

<b>Policy 5.06 – DISCONNECTION/RECONNECTION POLICY</b>	<b>Version 3.0</b>
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**5.06.01 PURPOSE:**

This policy describes the terms and conditions distributors will use when disconnecting and/or reconnecting the electrical service of a consumer while complying with the applicable legislation and codes.

**5.06.02 POLICY STATEMENT:**

A distributor will comply with the disconnection and reconnection requirements as defined in the Electricity Act, Distribution System Code, Retail Settlement Code, Standard Supply Service Code, and the Distribution Rate Handbook.

**5.06.03 PLANNED INTERRUPTIONS:**

Although it is the distributors' policy to minimize inconvenience to customers, it is necessary to occasionally interrupt a customers' supply to maintain or improve the distributors' system, or to provide new or upgraded services to other customers. Whenever practical and cost effective, as determined by the distributor, arrangements suitable to the customer and the distributor may be made to minimize any inconvenience. The distributor will endeavour to provide the customer with reasonable advance notice, except in cases of emergency, involving danger to life and limb, or impending severe equipment damage.

**5.06.04 DISCONNECTION BY REQUEST:**

Customers may make a request (written, telephone, e-mail) to the distributor for temporary disconnection of electrical service. A distributor shall make every reasonable effort to respond promptly to a customer's request for disconnection. A charge for temporary disconnection and reconnection may apply.

In all circumstances where allowable by law, an attempt shall be made to notify the customer in advance of the disconnection.

**5.06.05 DISCONNECTION WITH NOTIFICATION:**

Prior to disconnecting a property for non-payment, a distributor shall provide to any person that, according to the distributor's Conditions of Service, receives notice of the disconnection:

- a. the Fire Safety Notice of the Office of the Fire Marshal
- b. any other public safety notices or information bulletins issued by public safety authorities and provided to the distributor, which provide information to consumers respecting dangers associated with the disconnection of electricity service (*Ref: DSC 4.2.1.1*)

A distributor shall include a copy of the notices or bulletins referred to above along with any notice of disconnection that is left at the property at the time of actual disconnection for non-payment (*Ref: DSC 4.2.1.2*).

A distributor that intends to disconnect, pursuant to section 31 of the *Electricity Act*, the property of a residential customer for non-payment shall send or deliver a disconnection notice to the customer that contains, at a minimum, the following information:

- a. the date on which the disconnection notice was printed by the distributor
- b. the earliest and latest dates on which disconnection may occur
- c. the amount that is then overdue for payment, including all applicable late payment and other charges associated with non-payment to that date
- d. the amount of any approved service charge(s) that may apply if disconnection occurs, and the circumstances in which each of these charges is payable
- e. the forms of payment that the customer may use to pay all amounts that are identified as overdue in the disconnection notice, which must at least include payment by credit card issued by a financial institution and any other method of payment that the distributor ordinarily accepts and which can be verified within the time period remaining before disconnection
- f. the time period during which any given form of payment listed under paragraph (e) will be accepted by the distributor
- g. that in order to avoid disconnection if the distributor attends at the customer's property to execute the disconnection, a customer will only be able to pay by credit card issued by a financial institution, unless the distributor, in its discretion, will accept other forms of payment at the time and sets out the other forms of payment in the disconnection notice;
- h. that a disconnection may take place whether or not the customer is at the premises;
- i. that where applicable, the disconnection may occur without attendance at the customer's premises
- j. that a Vital Services By-Law may exist in the customer's community and that the customer should contact their local municipality for more information
- k. that a Board- prescribed arrears management program and equal monthly payment plan option may be available to all residential customers, along with the contact information for the distributor where the customer can obtain further information:

(k1) that the following additional assistance may be available to an eligible low-income customer, along with contact information for the distributor where the customer can obtain further information about the additional assistance:

- i. Board-prescribed arrears management program, and other expanded customer service provisions, specifically for eligible low-income customers
- ii. Emergency Financial Assistance

(k2) that the distributor may install a load control device at the customer's premises in lieu of disconnection

- i. any additional option(s) that the distributor chooses, in its discretion, to offer to the customer to avoid disconnection and the deadline for the customer to avail himself or herself of such option(s) (*Ref: DSC 4.2.2*)

A distributor that sends or delivers to a customer a disconnection notice, pursuant to section 31(2) of the *Electricity Act*, for non-payment shall not include that notice in the same envelope as a bill or any other documentation emanating from the distributor (*Ref: DSC 4.2.2.1*).

