



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

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# **DECISION AND ORDER**

## **EB-2021-0124**

### **ELEXICON ENERGY INC.**

**Application for Electricity Distribution Licence Amendment**

**BY DELEGATION, BEFORE: Brian Hewson**

Vice President,

Consumer Protection & Industry Performance

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**March 31, 2021**

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## INTRODUCTION

Through this Decision and Order, the Ontario Energy Board (OEB) is amending Elexicon Energy Inc.'s (Elexicon) electricity distribution licence, ED-2019-0128, to exempt it from compliance with section 5.1.3 (b) of the Distribution System Code (DSC) until June 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

Section 5.1.3 (b) of the DSC came into force on May 21, 2014. It required distributors to install a MIST (Metering Inside Settlement Time) meter on any existing customer facilities where the customer had a monthly average peak demand during a calendar year of over 50 kW (GS>50 kW customers) by no later than August 21, 2020.

On July 23, 2020, the OEB issued a Decision and Order (EB-2020-0187) amending the licences of all electricity distributors to exempt them from having to comply with section 5.1.3 (b) of the DSC until March 31, 2021. In that decision, the OEB acknowledged that the operational challenges related to the COVID-19 emergency could reasonably lead to an unavoidable delay in meeting the August 21, 2020 deadline by many distributors. The OEB also stated that, if any distributor required an extension beyond March 31, 2021, it would need to make a separate application.

## APPLICATION

On March 24, 2021, Elexicon filed an application with the OEB for an extension of the temporary exemption from section 5.1.3 (b) of the DSC from March 31, 2021 to June 30, 2021.

Elexicon has stated that it will not be able to comply with section 5.1.3 (b) of the DSC by the March 31, 2021 deadline. Elexicon states that it has completed the required MIST meters installations with the exception of four service locations which require a single-phase meter. These meters can only be obtained directly from the manufacturer and are currently on order, however Elexicon estimates that it will take several months for these

meters to arrive and be installed. Elexicon expects to replace the remaining meters and be in compliance with section 5.1.3 (b) by June 30, 2021.

## **FINDINGS**

The OEB finds that Elexicon has reasonably justified its request for an exemption to section 5.1.3 (d) of the DSC due to circumstances outside Elexicon's control. The OEB therefore grants the application and approves an amendment to Elexicon's licence which will exempt the utility from compliance with section 5.1.3 (b) of the DSC until June 30, 2021.

## **IT IS ORDERED THAT:**

1. Elexicon Energy Inc.'s Electricity Distribution Licence ED-2019-0128, specifically Schedule 3 "List of Code Exemptions", is amended to include an exemption from section 5.1.3 (b) of the Distribution System Code. This exemption expires on June 30, 2021.

**DATED** at Toronto, March 31, 2021

## **ONTARIO ENERGY BOARD**

*Original Signed By*

Brian Hewson

Vice President, Consumer Protection & Industry Performance