



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

**BY EMAIL AND WEB POSTING**

August 15, 2022

**To: All Licensed Electricity Distributors  
All Other Interested Parties  
Registered Participants in the Consultation on the Regulated Price Plan  
Pilot Meta-Analysis Final Report (EB-2016-0201)  
Registered Participants in the Consultation on Implementing the Process  
for Enabling Customers to Opt Out of Time-of-Use Pricing (EB-2020-0152)  
Registered Participants in the Consultation on the Design of an Optional  
Enhanced Time-of-Use Rate (EB-2022-0074)**

**Re: Enabling the Implementation of an Ultra-Low Overnight TOU Price Plan Ontario  
Energy Board File No. EB-2022-0160**

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The Ontario Energy Board (OEB) is initiating a consultation to discuss how to enable implementation of an Ultra-Low Overnight TOU Price Plan (formerly known as Optional Enhanced Time-of-Use or OETOU) for electricity consumers on the Regulated Price Plan (RPP).

## **Background**

In a November 16, 2021 [letter](#), the Minister of Energy asked the OEB to report back and advise on the design of an optional enhanced time-of-use rate to further incent demand-shifting away from peak periods to lower-demand periods. In response, the OEB [consulted with stakeholders](#) on a proposed optional enhanced time-of-use price plan.

Following this consultation, the OEB delivered a [report](#) on March 31, 2022 to the Minister of Energy presenting a recommended design for the optional enhanced time-of-use price plan.

In an August 10, 2022, [regulatory posting](#), the government announced that it intends to introduce further choice for RPP consumers by introducing an Ultra-Low Overnight TOU Price Plan. As described in the posting, and consistent with the OEB's report to the Minister, the design of the proposed new price plan would include four price periods:

1. Ultra-low overnight price period that applies from 11 p.m. – 7 a.m. on weekdays, weekends and holidays throughout the year;
2. On-peak price period;
3. Mid-peak price period; and
4. Weekend off-peak price period.

The proposed launch date for this new price plan is May 1, 2023, with distributors offering the new price plan no later than November 1, 2023. Those distributors who can, may begin charging the new price plan to their customers on May 1, 2023.

### Stakeholder Meeting

The OEB is inviting interested stakeholders to a virtual meeting on **September 13, 2022**, from **9:30 a.m. to 12:30 p.m.**

The purpose of this stakeholder meeting is to:

- Outline OEB staff's proposal for enabling the implementation of the Ultra-Low Overnight TOU Price Plan in the event the government's regulatory proposal is approved;
- Obtain feedback on the OEB's implementation proposal from stakeholders; and
- Identify any implementation issues that may have not been covered by this proposal.

At the meeting, OEB staff will share its preliminary thinking about potential changes to the Standard Supply Service Code to implement the new price plan, building off the amendments made on [September 8, 2020](#), to enable RPP consumers to switch from TOU pricing to tiered pricing (any proposed Code amendments would still be subject to the notice and comment period required by section 70.2 of the *Ontario Energy Board Act, 1998*). Other topics for discussion may include consumer education materials and co-ordination with the Smart Metering Entity's meter data management repository (MDM/R).

Additional meetings will be scheduled as part of this consultation if necessary.

### Participation

Stakeholders who intend to participate in the meeting are asked to email notice of their intention to [RPP.Price.Design@oeb.ca](mailto:RPP.Price.Design@oeb.ca) by **September 2, 2022**. Emails should include "EB-2022-0160 Enabling the Implementation of an Ultra-Low Overnight TOU Price Plan" in the subject line and provide the following information:

- participant/organization name;
- name(s) of attendees to be registered; and
- a contact name, telephone number and email address.

Details about how to sign into the initial stakeholder meeting will be issued in due course.

### **Cost Award Matters**

Cost awards will be available to eligible participants under section 30 of the *Ontario Energy Board Act, 1998* for participation in the stakeholder meeting. Any participant already found to be eligible for cost awards in the Regulated Price Plan Pilot Meta-Analysis Final Report consultation (EB-2016-0201), Consultation on Implementing the Process for Enabling Customers to Opt Out of Time-of-Use Pricing (EB-2020-0152) and Design of an Optional Enhanced Time-of-Use (TOU) Rate (EB-2022-0074) will be automatically eligible for cost awards for this engagement and need not reapply (refer to Appendix A for list of the automatically eligible participants). Costs awarded will be recovered from all licensed rate-regulated electricity distributors. Further information regarding cost awards is included in Appendix A to this letter.

Any questions relating to this letter should be directed to [RPP.Price.Design@oeb.ca](mailto:RPP.Price.Design@oeb.ca).

Sincerely,

Nancy Marconi  
Registrar

Attachment: Appendix A Cost Awards Matters

## Appendix A Cost Award Matters

### Cost Award Eligibility

Any participant already found to be eligible for cost awards under EB-2016-0201, EB-2022-0074 and EB-2020-0152 (see list below) are eligible for cost awards for this engagement.

- Association of Major Power Consumers in Ontario (AMPCO)
- Building Owners and Managers Association, Greater Toronto (BOMA)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- Electric Vehicle Society (EVS)
- Environmental Defence
- London Property Management Association (LPMA)
- Low-income Energy Network (LIEN)
- Ontario Chamber of Commerce (OCC)
- Pollution Probe
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

For participants not listed above, the OEB will determine eligibility for costs in accordance with its [Practice Direction on Cost Awards](#). Any person intending to request an award of costs must file with the OEB a written submission to that effect by **August 29, 2022**. The submission must identify the grounds on which the person believes that it is eligible for an award of costs (addressing the OEB's cost eligibility criteria as set out in section 3 of the *Practice Direction on Cost Awards*). An explanation of any other funding to which the person has access must also be provided, as should the name and credentials of any lawyer, analyst or consultant that the person intends to retain, if known. All requests for cost eligibility will be posted on the OEB's website.

If a licensed rate-regulated electricity distributor has any objections to any of the requests for cost eligibility, such objections must be filed with the OEB by **September 6, 2022**. Any objections will be posted on the OEB's website. The OEB will then make a final determination on the cost eligibility of the requesting participants.

### Eligible Activities

Cost awards will be available to eligible participants for participation in the initial stakeholder meeting to a maximum of actual meeting time plus 50% of meeting time for preparation and reporting. Details on any subsequent consultation activities eligible for cost awards will be provided at a later date.

## Cost Awards

When determining the amount of the cost awards, the OEB will apply the principles set out in section 5 of its *Practice Direction on Cost Awards*. The maximum hourly rates set out in the Cost Awards Tariff will also be applied. The OEB expects that groups representing the same interests or class of persons will make every effort to communicate and co-ordinate their participation in this process. In accordance with section 12 of its *Practice Direction on Cost Awards* the OEB will act as a clearing house for all payments of cost awards in this process. For more information on this process, please see the OEB's *Practice Direction on Cost Awards*.

## How to File Materials

Stakeholders are responsible for ensuring that any documents they file with the OEB **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2022-0160** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Stakeholders are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact [registrar@oeb.ca](mailto:registrar@oeb.ca) for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

Tel: 1-877-632-2727 (Toll-free)