consistent with its earlier decisions relating to this issue, the OEB finds that it would not be prudent to require Burlington Hydro to incur further significant costs to adjust its legacy CIS in order to meet the requirements of section 2.6.3 of the DSC and section 2.6.2 (d) of the SSSC by December 31, 2020. The OEB does not believe the further delay in implementing these two provisions will materially impact consumers. The OEB does expect that Burlington Hydro will ensure that its efforts to implement the changes to its CIS are completed by March 31, 2021. The OEB therefore grants the application and approves an amendment to Burlington Hydro's licence which will exempt the utility from compliance with the identified sections of the DSC and SSSC until no later than March 31, 2021.

**IT IS ORDERED THAT:**

1. Burlington Hydro Inc.'s Electricity Distribution Licence ED-2003-0004, specifically Schedule 3 "List of Code Exemptions", is amended to include an exemption from section 2.6.3 of the Distribution System Code. This exemption expires on March 31, 2021.
2. Burlington Hydro Inc.'s Electricity Distribution Licence ED-2003-0004, specifically Schedule 3 "List of Code Exemptions", is amended to include an exemption from section 2.6.2 (d) of the Standard Supply Service Code. This exemption expires on March 31, 2021.

**DATED** at Toronto, November 19, 2020

**ONTARIO ENERGY BOARD**

*Original Signed By*

Brian Hewson  
Vice President, Consumer Protection & Industry Performance