



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

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# **DECISION AND ORDER**

## **EB-2021-0113**

### **OTTAWA RIVER POWER CORPORATION**

**Application for Electricity Distribution Licence Amendment**

**BY DELEGATION, BEFORE: Brian Hewson**

Vice President,

Consumer Protection & Industry Performance

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**March 25, 2021**

## INTRODUCTION AND SUMMARY

Through this Decision and Order, the Ontario Energy Board (OEB) is amending Ottawa River Power Corporation's (Ottawa River Power) electricity distribution licence ED-2003-0033 in order to exempt it from compliance with section 3.2 of the Retail Settlement Code (RSC) and section 2.2.2 of the Standard Supply Service Code (SSSC) until September 30, 2021.

Ottawa River Power currently holds an exemption from section 3.2 of the RSC and section 2.2.2 of the SSSC, which is set to expire on March 31, 2021. On March 16, 2021, Ottawa River Power filed an application with the OEB for an extension of this exemption to September 30, 2021.

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

Ottawa River Power purchases approximately 30 percent of its power requirements from the Waltham Generating Station, owned by Brookfield Renewable Trading and Marketing LP (Brookfield), and located about 24 kilometers outside of Ottawa River Power's service area, in the Province of Quebec.

In order to purchase power from the Waltham Generating Station, Ottawa River Power requires relief from having to comply with the following regulatory requirements:

- Section 3.2 of the RSC, which provides that a distributor shall purchase energy from an embedded retail generator within its service area; and
- Section 2.2.2 of the SSSC which provides that a distributor shall obtain the electricity required to fulfill its standard supply service obligation thru the IESO-administered markets, from an embedded retail generator located within the distributor's licensed service area or, in the case of an embedded distributor, from the embedded distributor's host distributor.

The OEB first granted Ottawa River Power an exemption from compliance with the identified provisions on July 22, 2009, in proceeding EB-2008-0289, for the entire duration of the initial energy supply contract between Ottawa River Power and

Brookfield, which was set to expire on November 15, 2015. The period of exemption was extended on June 15, 2015 (EB-2015-0034) as Ottawa River Power and Brookfield agreed to extend the term for a five-year period to November 30, 2020. In both proceedings, the OEB found that Ottawa River Power's customers benefited from decreased transmission rates, as well as rate rider credits due to the avoided wholesale, transmission network and transmission connection charges.

As Ottawa River Power and Brookfield had not finalized a new contract before the current contract expiry, Ottawa River Power applied for and, on November 26, 2020, the OEB approved in a Decision EB-2020-0237 a further extension to the current exemption until March 31, 2021 to allow additional time for the parties to negotiate and finalize the terms of a new contract.

## THE APPLICATION

Ottawa River Power filed an application on March 16, 2021 requesting an extension to its current licence exemption from section 3.2 of the RSC and section 2.2.2 of the SSSC. The rationale for the requested extension by Ottawa River Power is to permit it to continue purchasing power from Waltham Generating Station until September 30, 2021. Ottawa River Power states that due to ongoing discussions related to Global Adjustment charges, the parties were not able to finalize the new contract as planned prior to March 31, 2021, however have agreed to extend the current contract to September 30, 2021 or until such time that a new agreement can be finalized, whichever comes first, conditional on the OEB's approval of an extension to Ottawa River Power's exemption from the identified provisions of the RSC and SSSC. Ottawa River Power states that the same benefits to its customers will be maintained through the extension period.

## FINDINGS

Considering that Ottawa River Power and Brookfield have agreed to extend the contract to September 30, 2021, with no other substantive changes, and only for the purpose of providing additional time to the parties to negotiate and finalize the terms of a new contract, the OEB finds it reasonable to approve the application. The OEB grants the requested amendment to Ottawa River Power's licence in order to exempt the utility from compliance with the identified sections of the RSC and SSSC until September 30, 2021. The OEB expects that if Ottawa River Power intends to seek an extension to the

exemption past September 30, 2021, it shall file a further application with the OEB, including a copy of the contract and a detailed analysis of any continuing benefits to its customers.

**IT IS ORDERED THAT:**

1. Ottawa River Power Corporation's Electricity Distribution Licence ED-2003-0033, specifically Schedule 3 "List of Code Exemptions", is amended to include an exemption from section 3.2 of the Retail Settlement Code. This exemption expires on September 30, 2021.
2. Ottawa River Power Corporation's Electricity Distribution Licence ED-2003-0033, specifically Schedule 3 "List of Code Exemptions", is amended to include an exemption from section 2.2.2 of the Standard Supply Service Code. This exemption expires on September 30, 2021.

**DATED** at Toronto, March 25, 2021

**ONTARIO ENERGY BOARD**

*Original Signed By*

Brian Hewson  
Vice President, Consumer Protection & Industry Performance