



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

DECISION AND ORDER

EB-2021-0275

BURLINGTON HYDRO INC.

**Application for Electricity Distribution Licence
Amendment**

BY DELEGATION, BEFORE: Brian Hewson
Vice President,
Consumer Protection & Industry Performance

December 16, 2021

INTRODUCTION AND SUMMARY

Through this Decision and Order, the Ontario Energy Board (OEB) amends Burlington Hydro Inc.'s (Burlington Hydro) electricity distribution licence to exempt it from compliance with section 5.1.3 (b) of the Distribution System Code (DSC) until no later than March 31, 2022, and to exempt it from compliance with sections 3.2.2 and 3.4 of the Standard Supply Service Code (SSSC) until no later than June 30, 2022.

Burlington Hydro operates under electricity distribution licence No. ED-2003-0004. Burlington Hydro has an existing exemption from section 5.1.3 (b) of the DSC until December 31, 2021.

The application follows several prior amendments to Burlington Hydro's licence, which are discussed below.

This Decision and Order is being issued by the Delegated Authority, without holding a hearing, pursuant to section 6(4) of the *Ontario Energy Board Act, 1998* (OEB Act).

BACKGROUND

Prior Exemption from section 5.1.3 (b) of the DSC

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 has 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 licenses 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 pandemic 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 December 22, 2020, Burlington Hydro requested an extension of the temporary exemption from section 5.1.3 (b) of the DSC from March 31, 2021 to September 30, 2021. Burlington Hydro stated that its compliance with section 5.1.3 (b) was fully dependent on the implementation of its new CIS, which was delayed due to the

operational challenges related to the COVID-19 pandemic, and that it could not commence the MIST meter implementation until after the new CIS is operational. On March 4, 2021, the OEB issued a Decision and Order (EB-2020-0307) that granted the extension request and the exemption from compliance with section 5.1.3 (b) until September 30, 2021.

On May 20, 2021, Burlington Hydro applied for a further extension of the temporary exemption from section 5.1.3 (b) of the DSC from September 30, 2021 to December 31, 2021. Burlington Hydro stated that the scheduled implementation of its new CIS continued to be negatively impacted by the COVID-19 pandemic, including the challenges with coordinating internal and external resources remotely, unplanned policy and pricing changes, and the introduction of new customer support programs stemming from the COVID-19 pandemic. Burlington Hydro stated that its request for an extension from section 5.1.3(b) of the DSC to December 31, 2021 was based on the fact that it could not commence the MIST meter implementation until after the new CIS is operational. On June 24, 2021, the OEB issued a Decision and Order ((EB-2021-0167) that granted the extension request and the exemption from compliance with section 5.1.3 (b) until December 31, 2021.

APPLICATION

On October 12, 2021, Burlington Hydro applied for a further extension of the temporary exemption from section 5.1.3 (b) of the DSC from December 31, 2021 to March 31, 2022. Burlington Hydro also applied for an exemption from sections 3.2.2 and 3.4 of the SSSC for 557 affected customers until June 30, 2022.

Burlington Hydro states that it is compliant with the requirement to install a MIST meter on any new installation that is forecast by the distributor to have a monthly average peak demand during a calendar year of >50 kW. However, it has fallen behind in replacing existing meters with MIST meters. The utility anticipates having 80% of the required meters installed by December 31, 2021, and the remaining 20% of meters installed by March 31, 2022. Burlington Hydro explains this delay is due to difficulty in hiring and retaining the necessary resources to install meters due to the impact that COVID- 19 has had on the labour market. Therefore, Burlington Hydro is requesting an extension of the exemption from Section 5.1.3(b) of the DSC to March 31, 2022.

With respect to the exemption from sections 3.2.2 and 3.4 of the SSSC, Burlington Hydro states that once the MIST meters are physically installed, it will not be able to

immediately bill the customers in accordance with these sections of the SSSC¹ as there are several CIS conversion activities that are still ongoing and must be completed before modifying the billing for customers with newly installed MIST meters. These activities include CIS programming and testing, recalculating the Net System Load Shape and modifying interfaces with meter data providers. Burlington Hydro further states that as its new CIS just recently went live, it is still monitoring transactions and bills for accuracy, training staff, and finalizing best practices and procedures.

Burlington Hydro states that 557 customers are affected by this billing delay. Until changes in the new CIS are implemented and tested, metering and billing of the affected customers will be kept status quo. Burlington Hydro submits that it expects to have all MIST meters on existing installations replaced by March 31, 2022, and to start billing customers in accordance with sections 3.2.2 and 3.4 of the SSSC by June 30, 2022.

FINDINGS

The OEB finds that Burlington Hydro has reasonably justified its request for an exemption from section 5.1.3 (b) of the DSC. The OEB also finds that Burlington Hydro has justified its request for the exemption from sections 3.2.2 and 3.4 of the SSSC due to the ongoing modification of its billing process following its recent transition to the new CIS. The OEB therefore grants the application and approves the requested amendments to Burlington Hydro's licence.

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 5.1.3 (b) of the Distribution System Code until March 31, 2022.

¹ In accordance with section 3.2.2 of the SSSC, the commodity price for electricity payable by a non-RPP consumer or an electing spot consumer that has an interval meter shall be the spot market price determined in accordance with the Retail Settlement Code, with such adjustment as may be made by the IESO in accordance with the *Electricity Act, 1998* and the regulations. In accordance with section 3.4 of the SSSC, RPP customers who have an eligible time-of-use meter shall be charged Time-of-Use prices.

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 3.2.2 and section 3.4 of the Standard Supply Service Code, with respect to 557 customers with a monthly average peak demand of over 50 kW, until June 30, 2022.

DATED at Toronto, December 16, 2021

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson
Vice President, Consumer Protection & Industry Performance