A distributor shall, at the request of a residential customer, send a copy of any disconnection notice issued to the customer for nonpayment to a third party designated by the customer for that purpose provided that the request is made no later than the last day of the applicable minimum notice period set out in the distributors Billing and Payment Policy. In such a case:

- a. the distributor shall notify the third party that the third party is not, unless otherwise agreed with the distributor, responsible for the payment of any charges for the provision of electricity service in relation to the customer's property
- b. the rules set out in the distributors Billing and Payment Policy shall apply, with such modifications as the context may require, for the purposes of determining the date of receipt of the disconnection notice by the third party (*Ref: DSC 4.2.2.2*)

A residential customer may, at any time prior to disconnection, designate a third party to also receive any future notice of disconnection and the distributor shall send notice of disconnection to such third party (*Ref: DSC 4.2.2.2A*).

A distributor shall accept electronic mail (e-mail) or telephone communications from the customer for purposes of disconnection and reconnection with respect to a designated third party (*Ref: DSC 4.2.2.2B*).

The customer shall pay InnPower by the due date on the bill as outlined in the Billing and Payment Policy Section 5.02.09. Where the total amount owing has not been paid by the due date the customer shall pay an interest charge of 1.5% per month (effective annual rate 19.56% per annum or .04896% compounded daily) on the outstanding amount from the bill. If payment of the bill is not received by the due date, a reminder notification will be made on the account.

If payment is not received within seven days after the reminder notification, InnPower will deliver a disconnection notice for non-payment that shall expire on the date that is 14 days from the last day of the applicable minimum notice period referred to in D.S.C. Section 4.2.3, determined in accordance with the rules set out for computation of time D.S.C. Section 2.6.7. A distributor may not thereafter disconnect the property of the customer for non-payment unless the distributor issues a new disconnection notice in accordance with D.S.C. Section 4.2.2. (*Ref: DSC 4.2.2.3*).

If payment is not received, or acceptable payment arrangements have not been made InnPower will proceed to schedule the service for disconnection.

A distributor shall make reasonable efforts to contact, in person or by telephone, a residential customer to whom the distributor has issued a disconnection notice for non-payment at least 48 hours prior to the scheduled date of disconnection. At that time, the distributor shall:

- a. advise the customer of the scheduled date for disconnection
- b. advise the customer that a disconnection may take place whether or not the customer is at the premises
- c. where applicable, advise the customer that the disconnection may occur without attendance at the customer's premises
- d. advise that the customer has the option to pay amounts owing by credit card issued by a financial institution, in addition to other forms of payment that the distributor will accept at that time and which can be verified within the time period remaining before disconnection; and advise during what hours such payments may be made
- e. advise the customer that, if the distributor attends at the customer's property to execute the disconnection, the customer will only be able to pay by credit card issued by a financial institution, unless the distributor, in its discretion, will accept other forms of payment at that time
- f. advise the customer that a Board-prescribed standard arrears management program and equal monthly payment plan option may be available to all residential customers; the distributor must be prepared to enter into an arrears payment agreement at that time if the customer is eligible
- g. advise the customer of any additional option(s) that the distributor, in its discretion, wishes to offer to the customer to avoid disconnection (*Ref: DSC 4.2.2.4*)

Where a distributor issues a disconnection notice for non-payment in respect of the disconnection of a multi-unit, master-metered building, the distributor shall post a copy of the disconnection notice in a conspicuous place on or in the building promptly after issuance of the notice (*Ref: DSC 4.2.2.5*).

A distributor shall suspend any disconnection action for a period of 21 days from the date of notification by a LEAP intake agency that it is assessing a residential customer for the purposes of determining whether the customer is eligible to receive bill payment assistance, provided such notification is made within 14 days from the date on which the disconnection notice is received by the customer. Where a residential customer had requested prior to the issuance of the disconnection notice that the distributor also provide a copy of any disconnection notice to a third party, the distributor shall suspend any disconnection action for a period of 21 days from the date of notification by the third party that he or she is attempting to arrange assistance with the bill payment, provided such notification is made within 14 days from the date on which the disconnection notice is received by the customer (*Ref: DSC 4.2.2.6*).

