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BY EMAIL AND WEB POSTING

OCTOBER 8, 2015

NOTICE OF AMENDMENTS TO CODES AND A RULE

**AMENDMENTS TO THE DISTRIBUTION SYSTEM CODE, THE UNIT SUB-METERING
CODE, THE RETAIL SETTLEMENT CODE, THE STANDARD SUPPLY SERVICE CODE FOR
ELECTRICITY DISTRIBUTORS, AND THE GAS DISTRIBUTION ACCESS RULE**

BOARD FILE NO.: EB-2015-0148

**To: All Licensed Electricity Distributors
All Licensed Unit Sub-Meter Providers
All Natural Gas Distributors
All Participants in EB-2015-0148 (Consultation to Implement the Ontario Electricity
Support Program)
All Interested Parties**

The Ontario Energy Board (OEB) has issued final amendments to the Distribution System Code (DSC), the Unit Sub-Metering Code (USMC), the Retail Settlement Code (RSC), the Standard Supply Service Code for Electricity Distributors (SSSC), and the Gas Distribution Access Rule (GDAR) pursuant to sections 44 and 70.1 of the *Ontario Energy Board Act, 1998*.

The purpose of the code and rule amendments is to support the implementation and ongoing operation of the Ontario Electricity Support Program (OESP). The amendments will provide a foundation for the consistent delivery and administration of the OESP across the province.

A. Background

On September 16, 2015 the OEB issued a Notice of Proposal to amend the DSC and USMC to support the implementation and operation of the OESP. The heart of the proposed amendments was the addition of an entirely new chapter on the OESP to the DSC (chapter 9) and the USMC (chapter 5). In addition, the Notice of Proposal described certain minor, consequential amendments to the RSC, SSSC and GDAR, to ensure compatibility and consistency with the DSC and USMC.

The OEB received written comments on the Notice of Proposal from the Coalition of Large Distributors (CLD), the Electricity Distributors Association (EDA), Hydro One Networks Inc. (Hydro One), and the Independent Electricity System Operator (IESO). These comments can be viewed on the [OEB website](#).

B. Adoption of Proposed Amendments with Revisions

The OEB has considered the comments received in response to the Notice of Proposal and has determined that no material changes are required to the proposed amendments described in that Notice (the September Proposed Amendments). In light of the comments, however, the OEB has made a number of minor revisions to the September Proposed Amendments as they relate to the DSC, USMC and GDAR, which are described below. The OEB has adopted the September Proposed Amendments as they relate to the RSC and SSSC without any revisions.

The final amendments to the DSC, USMC, RSC, SSSC and GDAR, as adopted by the OEB, are set out in Attachments A through E to this Notice. Attachment F sets out, for information purposes only, a comparison version showing the difference between the September Proposed Amendments to the DSC and the final amendments to the DSC. Attachments G and H do the same for the USMC and GDAR, respectively.

The following summarizes the revisions to the September Proposed Amendments that have been made by the OEB.

- 1. Clarifying the provision regarding resumption of OESP for reconnected consumers (DSC section 9.2.5 and USMC section 5.3.5)*

The September Proposed Amendments included a provision that would ensure consumers who are disconnected and then reconnected within two billing periods would not have to reapply for OESP. In response to a comment from the CLD, the OEB has revised this provision to clarify that it only applies where the consumer is reconnected at the same premises.

However, the OEB has not implemented the CLD's suggestions to remove the phrase "within two billing periods" from the provision, and to limit the provision to cases where the

disconnection occurred due to “non-payment”. Establishing a timeframe ensures consistent treatment of OESP recipients across the province. And there may be other scenarios where it would be unfair to require a disconnected customer to reapply for OESP after reconnection, such as where the disconnection occurred as a result of a safety issue.

2. Clarifying the billing correction provisions (DSC section 9.3 and USMC section 5.4)

The September Proposed Amendments included rules for rectifying the application of an incorrect amount of OESP assistance on a consumer’s bill, either as a result of an error by the distributor or unit sub-meter provider (USMP), or by the OESP central service provider (CSP). In response to a comment from the CLD, the OEB has removed the reference to the over-billing error provisions in the RSC. The result is that in situations where a consumer receives less OESP assistance than they were entitled to, the shortfall will be reimbursed by way of a credit to the consumer’s account rather than a cheque issued by the distributor or USMP. This addresses the CLD’s concern that, as initially drafted, the provision was inconsistent with the principle reflected in section 9.2.6 of the DSC (section 5.3.6 of the USMC) that cash refunds should never be issued in respect of the OESP.

