



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

DECISION AND ORDER

EB-2021-0323

ELEXICON ENERGY INC.

Application for Electricity Distribution Licence Amendment

BY DELEGATION, BEFORE: Brian Hewson

Vice President,

Consumer Protection & Industry Performance

December 17, 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, 2022 or until the date Elexicon completes installation of all its Metering Inside Settlement Time (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 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.

On June 17, 2021, Elexicon applied for a further extension of the temporary exemption from section 5.1.3 (b) of the DSC from June 30, 2021 to December 31, 2021. In its application, Elexicon stated that it had not received the four outstanding single-phase MIST meters from the manufacturer and therefore was not able to comply with section 5.1.3 (b) of the DSC by the expiry date of the exemption. On June 30, 2021, the OEB

issued a Decision and Order (EB-2021-0184) extending the exemption to comply with section 5.1.3 (b) of the DSC until December 31, 2021.

APPLICATION

On December 8, 2021, Elexicon filed an application with the OEB requesting to extend the current temporary exemption from compliance with section 5.1.3 (b) of the DSC until December 31, 2022. Elexicon states that it has still not received the four outstanding single-phase MIST meters from the manufacturer, nor it has been provided with an estimated delivery date. 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, 2022.

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, 2022 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, 2022 or on the date Elexicon completes installation of all its MIST meters, whichever is earlier.

DATED at Toronto, December 17, 2021

ONTARIO ENERGY BOARD

Original Signed By

Brian Hewson

Vice President, Consumer Protection & Industry Performance