

June 2, 2022

Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

Attn: Ms. N. Marconi
Registrar

Dear Ms. Marconi

Re: **EB-2022-0152 - Net Metering Forms**

The Electricity Distributors Association (EDA) represents over 50 publicly and privately owned local distribution companies (LDC) that are the face of Ontario's electricity sector to the consumer. Ontario's LDCs safely and reliably deliver electricity to five million residential, commercial, industrial and institutional customers throughout the province. Consumers look to their LDC for information on how they can participate in programs, including those that present an opportunity to control the amount of their electricity bill.

Thank you for the opportunity to comment on the draft consumer-facing materials and retailer forms related to third-party net metering prepared by the Ontario Energy Board (OEB).

In general, the draft forms have been suitably prepared: the customer facing forms, specifically Forms B, E and F, use plain language and are factually correct. As was identified in our May 11 comments, we strongly encourage the OEB to improve the customer facing forms by adding information about how the customer can contact the third-party owner of the renewable generation infrastructure. Consumers need to know that the LDC is not a party to net metering agreements or arrangements, and that the LDC cannot assist in resolving disputes with the net meterer.

We also suggest that the OEB amend the draft forms (e.g., Form G) to:

- Clarify that the enabling agreements (e.g., Power Purchase Agreement (PPA), any associated equipment agreement) engage the customer and the third-party exclusively
- Clearly identify what information was provided by each party; this will be important if and when the customer has questions about the infrastructure or the agreements they have entered into.

We propose that the OEB review draft Form B for whether further details should be provided. As the draft clearly sets out, the consumer may need to purchase additional electricity, whether from the LDC or through the retailer that is a party to the PPA. We propose that the OEB amend

this form to discuss both scenarios clearly and support the scenarios with worked examples (e.g., that address regulated prices, retailer prices, the application of the Global Adjustment). **This level of clarity and foresight will enhance consumer protection and support consumers in making sound decisions.**

Some of the draft forms are more complicated than others (e.g., Form D). We propose that the OEB consider enhancing each form by providing context (e.g., “Consumers will want to use this form when they are ...”) and by providing worked examples developed to be meaningful and clear to the consumer.

We foresee that consumers may benefit from guidance on the other steps that they should be taking when deciding whether to participate in the net metering program (e.g., the nature of insurance that should be obtained, whether the customer will require an HST number). In particular, consumers will benefit from clearly understanding that under the net metering program’s rules, the LDC is obliged to reset 12 months of continuous credits to 0. Information such as this will support sound decision making by the consumer.

The consumer should be made aware that they should engage their LDC at the earliest opportunity (e.g., before the customer signs any agreements with the third-party) to understand if the LDC has available capacity to connect the customer. The LDC may need to expand its distribution system to safely connect customers who wish to participate in the net metering program. We anticipate that the Distribution System Code's rules on expansions, including the rules on contributions, deposits and guarantees, will apply. We propose that the OEB develop customer facing materials that clearly explains this possibility, explains the associated rules and provides appropriate worked example(s) of how these rules apply to net metering participants. As well, the consumer should understand which OEB authorized rates and charges will continue to apply (e.g., the fixed monthly charge of the customer class applicable to the customer).

The net metering renewable infrastructure will be situated behind both the LDC’s ownership and operating demarcation points. It will be important for the customer to understand, at the earliest opportunity, the upshot of this location, i.e., that the LDC has no involvement in net metering. We anticipate that providing this information to the customer will avoid confusion or misunderstandings (e.g., as to which party is responsible for what portions of the infrastructure or for which aspects of commercial processes such as billing). It is also expected to support the consumer in correctly engaging the net meterer (e.g., when seeking information, when seeking to resolve a complaint).

The OEB’s materials did not address which party should make these forms available to consumers. If the LDC – who will not be a party to any of the agreements - is to provide the forms (e.g., by posting them on the LDC’s website) then we propose that the LDC be permitted to include language:

- describing that the forms are made available as a courtesy

- describing that the LDC cannot provide customer education or support as net metering arrangements engage the customer and the third-party.

We also propose that the OEB provide a complete list of these documents so that consumers are fully aware of all the tools that the OEB is providing.

Thank you again for the opportunity to comment on these draft forms. If you have any questions or require any clarifications, please do not hesitate to contact Kathi Farmer, Senior Regulatory Affairs Advisor, at kfarmer@eda-on.ca or at 416.659.1546.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Wigdor', is centered within a light gray rectangular box.

Ted Wigdor
Vice President, Policy, Government & Corporate Affairs