Also in response to a CLD suggestion, these provisions have been revised to distinguish more clearly between retroactive and go-forward corrections. A one-time adjustment to compensate the consumer for amounts the consumer should have received in the past will appear in the portion of the bill where the distributor/USMP normally shows accounting-related adjustments, rather than on the OESP line of the bill.

In addition, the OEB has revised the section heading for these provisions from “Billing Errors” to “Billing Corrections”. This is meant to address the suggestion by Hydro One that these provisions should be more clearly differentiated from other parts of the DSC which address billing errors by the distributor.

3. Revising the reference to the CSP technical specifications (DSC section 9.4 and USMC section 5.5)

The September Proposed Amendments included a requirement for distributors and USMPs to adhere to the technical and administrative requirements established by the CSP and approved by the OEB. In the September Proposed Amendments, there was a placeholder for a yet to be released CSP document called “OESP Technical and Administrative Requirements for Distributors and Unit Sub-Meter Providers”. The wording of this provision has been revised to reflect the fact that this document, which will deal with matters such as information technology security requirements, is still under development. The OEB anticipates that it will be issued in draft form within the next two weeks. Distributors and USMPs will have an opportunity to comment on it before it is finalized.

4. Clarifying the renewal notification requirement (DSC section 9.5 and USMC section 5.6)

The September Proposed Amendments required distributors and USMPs to notify consumers at least 60 days before their OESP eligibility expires. As revised, it is clearer that the provision will allow distributors and USMPs to notify consumers in different ways, such as by mail or e-mail, as long as it is in writing. Despite the suggestion by the CLD, the OEB has retained the rule that the notice may not be included in the same envelope as the bill. The OEB believes consumers are more likely to view the notice if it is sent as a standalone document. This approach is consistent with other provisions, such as section 4.2.2.1 in the DSC, which says a disconnection notice may not be included in the same envelope as the bill. The OEB notes that Hydro One expressed support for this approach in its comment letter, as have other distributors and USMPs in the OESP working groups.

5. Revising the IESO settlement timeline (DSC section 9.6 and USMC section 5.7)

In response to a comment from the IESO, the OEB has revised the provision requiring distributors and USMPs to settle every month with the IESO in respect of OESP credits and charges. The final amendment will require settlement “within such time limits as the IESO specifies” rather than by a particular day of the month. As the IESO explained in its submission, this change is necessary to align the codes with the IESO’s settlement process as defined in the market rules. It will also avoid the need to amend the codes again in the event of changes to the market rules.

6. Clarifying the reporting timeline for embedded distributors (DSC section 9.7)

Both Hydro One and the CLD asked the OEB to clarify whether embedded distributors are required to report the information in section 9.7 of the DSC by the second business day or the second calendar day of the month. The section has been revised to refer expressly to the second business day.

7. Revising the definitions section in GDAR (GDAR section 1.2.1)

The OESP applies only to electricity consumers, not gas consumers. Nevertheless, the September Proposed Amendments included consequential amendments to the definitions section of GDAR. The intent was to harmonize the meaning of “eligible low-income customer” in GDAR and the DSC. Although gas distributors did not submit written comments during the comment period, the OEB has determined, following informal discussions between OEB staff and a gas distributor, that the GDAR amendments as proposed (which would have cross-referenced the definition of “eligible low-income customer” in the DSC) would likely have caused confusion. Accordingly, the OEB has adopted a new definition of “eligible low-income customer” for GDAR that is consistent with, but does not directly reference, the definition used in the DSC.

Gas distributors are advised that revisions are forthcoming to the program manual for the Low-Income Energy Assistance Program (LEAP), which applies both to electricity and gas consumers.

C. OEB Response to Other Comments Received

Stakeholders suggested changes to certain other sections of the September Proposed Amendments. The OEB's response to these comments is set out below.

