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Via electronic mail to registrar@oeb.ca

January 26, 2023

Registrar, Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

RE: NOTICE OF PROPOSAL TO AMEND A CODE BOARD FILE NO.: EB-2019-0207

Dear Registrar:

The Advanced Energy Management Alliance (“AEMA”)¹ is pleased to provide the following comments on the Notice of Revised Proposal issued to Amend the Distribution System Code (“DSC”) regarding connection of distributed energy resources (“DERs”) to local electricity distribution systems.

AEMA has been and continues to be an active participant in this consultation and is very pleased Ontario Energy Board (“OEB”) staff have issued proposed DSC changes that reflect the recommendations prepared and submitted through the DER Connections Working Group.

- 1) The OEB is proposing amendments to sections 1.2, 6.2.4.2, 6.2.4.3, 6.2.8A, 6.2.8B and 6.2.12 to eliminate the capacity allocation exemption for small, embedded generation facilities.

¹ AEMA is a North American trade association whose members include distributed energy resources, demand response (“DR”), and advanced energy management service and technology providers, as well as some of Ontario’s largest consumer resources, who support advanced energy management solutions due to the electricity cost savings those solutions provide to their businesses. The comments herein represent those of the organization, not those of any individual member.

AEMA supports this proposal. As stated in the Notice, the proposed changes will create a more level playing field between projects and enable distributors to better assess system capacity and technical requirements to facilitate the connection of DERs.

2) The OEB is proposing amendments to sections 6.2.18, 6.2.18A, 6.2.18B, 6.2.18D, 6.2.18H, 6.2.18I and 6.2A.3 of the DSC that would eliminate Capacity Allocation Deposits.

AEMA supports the proposed changes in sections 6.2.18, 6.2.18B, 6.2.18D, 6.2.18H, 6.2.18I, and 6.2.18I. As noted in the Notice, the upfront connection cost estimated and paid for is clear signal the applicant wishes to proceed with the subject project.

We believe the section 6.2.18A can be eliminated in its entirety as, 6.2.18 (a) provides that 100% of the total connection cost must be paid at the time the connection cost agreement is executed.

3) Proposals to revise Connection Cost Deposit Refund Process & Timeline DSC 6.2.18F

Currently, section 6.2.18F of the DSC provides that “the distributor shall at the time of connection refund to the applicant the amount by which the connection cost deposit exceeded the costs related to connecting the embedded generation facility.” The OEB proposes to amend this section to clarify the timing of such refunds, and to enhance information exchanges between a distributor and applicant regarding the completion of a connection to facilitate the timely commencement of operations.

6.2.18F (a) AEMA supports the proposed change whereby if permission to operate has been issued, the distributor will provide a list of items that remain to be completed as part of the agreed upon scope of work. When implemented this will provide better consistency and communications between the developer and local distributor.

6.2.18F (b) Providing a preliminary cost report 60 days after permission to operate is a significant step forward in determination of potential refund to the developer and links directly to proposed timelines outlined in 6.2.18F(c/d).

6.2.18F (c) AEMA supports the development and potential implementation of prescribed refund timelines. Section 6.2.18F(c) could be improved by inserting the words “*as soon as possible but no longer than the 180 days or 220 days for an embedded distributor.*”

6.2.18F(d) (i/ii) AEMA supports the wording as presented in the proposed amendment. Having specified number of days to provide the refund directly linked to completion of the agreed upon scope of work ensures all project refunds are treated in a similar manner.

6.2.18H In reviewing this section, it appears the proposed wording is focused on how to handle existing capacity allocation deposits being held by the distributor, interest to be paid and when to refund the capacity allocation deposit. AEMA supports the proposed wording.

6.2.18I AEMA supports the revised wording with the removal of the reference to capacity allocation deposit in this section. The change reflects that the only deposit is the estimated connected costs provided in the connection impact assessment.

6.2.18I AEMA believes there should be some clarification provided to distributors on the timeframe that interest is applied to the refund portion of excess connection cost deposit. Some distributors believe interest is only calculated on the refund portion from the date of permission to operate, whereas others apply interest from the date connection cost deposit is paid to the distributor. In some cases, no interest has been provided.

In closing, AEMA supports the Ontario Energy Board's ongoing efforts to improve the interconnection process of Distributed Energy Resources. Please do not hesitate to reach out with any questions to katherine@aem-alliance.org or 202-524-8832. Thank you for the consideration.

Best regards,

A handwritten signature in cursive script, appearing to read "Katherine Hamilton".

Katherine Hamilton
Executive Director, Advanced Energy Management Alliance