Upon notification by a LEAP intake agency that a customer is not eligible to receive bill payment assistance, or if another third party who was considering the provision of bill assistance decides not to proceed, the distributor may continue its disconnection process. Distributors will have up to 14 days to act on the previous disconnection notice and must make a further reasonable effort to contact the customer in accordance with prior to executing disconnection (*Ref: DSC 4.2.2.7*).

A distributor shall not disconnect a customer for non-payment until the following minimum notice periods have elapsed.

- a. 60 days from the date on which the disconnection notice is received by the customer, in the case of a residential customer that has provided the distributor with documentation from a physician confirming that disconnection poses a risk of significant adverse effects on the physical health of the customer or on the physical health of the customer's spouse, dependent family member or other person that regularly resides with the customer
- b. 14 days from the date on which the disconnection notice is received, in all other cases (*Ref: DSC 4.2.3*)

For the purposes of D.S.C. 4.2.3:

- a. where a disconnection notice is sent by mail, the disconnection notice shall be deemed to have been received by the customer on the fifth calendar day after the date on which the notice was printed by the distributor
- b. where a disconnection notice is delivered by personal service, the disconnection notice shall be deemed to have been received by the customer on the date of delivery
- c. where a disconnection notice is delivered by being posted on the customer's property, the disconnection notice shall be deemed to have been received by the customer on the date of such posting

- d. “spouse” has the meaning given to it in section 29 of the Family Law Act
- e. “dependent family member” means a “dependent” as defined in section 29 of the Family Law Act and also includes a grandparent who, based on need, is financially dependent on the customer
- f. the distributor shall apply the rules relating to the computation of time set out in D.S.C. Section 2.6.7 (*Ref: DSC 4.2.3.1*)

#### **5.06.06 DISCONNECTION WITHOUT NOTIFICATION:**

A distributor may disconnect without notice in accordance with a court order or for emergency, safety or system reliability reasons (*Ref: DSC 4.2.4*).

#### **5.06.07 PAYMENT TO AVOID DISCONNECTION:**

Disconnection can be avoided if payment is made as follows:

- a. Where a distributor has issued a disconnection notice to a residential customer for non-payment, the distributor shall ensure it has the facilities or staff available to permit the customer to pay all amounts that are then overdue for payment by credit card issued by a financial institution. This payment option must be offered during the regular business hours of the distributor, from the time the disconnection notice is delivered to a residential customer until the time the distributor’s staff attends at the customer’s premises to execute the disconnection.
- b. Where a distributor attends at a customer’s property to execute a disconnection, whether during or after the distributor’s regular business hours, the distributor shall ensure it has the facilities or staff available at that time to permit the customer to pay all amounts that are then overdue for payment by credit card issued by a financial institution. The distributor may, in its discretion, also accept other forms of payment at the time of disconnection.
- c. Where a distributor was unsuccessful in its attempt to contact a residential customer 48 hours before the planned disconnection and the distributor intends to execute the disconnection by attendance at the customer’s premises, the distributor shall make a reasonable attempt to communicate with the customer, with due regard for the safety and security of the distributor’s personnel, if the customer is at the property, to advise that disconnection will be executed and that payment may be made by credit card issued by a financial institution.
- d. InnPower shall not disconnect a customer for non-payment on a day InnPower is closed to the public to make payment and/or reconnection arrangements or on the day preceding that day. (*Ref: DSC 4.2.5*).

The physical process by which a distributor disconnects or reconnects shall reflect good utility practice and consider safety as a primary requirement (*Ref: DSC 4.2.5.1*).

A distributor may recover from the customer responsible for the disconnection reasonable costs associated with disconnection, including overdue amounts payable by the customer. A distributor may recover from the customer responsible for the disconnection reasonable costs for repairs of the distributor's physical assets attached to the property in reconnecting the property. (Ref: DSC 4.2.5.2).

**5.06.08 WINTER DISCONNECTION** (Ref: DSC 4.8):

"Disconnection Ban Period" means the period commencing at 12:00 am on November 15th in one year and ending at 11:59 pm on April 30th in the following year; "occupied residential property" means an account with a distributor:

- a. that falls within a residential rate classification as specified in the distributor's rate order; and
- b. that is:
  - i. inhabited; or
  - ii. in an uninhabited condition as a result of the property having been disconnected by the distributor or of a load control device having been installed in respect of the property outside of a Disconnection Ban Period.