1. Definitions (DSC section 1.2 and USMC section 1.2.1)

Some stakeholders suggested minor changes to the definitions section. One suggestion was to retain the term "Social Service or Government Agency" instead of replacing it with "LEAP Intake Agency". The OEB considers that the use of the more precise "LEAP Intake Agency" will improve clarity. Only a LEAP Intake Agency may approve a low-income consumer for LEAP emergency financial assistance. While LEAP Intake Agencies and possibly other social service agencies will assist consumers with enrollment in the OESP, it is the CSP that must approve applicants for OESP. This is reflected in the September Proposed Amendments.

Another suggestion was to add a definition of the term "eligibility period". The OEB believes this is unnecessary, as the eligibility period is described with sufficient detail elsewhere in the September Proposed Amendments, in particular, DSC sections 1.3.2 and 9.2.

2. Classes of eligible customers (DSC section 9.1 and USMC section 5.1)

One stakeholder suggested that section 9.1 of the DSC and section 5.1 of the USMC, which describe the classes of consumers who are eligible for OESP, should not use the terms "Class A" and "Class B", to avoid potential confusion with those terms as they are used in O. Reg. 429/04 (Adjustments Under Section 25.33 of the Act) under the *Electricity Act, 1998*. The OEB believes that for all practical purposes the distinction will be clear, and has therefore declined to make the suggested revision. For OESP the use of "Class A" and "Class B" is only in relation to residential consumers, whereas in the context of the regulation, those terms are used in relation only to industrial customers.

3. Disposition of unused OESP credits (DSC section 9.2.6 and USMC section 5.3.6)

The CLD and the EDA both suggested that the OEB reconsider prohibiting distributors and USMPs from paying out the cash value of any unused OESP credits to the consumer, including when the account is closed. The CLD recommended that the provision be removed, or alternatively that it not come into force for a year. The EDA argued that it should simply be deleted.

The OEB understands the concerns distributors have raised about the challenge of implementing the requirement (including billing process changes). However, the OEB believes it is an important element of the program. It reflects the fundamental principle that OESP assistance has no cash value: it is to be used only to lower electricity bills, and should never result in a cash payment to the consumer. In other words, it is a rate reduction, not a form of social assistance. The OEB is also mindful that there is a natural phase-in period built into the program: the scenarios to which this provision would apply (i.e. where a consumer accumulates an OESP surplus) are unlikely to arise in the early months after the program is launched. For these reasons, the OEB has adopted this provision as it read in the September Proposed Amendments.

D. Clarification of Certain Matters

In many instances, stakeholders requested clarification of OESP program details rather than revisions to a proposed provision. The OEB is taking this opportunity to clarify several matters that were specifically identified in stakeholders' comments.

1. Distributors and USMPs are not responsible for assessing their customers' eligibility for OESP

The OEB confirms that distributors and USMPs are not responsible for verifying the OESP eligibility of their customers. The CSP (with assistance from intake agencies, the Ministry of Finance and the Canada Revenue Agency) is responsible for making determinations about eligibility.

Hydro One asked whether customers in the seasonal residential rate class are meant to be excluded from the OEB's definition of an eligible account holder since some of these customers may not meet the six month residency requirement. This is not the case. In both seasonal and non-seasonal residential rate classes some customers may meet the six month residency requirement and others may not. The CSP will make this determination based on information provided by the applicant.

Hydro One also asked whether customers residing in a dwelling located on a farm are eligible for the program. If a customer's residence is metered separately from the farm itself and is, therefore, part of a residential rate class, then the customer would be eligible for OESP. If a customer's residence falls into a general service rate class, because it is not metered separately from the farm, the customer is not eligible for OESP.

2. Errors by the CSP will be excluded from billing accuracy metrics

Where a billing adjustment occurs because of an error by the CSP, it will not be included in distributors' billing accuracy reporting since it was outside of the distributor's control. As noted

above, the OEB is renaming section 9.3 of the DSC (and 5.4 of USMC for consistency) “Billing Corrections” to avoid the perception that distributors and USMPs should be held accountable in their performance metrics for errors made by the CSP.

3. Excess OESP credits given to recipients inadvertently may still be recovered from IESO

Where a consumer receives a greater OESP credit than what they were entitled to, regardless of whether the error originated at the CSP or the distributor/USMP, the distributor/USMP will not be able to retroactively recover the excess amounts from the consumer. However, the distributor/USMP may still recover the full amount provided to the consumer from the IESO.

