

December 5, 2008

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

Via RESS and by courier

Dear Board Secretary:

**Re: Board File No. EB-2007-0709
Proposed Amendments to the Distribution System Code**

The Electricity Distributors Association (EDA) is the voice of Ontario's local distribution companies (LDCs). The EDA represents the interests of over 80 publicly and privately owned LDCs in Ontario.

The EDA's written comments on the OEB's Staff Discussion Paper issued on May 30, 2008 are attached to this letter.

Yours truly,

"original signed"

Richard Zebrowski
Vice President, Policy and Corporate Affairs

Attach.

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EDA Comments on Proposed Amendments to the Distribution System Code

The problems associated with farm stray voltage have been known and discussed since the 1970s. Since that time, Ontario's distribution companies have sought to resolve any such situations as expeditiously and effectively as possible. As noted in the reports developed for the OEB, the source of stray voltage can be difficult to identify. This difficulty has occasionally resulted in lengthy resolution times and procedures.

Consequently, even prior to the OEB's consultative process beginning, the EDA and its members had recognized the importance of the issue of stray voltage to Ontario's farmers and to Ontario's LDCs. As a result, when invited, the EDA gladly agreed to become an active member of the OEB's consultative group. The association and its members were, and remain, committed to ensuring an equitable and cost-effective resolution to incidents of farm stray voltage.

Commentary on Proposed Amendments

Amendment 1

Section 1.7 of the Distribution System Code is amended by adding the following text below the last paragraph in that section:

Section 4.7 comes into force on the date that is three months from the date on which Appendix H referred to in Sections 4.7.2 and 4.7.3 is published on the Board's website after having been made by the Board.

The EDA recognises that an investigation procedure has to be developed in order to implement the proposed new section of the Distribution System Code (DSC) that has been developed to address the issue of farm stray voltage (4.7). Consequently the development of this amendment is necessary to permit the orderly and timely coming into force of the new section. The EDA and its members support this amendment. Further, the EDA and its members look forward to working with the OEB and other stakeholders in the development of the investigation procedure that will be detailed in Appendix H of the DSC.

Amendment 2

Section 4.1.3 of the Distribution System Code is amended by replacing the word "A" at the beginning of that section with the following:

Subject to section 4.7, a ...

The EDA believes that the intent of this amendment is to ensure that complaints about farm stray voltage are treated as a power quality complaint and thus subject to the provisions of this section. However, the EDA believes the intent might more clearly be addressed by adding the following to the section, after the word "complaints": (*including farm stray voltage complaints*). The amended section would read:

A distributor shall respond to and take reasonable steps to investigate all consumer power quality complaints (including farm stray voltage complaints) and report to the consumer on the results of the investigation.

Amendment 3

Section 4.1.4 of the Distribution System Code is amended by replacing the word “If” at the beginning of that section with the following:

Except in relation to an investigation conducted under section 4.7, if ...

The EDA recognises that the source of farm stray voltage can be difficult to identify and consequently, the costs associated with a farm stray voltage investigation may be significant. Further, the EDA understands that the cost of such an investigation may be perceived as a disincentive to livestock farmers in making a complaint to the LDC. However, the proposed amendment could result in neighbouring farms (one being a livestock farm and the other a non-livestock farm) being treated differently for similar or identical power quality problems.

The current wording in this section makes the decision to seek reimbursement an option, not mandatory. The EDA believes that the wording should remain as is, which will permit the LDC and the farmer to work together to find an equitable solution.

Amendment 4

Section 4 of the Distribution System Code is amended by adding the following immediately after section 4.6.5:

4.7 Farm Stray Voltage

[N.B. The text has been omitted for conciseness.]

The EDA has reviewed the text proposed for this new section and has the following comments:

(1) Livestock farm customer

Only one LDC in Ontario lists farmers in a separate customer class, and this does not differentiate between types of farms. This proposed provision will require LDCs to incur the costs of identifying and tracking one specific class of customer.

(2) Acceptable farm stray voltage levels

As stated in its response to the OEB Staff Discussion paper (dated July 11, 2008), the EDA believes that more investigation is required before the level is definitively set for Ontario. This is a very small figure: the technical and economic impacts of using these figures have to be assessed before any attempt to make them mandatory. All the figures identified have been developed, validated and used in other jurisdictions. While they may be appropriate for use in Ontario, the EDA cautions that the validation of their suitability for this province has to be performed by an organization with the appropriate engineering expertise and standards making authority, such as the Electrical Safety Authority, before they are implemented, as will the methods for reducing or eliminating farm stray voltage.

(3) Record retention

The OEB has already published requirements for record retention (Electricity Reporting and Record Keeping Requirements, dated April 4, 2008). The EDA believes that the requirements found in these address the needs for farm stray voltage investigations. Thus, the EDA believes that the proposed section 4.7.7 is unnecessary.

The EDA would like to recognise the exemplary work of the Board staff and the stakeholders that has resulted in the proposed amendments to the Distribution System Code.