

# Aiken & Associates

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January 16, 2025

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Marconi,

**RE: EB-2023-0345 – Proposed Amendments to the Unit Sub-Metering Code to Increase Awareness of the Consumer Protection Framework for Customers of Unit Sub-Meter Providers – Comments of the London Property Management Association**

On behalf of the London Property Management Association (“LPMA”) I have reviewed the Ontario Energy Board (“OEB”) Notice of Proposal to Amend a Code related to the proposed amendments to the unit sub-metering code to increase awareness of the consumer protection framework for customers of unit sub-meter providers (“USMPs”) dated December 5, 2024.

As stated by the OEB in the December 5, 2024 Notice of Proposal, the proposed amendments are intended to increase awareness of the consumer protection framework for customers of USMPs. In particular, the proposed amendments would require USMPs to:

- i) include in their Conditions of Service a description of policies regarding the disconnection and reconnection of residential consumers in the winter period and the application of reconnection charges;
- ii) provide their residential consumers with certain consumer protection information twice annually; and
- iii) notify the OEB of any changes to the mandatory content that must be included in their Conditions of Service.

LPMA has reviewed the proposed requirements as set out in the December 5, 2024 letter and provides the following comments on each of them. In general, LPMA believes that the proposed amendments will increase awareness of the consumer protection framework for customers of USMPs and enhance customer understanding.

### Requirement to Include New Mandatory Information in Conditions of Service

The OEB found that while many USMPs have policies in place related to winter disconnection, reconnection and reconnection charges that are similar to electricity distributors, they are not making this information available to their customers.

The OEB proposes to make amendments that would ensure a USMP's Conditions of Service include a description of its policies with respect to the disconnection of residential consumers for non-payment during the winter period (defined as November 15 through April 30 of the following year) and the reconnection of customers during this winter period who had been disconnected for non-payment. The Conditions of Service would also be required to include policies related to the timing of application of any reconnection charge for customers who had been disconnected for non-payment at any time of the year and any conditions under which that charge would be waived.

LPMA believes that these enhancements to the USMP's Conditions of Service will improve customer awareness and result in a reduced level of customer complaints.

### Requirement to Provide Notification of Changes to Conditions of Service

USMPs are currently required to make their Conditions of Service publicly available and to provide advance notice to their customers of any changes.

The OEB proposes that USMPs will also be required to notify the OEB of any changes to their respective Conditions of Service related to winter disconnection and reconnection, the timing of reconnection charges and to any other mandatory content listed in section 3.2.5 of the USM Code. This notification would be required within 5 business days of making any changes.

LPMA supports the requirement to notify the OEB of changes in the Conditions of Service as this will ensure that the OEB is kept up to date with any such changes.

However, LPMA believes that such notification to the OEB should be provided in advance of such changes taking place. Specifically, the notification to the OEB should align with the advance notice to the USMP customers. This would ensure that the OEB has accurate up-to-date information if customers contact the OEB with questions about the changes. If the customers have the proposed changes in advance of the changes, but the OEB does not receive the information until 5 business days after the change, there is a period of time during which the OEB would not have the information necessary to respond to customer questions fully and accurately.

Requirement related to Raising Awareness of the Consumer Protection Framework

The OEB is proposing to require USMPs to communicate certain information to their residential customers twice annually. This information includes the availability of arrears payment agreements, the availability of financial assistance programs for eligible low-income consumers, how to access the USMP's Conditions of Service, and the contact information for the OEB for consumer complaint purposes.

LPMA agrees that this requirement, including the twice annually communication, should improve customer awareness of some of the key rules that are in place to protect their interests. However, LPMA believes that the timing of the twice annual communication should be better defined and prescribed.

In particular, new USMP customers should be provided with this information as soon as possible upon becoming a USMP customer, and no later than as part of their first USMP bill. This would ensure that these new customers have access to this information in a timely manner.

LPMA also believes that one of the annual communication times should be at the beginning of the winter season. This would ensure that customers are reminded of the rules going into the winter season when this information is likely to be of the most value to them.

Yours very truly,

Randy Aiken  
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