



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

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# **DECISION AND ORDER**

## **EB-2021-0184**

### **ELEXICON ENERGY INC.**

**Application for Electricity Distribution Licence Amendment**

**BY DELEGATION, BEFORE: Brian Hewson**

Vice President,

Consumer Protection & Industry Performance

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**June 30, 2021**

## 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 December 31, 2021 or until the date Elexicon completes installation of all its MIST meters, whichever is earlier.

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's 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.

On March 24, 2021, Elexicon applied 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 submitted that while all of the MIST meters in its possession had been installed, there were four single-phase MIST meters that had not yet been installed due to the manufacturer's delay. On March 31, 2021, the OEB issued a Decision and Order (EB-2021-0124) granting Elexicon an exemption until June 30, 2021 to comply with section 5.1.3 (b) of the DSC.

## APPLICATION

On June 17, 2021, Elexicon filed an application with the OEB for a further extension, until December 31, 2021, of the temporary exemption from compliance with section 5.1.3 (b) of the DSC.

Elexicon states that it has not yet received the four outstanding single-phase MIST meters from the manufacturer and therefore will not be able to comply with section 5.1.3 (b) of the DSC by June 30, 2021. Given the uncertainty with the timing of the order and the inability to obtain these meters from any other sources, Elexicon requests an extension to its exemption from compliance with section 5.1.3 (b) of the DSC until December 31, 2021.

## FINDINGS

The OEB grants the application. The OEB finds that Elexicon has reasonably justified its request for an extension, namely that it has faced unforeseen delays due to circumstances outside of its control. Elexicon's licence shall be amended such that its temporary exemption from compliance with section 5.1.3 (b) of the DSC shall be extended to December 31, 2021 or the date on which Elexicon installs the four remaining MIST meters, whichever is earlier.

## 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 extend its existing exemption from section 5.1.3 (b) of the Distribution System Code, which shall now expire on December 31, 2021 or on the date Elexicon completes installation of all its MIST meters, whichever is earlier.

**DATED** at Toronto, June 30, 2021

## ONTARIO ENERGY BOARD

*Original Signe By*

Brian Hewson

Vice President, Consumer Protection & Industry Performance