

November 7, 2022

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street
P.O. Box 2319
Toronto, Ontario
M4P 1E4

Dear Ms Marconi:

EB-2022-0160 – Notice of Proposal to Amend the Standard Supply Service Code and the Regulated Price Plan Manual – Re: Optional Ultra-low Overnight Price Plan

On October 17, 2022, the Ontario Energy Board (OEB) gave notice of its intent to amend the Standard Supply Service Code (SSSC) to implement a new optional ultra-low overnight (ULO) price plan for electricity consumers on the Regulated Price Plan (RPP) and to amend the RPP Manual.

These are the comments of the Consumers Council of Canada (Council) regarding the proposed amendments.

Background:

- On November 16, 2021 the Minister of Energy asked the OEB to advise on the design(s) of an optional enhanced time of use rate to further incent demand-shifting away from peak periods to lower-demand periods;
- After a public consultation to OEB delivered its Report to the Minister on March 31, 2022. The OEB recommended 4 time periods which included On-Peak, Mid-Peak, Weekend Off-peak and Ultra-low Overnight;
- On August 10, 2022 the Ministry posted a notice of proposed amendments to O. Reg. 95/05 under the OEB Act to implement the new pricing option. The final amendments have not yet been finalized;
- On August 15, 2022, the OEB initiated a consultation to discuss how to enable implementation of the ULO TOU price Plan which included a stakeholder meeting on September 13, 2022.
- On October 21, 2022, the Minister of Energy sent a Letter of Direction to the Chair of the OEB reiterating his support for a ULO pricing plan and an implementation date of May 1, 2023.

Comments:

The OEB has been directed to develop a ULO price plan by the Minister of Energy. The OEB has consulted with stakeholders regarding the design of the plan and with respect to implementation. The Council supports the proposed amendments for the following reasons:

- Any RPP customer with. Smart meter will be eligible to select the new ULO price plan;

- The amendments are consistent with the rules implemented in 2020 regarding the implementation of the initiative allowing customers to choose between standard Time of Use (TOU) pricing and tiered pricing;
- There will be no limits on the number of times an RPP customer would switch back and forth between the various pricing options. The OEB presented evidence that there has not been a problem with frequent switching between TOU pricing and tiered pricing since the options were made available in 2020 and indicated that it will continue to monitor switching rates going forward.¹ The Council supports this continued monitoring; and
- The proposed amendments will require distributors to provide bills to the customers on the UOL pricing plan that sets out consumption under each of the four price periods.

The OEB has indicated that it will be critical that customers have access to information to assist them in understanding and assessing their pricing options. Distributors will be expected to make materials available to support their customers in this regard². The Council supports the introduction of readily available information to assist customers in their decision-making. It will be important from the Council's perspective to make this information available on customers' bills, and the websites of the distributors and the OEB well before the May 1, 2023 implementation date.

Yours truly,

Julie E. Girvan

Julie E. Girvan

¹ Notice of Proposal to Amend the SSS Code and the RPP Manual, dated October 17, 2022, p. 5

² Notice, p. 6