4. Further guidance on OESP

Some stakeholders requested that the OEB provide a guideline to supplement the code requirements. The OEB intends to provide an OESP Guideline for distributors and USMPs, which will be released before the end of the year. Among other things, the guideline will consolidate the direction the OEB has provided to distributors and USMPs throughout the program implementation. As noted above, the OEB is also in the process of updating the LEAP program manual. The revised manual will provide practical guidance to intake agencies and other stakeholders on the OESP application process.

E. Anticipated Costs and Benefits

The anticipated costs and benefits of the September Proposed Amendments were set out in the September 14, 2015 Notice of Proposal. The OEB believes that the revisions made to the September Proposed Amendments as described above will provide greater clarity for all concerned, and will not result in material incremental costs to distributors, USMPs, ratepayers or other stakeholders.

The OEB acknowledges that some distributors noted in their comments that the costs of implementing the OESP (including changes to their billing systems) could be significant. The OEB is of the view that these costs are outweighed by the benefits for low-income households in Ontario, over 500,000 of which may be eligible for OESP.

The OEB reminds distributors that if the implementation costs are significant there are existing mechanisms to address them. A distributor may apply under the Incremental Capital Module for recovery of OESP implementation costs if a distributor believes the capital costs are such that they exceed the distributor’s materiality threshold, and they meet the requirements as outlined in the September 18, 2014 *Advanced Capital Module Report*. Ongoing program costs may be reflected in a distributor's OM&A budget. If OM&A costs associated with OESP implementation are likely to be material a distributor may request that the OEB allow them to use a deferral

account. If approved, the costs tracked in the deferral account would be reviewed for prudence in a future cost of service proceeding.

F. Coming into Force

The final amendments come into force immediately.

If you have any questions regarding the amendments described in this Notice, please contact Donna Kinapen at Donna.Kinapen@OntarioEnergyBoard.ca or at 416-440-8140. The OEB's toll free number is 1-888-632-6273.

DATED OCTOBER 8, 2015

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Attachments: Attachment A – Final amendments to the DSC
Attachment B – Final amendments to the USMC
Attachment C – Final amendments to the RSC
Attachment D – Final amendments to the SSSC
Attachment E – Final amendments to the GDAR
Attachment F – Comparison version showing revisions to the September Proposed Amendments as reflected in the final amendments to the DSC (for information purposes only)
Attachment G – Comparison version showing revisions to the September Proposed Amendments as reflected in the final amendments to the USMC (for information purposes only)
Attachment H – Comparison version showing revisions to the September Proposed Amendments as reflected in the final amendments to the GDAR (for information purposes only)

Attachment A – Final Amendments to the Distribution System Code

Note: The text of the amendments is set out in italics below, for ease of identification only.

1. Section 1.2 of the Distribution System Code is amended as follows:

a. The following definition is added immediately after the definition of “consumer”:

“CSP” means the centralized service provider engaged by the Board to administer the OESP on the Board’s behalf;

b. The definition of “eligible low-income customer” is replaced with the following:

“eligible low-income customer” means:

(a) a residential electricity consumer who has been approved by the CSP for the OESP; or

(b) a residential electricity consumer who has been approved by a LEAP Intake Agency for Emergency Financial Assistance;

c. The definition of “Emergency Financial Assistance” is replaced with the following:

“Emergency Financial Assistance” means emergency financial assistance under LEAP;

d. The following definitions are added immediately after the definition of “large embedded generation facility”:

“LEAP” means the Low-Income Energy Assistance Program established by the Board;

“LEAP Intake Agency” means a social service agency, municipality or government agency that assesses a residential electricity consumer’s eligibility for Emergency Financial Assistance;

e. The following definition is added immediately after the definition of “MOST meter”:

“OESP” means the Ontario Electricity Support Program established pursuant to section 79.2 of the Ontario Energy Board Act;

f. The definition of “Social Service Agency or Government Agency” is deleted.