The distributor shall not, during a Disconnection Ban Period:

- a. disconnect an occupied residential property solely on the grounds of non-payment;
- b. issue a disconnection notice in respect of an occupied residential property solely on the grounds of non-payment, provided, however, that the distributor may issue a disconnection notice that complies with section 4.2 of this Code in the last month of the Disconnection Ban Period in respect of a disconnection to take place after the end of the Disconnection Ban Period; or
- c. install a load control device in respect of an occupied residential property solely on the grounds of non-payment.

Nothing in this section shall preclude the distributor from (i) disconnecting an occupied residential property during a Disconnection Ban Period in accordance with all applicable regulatory requirements, including the required disconnection notice, or (ii) installing a load control device in respect of an occupied residential property during a Disconnection Ban Period, in each case if at the unsolicited request of the customer given in writing for that Disconnection Ban Period.

A distributor shall ensure that any residential property that had been disconnected solely on the grounds of non-payment is, if an occupied residential property, reconnected by December 1st. The distributor shall waive any reconnection charge that might otherwise apply in respect of that reconnection. Nothing in this section shall require the distributor to reconnect an occupied residential property in respect of a Disconnection Ban Period if the customer gives unsolicited notice to the Licensee not to do so in writing for that Disconnection Ban Period and has not rescinded that notice.

A distributor shall ensure that any load control device installed in respect of an occupied residential property either for non-payment or at the customer's request is removed and full service is restored to the property by December 1st. Nothing in this section shall (i) require the distributor to remove a load control device in respect of a Disconnection Ban Period if the customer gives unsolicited notice to the distributor not to do so in writing for that Disconnection Ban Period and has not rescinded that notice; or (ii) prevent the distributor from installing or maintaining a load control device if the customer makes an unsolicited request in writing for the Licensee to do so for that Disconnection Ban Period and has not rescinded that request.

Nothing stated above will:

- a. prevent the distributor from taking such action in respect of an occupied residential property as may be required to comply with any applicable and generally accepted safety requirements or standards; or
- b. require the distributor to act in a manner contrary to any applicable and generally accepted safety requirements or standards.

#### **5.06.09 RECONNECTION:**

The distributor shall insist that electrical services that have been disconnected for six (6) months or greater have an inspection certificate, based on Ontario Electrical Safety Code requirements, from the Electrical Safety Authority prior to reconnection. Notwithstanding the distributor reserves the right to require, an Electrical Safety Authority inspection certificate at any time prior to reconnection at the expense of the customer.

The distributor shall insist that the account holder is present at the property when the electrical service is energized or reconnected or the account holder may complete a reconnection waiver accepting responsibility should any damage occur when the electrical service is energized or reconnected.

A distributor may recover from the person requesting the reconnection any Board approved reconnection charges (*Ref: DSC 4.2.5.3*).

Where a distributor has disconnected the property of a customer for non-payment, the distributor shall reconnect the property within 2 business days of the date on which the customer:

- a. makes payment in full of the amount overdue for payment as specified in the disconnection notice
- b. enters into an arrears payment agreement with the distributor referred to in InnPower's Collection Policy 5.05 (*Ref: DSC 7.10.1*)



**5.06.10 DISCONNECTION OTHER:**

A distributor may consider the following reasons for disconnection:

- Adverse effect on the reliability and safety of the distribution system
- Imposition of an unsafe worker situation beyond normal risks inherent in the operation of the distribution system
- A material decrease in the efficiency of the distributor's distribution system
- A materially adverse effect on the quality of distribution services received by an existing connection
- Inability of the distributor to perform planned inspections and maintenance
- Failure of the consumer or customer to comply with a directive of a distributor that the distributor makes for purposes of meeting its license obligations
- The customer owes the distributor money for distribution services, or for a security deposit. The distributor shall give the customer a reasonable opportunity to provide the security deposit (*Ref: DSC 4.2.6*)

A distributor shall not disconnect a residential or general service <50 kW customer with a smart meter or interval meter based solely on an estimated bill (*Ref: DSC 4.2.7*).

