

November 19, 2025

Mr. Ritchie Murray
Registrar
Ontario Energy Board
2300 Yonge Street, 27th floor
Toronto, ON M4P 1E4

Dear Mr. Murray:

**Re: NOTICE OF PROPOSAL TO AMEND A CODE – PROPOSED AMENDMENTS TO THE
DISTRIBUTION SYSTEM CODE; BOARD FILE NO.: EB-2019-0207**

The Electricity Distributors Association (EDA) is pleased to provide comments in response to the Ontario Energy Board's (OEB) Notice of Proposal, dated October 28, 2025, regarding proposed amendments to the Distribution System Code (DSC).

The EDA is the voice of Ontario's local electricity distribution companies (LDCs), representing the full spectrum of members across the province. The EDA represents Ontario's local hydro utilities, the part of our electricity system closest to customers. Publicly and privately owned utilities deliver electricity to residential, commercial, industrial, and institutional customers—powering every community in the province. The sector owns more than \$33 billion in electricity system infrastructure and invests more than \$3 billion annually in the electricity grid—that is the Power of Local Hydro.

Introduction

The EDA supports the OEB's ongoing commitment to streamlining the DER connection process. We note that the key proposed changes include increasing the maximum capacity limit for micro-embedded generation (from 10 kW to 12 kW), revising insurance requirements (including a new residential exemption), removing a capacity allocation exemption, standardizing the Connection Impact Assessment timeline, and broadening technical standard requirements.

We are overall supportive of the OEB's proposed amendments to the DSC. Our comments below focus on two key areas where we have concerns regarding the implementation of the proposed changes.

Submission:

1. Implementation Timeline for Micro-Embedded DER Definition

The EDA recognizes and supports the OEB's proposal to update the definition of a micro-embedded generation facility by increasing the maximum nameplate capacity from 10 kW to 12 kW. This change will accommodate growing market trends, particularly with residential solar PV and storage installations, and will simplify the connection process for many customers.

Our sole concern is with respect to the proposed coming-into-force date of February 1, 2026.

Implementing the changes will require a reasonable lead time because of the extent of the changes, such as:

- Updating internal IT and customer relationship systems.
- Revising standard connection agreements and documentation.
- Updating training materials and procedural guidelines for connection staff.

Recommendation:

Due to the technical issues listed above, the EDA requests that the OEB consider establishing a grace period for compliance with the new 12 kW micro-embedded DER definition. While the new DSC rules are proposed to come into force on February 1, 2026, **we respectfully request that LDCs be allowed until May 1, 2026, to fully implement the necessary updates and changes.**

2. Liability Insurance Requirement for Residential Customers

The OEB is proposing to add a new section 9.2 to the DSC (Appendix E) to provide residential customers with an exemption to the commercial general liability insurance requirement, replacing it with a mutual indemnification clause. The removal of this requirement would increase the utility's exposure to financial risk, **particularly in scenarios where the residential customer is deemed liable for damages** to the distribution system or third parties but lacks the insurance coverage to meet that liability. The indemnification provided under the proposed section 9.2 would then be difficult to enforce against an uninsured residential customer in the event of a catastrophic failure.

Currently, residential customers connecting under the small and mid-sized embedded generation agreement are required to provide insurance, and LDCs have been successful in obtaining a Certificate of Insurance. This current requirement provides financial protection against unforeseen incidents.

Recommendation:

The EDA wishes to clarify that the exemption under section 9.2 only exempts residential customers from obtaining **commercial** general liability insurance, and that residential customers are still required to **maintain some form of general liability insurance**. If that is not the case, the EDA recommends requiring residential customers to maintain general liability insurance and provide adequate proof of insurance.

The EDA appreciates the opportunity to comment on the proposed amendments and remains committed to working collaboratively with the OEB to facilitate the safe and efficient integration of DERs in Ontario. If you have any questions, please do not hesitate to contact Rudra Mukherji, Senior Regulatory Affairs Advisor, at rmukherji@eda-on.ca.

Sincerely,



Ted Wigdor
Vice President, Policy, Government & Corporate Affairs