



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

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## **DECISION AND ORDER**

**EB-2021-0150**

### **NEWMARKET-TAY POWER DISTRIBUTION LTD.**

**Application for Electricity Distribution Licence Amendment**

**BY DELEGATION, BEFORE: Brian Hewson**

Vice President,

Consumer Protection & Industry Performance

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**May 17, 2021**

## INTRODUCTION

Through this Decision and Order, the Ontario Energy Board (OEB) is amending electricity distribution licence, ED-2007-0624, issued to Newmarket-Tay Power Distribution Ltd. (Newmarket-Tay Power), to temporarily exempt it from compliance with section 5.1.3 (b) of the Distribution System Code (DSC) until December 31, 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 Metering Inside Settlement Time (MIST) 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. Once installed, the distributor would then be required to use the MIST meter data to bill its customers.

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 April 23, 2021, Newmarket-Tay Power filed an application with the OEB for an extension of the temporary exemption from section 5.1.3 (b) of the DSC to December 31, 2021.

Newmarket-Tay Power submits that it requires an extension of time in order to comply with section 5.1.3 (b) of the DSC due to an ongoing customer information system (CIS) merger of Newmarket-Tay Power's two rate zones, which meant it was not able to implement billing based on the MIST meter data.

Newmarket-Tay Power states that due to the COVID-19 pandemic and manufacturing delays, the MIST meters, scheduled to be delivered in November-December 2020, were delivered in February 2021. With additional field resources, Newmarket-Tay Power was able to complete all MIST meters installation across its service territory by March 31, 2021. Based on original project timelines, Newmarket-Tay Power expected the CIS merger to be successfully completed and tested in time for the first billing based on MIST data in April 2021. The applicant states that MIST meter installation delays and integration complexities encountered with the CIS merger have impacted completion timelines of the MIST meter conversion program. Newmarket-Tay Power expects to complete the merger and test its merged CIS to ensure the MIST billing accuracy by December 31, 2021.

## FINDINGS

The OEB finds that Newmarket-Tay Power has reasonably justified its request for an exemption from section 5.1.3 (b) of the DSC due to the challenges related to the COVID-19 pandemic and ongoing merger of the two rate zones in its CIS. The OEB therefore grants the application and approves the requested amendment to Newmarket-Tay Power's licence.

## IT IS ORDERED THAT:

1. Newmarket-Tay Power Distribution Ltd.'s Electricity Distribution Licence ED-2007-0624, 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 December 31, 2021.

**DATED** at Toronto, May 17, 2021

## ONTARIO ENERGY BOARD

*Original Signed By*

Brian Hewson  
Vice President, Consumer Protection & Industry Performance