**5.06.11 UNAUTHORIZED ENERGY USE (*also see IPC COS 2.2.2*)**

InnPower reserves the right to disconnect the supply of electricity to a customer for causes not limited to diversion, fraud or abuse. Reconnection of service will not take place till the customer rectifies the situation, obtains an inspection from the Electrical Safety Authority (ESA) and provides full payment to InnPower for all cost's incurred. A distributor may recover from the customer responsible for the unauthorized energy use all reasonable costs incurred. (*Ref: DSC 4.3*)

**5.06.12 NO OCCUPANT**

When a customer closes their account the electrical service is disconnected providing an alternative party has not assumed responsibility. If nobody has assumed responsibility for the service, a hand delivered letter is sent to the property advising disconnection will take place within 72 hours. Reconnection will take place when a new customer assumes responsibility for the service.

**5.06.13 ACCESS**

InnPower has the right to enter a customer's property for the purposes of installation, inspection, maintaining, repairing, replacing the meter or replacing or disconnecting wires, pursuant to Section 40 of the Electricity Act, 1988.

**5.06.14 LOAD CONTROL DEVICES:**

A distributor may install a load control device instead of disconnecting supply to a customer for non-payment, provided that the distributor complies with the provisions set out below (*Ref: DSC 2.9.1*).

Where a customer voluntarily requests the installation or continued use of a load limiter device, the distributor shall install a load limiter device provided the distributor ordinarily provides such a service (*Ref: DSC 2.9.1A*).

Where a distributor is notified by a LEAP Intake Agency that the agency is assessing the customer for Emergency Financial Assistance, the distributor shall refrain from installing a load control device for a period of 21 days after receiving such notification (*Ref: DSC 2.9.2*).

When the distributor installs a load limiter device, either for non-payment or at the customer's request, it shall also deliver a written notice to the customer explaining in plain language the operation of the device, the maximum capacity of the device, how to reset the device if the maximum capacity is exceeded, as well as a telephone number for the customer to obtain further information and an emergency telephone number to contact if the capacity is exceeded and the customer cannot manually reset the device for any reason (*Ref: DSC 2.9.3*).

When the distributor installs a load limiter device for non-payment that cannot be manually reset by the customer after the maximum limit is triggered, then the distributor must provide a 24-hour telephone number the customer may call to have the load limiter device remotely reset (*Ref: DSC 2.9.3A*).

When the distributor installs a timed load interrupter for non-payment, it shall also deliver a written notice to the customer explaining in plain language the effect of the device on service and a telephone number for the customer to obtain further information (*Ref: DSC 2.9.3B*).

When a distributor installs a load control device for non-payment, the distributor shall also provide to the customer:

- a. the Fire Safety Notice of the Office of the Fire Marshal
- b. any other public safety notices or information bulletins issued by public safety authorities and provided to the distributor, which provide information to consumers respecting dangers associated with the disconnection of electricity service (*Ref: DSC 2.9.3C*)

A load control device may not be installed at a residential customer's property during the course of an arrears payment agreement, unless the agreement has been terminated in accordance with the provisions of the distributor's Eligible Low-Income Policy (*Ref: DSC 2.9.4*).

Where a distributor had previously installed a load control device for non-payment and the residential customer then enters into an arrears payment agreement, the distributor shall remove the device within 2 business days of the customer entering into an arrears payment agreement (*Ref: DSC 2.9.5*).

A customer may request the installation or continued use of the load limiter device during the course of the arrears payment agreement where the distributor ordinarily provides such a service (*Ref: DSC 2.9.5A*).

Where a load control device was installed by a distributor for non-payment, the distributor shall remove the load control device within 2 business days of an outstanding account being paid in full (*Ref: DSC 2.9.6*).

#### **5.06.15 COMPUTATION OF TIME:**

A distributor shall apply the following rules relating to the computation of time:

- where there is reference to a number of days between two events, the days shall be counted by excluding the day on which the first event happens and including the day on which the second event happens
- where the time for doing an act expires on a day that is not a business day, the act may be done on the next day that is a business day
- where an act, other than payment by a customer, occurs on a day that is not a business day, it shall be deemed to have occurred on the next business day
- where an act, other than payment by a customer, occurs after 5:00 p.m., it shall be deemed to have occurred on the next business day
- receipt of a payment by a customer is effective on the date that the payment is made, including payments made after 5:00 p.m. (*Ref: DSC 2.6.7*)

#### **5.06.16 RESPONSIBILITIES:**

Distributor management is responsible for ensuring this policy is implemented and adhered to by the employees of the distributor.