2. Section 1.3 of the Distribution System Code is amended as follows:
 - a. The section heading, “Interpretations”, is replaced with “*Interpretation*”.
 - b. Section 1.3.2 is replaced with the following:

1.3.2 For the purposes of the definition of “eligible low-income customer” in section 1.2 of this Code, a residential electricity customer becomes an eligible low-income customer on the day the customer is approved for Emergency Financial Assistance or the OESP, and remains an eligible low-income customer until the later of the following days: (a) the day that is two years from the day the customer is approved for Emergency Financial Assistance, and (b) the day that the customer stops receiving assistance under the OESP.
 - c. Section 1.3.3 is deleted.
3. Section 1.4 of the Distribution System Code is amended by deleting the comma and “1998” after “the Ontario Energy Board Act”.
4. Paragraph 2.4.11(c) of the Distribution System Code is replaced with the following:

(c) an eligible low-income customer has requested a waiver under section 2.4.11.1.
5. Section 2.4.11.1 of the Distribution System Code is amended by deleting the phrase “provided that such a customer contacts the distributor and thereafter confirms his or her low-income eligibility” and replacing it with “*upon request*”.
6. Throughout the Distribution System Code (namely sections 2.4.11.1, 2.4.11.2, 2.9.2, 4.2.2.6 and 4.2.2.7), the term “Social Service Agency or Government Agency” is replaced with “*LEAP Intake Agency*”.
7. Paragraphs 4.2.2(k1)(ii) and 4.2.2.4(f1)(ii) are amended by replacing the phrase “a Board-approved Emergency Financial Assistance Program administered through a Social Service Agency or Government Agency” with “*Emergency Financial Assistance*”.
8. The following chapter 9 is added to the Distribution System Code:

9 OESP

9.1 Eligibility for OESP Rate Assistance

9.1.1 In this section 9.1:

“Aboriginal person” includes a person who is a First Nations person, a Métis person or an Inuit person;

“account-holder” means a consumer who has an account with a distributor that falls within a residential-rate classification as specified in a rate order made by the Board under section 78 of the Act, and who lives at the service address to which the account relates for at least six months in a year;

“electricity-intensive medical device” means an oxygen concentrator, a mechanical ventilator, or such other device as may be specified by the Board;

“household” means the account-holder and any other people living at the account-holder’s service address for at least six months in a year, including people other than the account-holder’s spouse, children or other relatives;

“household income” means the combined annual after-tax income of all members of a household aged 16 or over; and

9.1.2 For the purpose of subsection 79.2(4) of the Act, the following classes of consumers are rate-assisted consumers and are eligible for OESP rate assistance:

1. Class A comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of one or two persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of three persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of five persons; and

(d) account-holders with a household income of between \$48,001 and \$52,000 living in a household of seven or more persons;

but does not include account-holders in Class E.

2. Class B comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of three persons;

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of four persons;*

(c) *account-holders with a household income of between \$39,001 and \$48,000 living in a household of six persons;*

but does not include account-holders in Class F.

3. *Class C comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of four persons;*

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of five persons;*

(c) *account-holders with a household income of between \$39,001 and \$48,000 living in a household of seven or more persons;*

but does not include account-holders in Class G.

4. *Class D comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of five persons; and*

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of six persons;*

but does not include account-holders in Class H.

5. *Class E comprises account-holders with a household income and household size described under Class A who also meet any of the following conditions:*

(a) *the dwelling to which the account relates is heated primarily by electricity;*

(b) *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

(c) *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

6. *Class F comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of six or more persons;*

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of seven or more persons; or

(c) account-holders with a household income and household size described under Class B who also meet any of the following conditions:

i. the dwelling to which the account relates is heated primarily by electricity;

ii. the account-holder or any member of the account-holder's household is an Aboriginal person; or

iii. the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

7. Class G comprises account-holders with a household income and household size described under Class C who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

8. Class H comprises account-holders with a household income and household size described under Class D who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person ; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

9. Class I comprises account-holders with a household income and household size described under paragraphs (a) or (b) of Class F who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

9.1.3 In the event of a conflict, an order of the Board under subsection 79.2(4) of the Act prevails over this section 9.1 to the extent of the conflict.

9.1.4 The Board may from time to time, without a hearing, revise the income parameters of the classes described in section 9.1.2, having regard to any changes to the Low-Income Measures published by Statistics Canada, except that no such revision shall be effective before January 1, 2017.

9.2 Application of OESP Rate Assistance to the Bill

9.2.1 Where a distributor receives notice from the CSP that a consumer is eligible for rate assistance under the OESP, the distributor shall as soon as reasonably practicable apply the rate assistance specified in the notice to the consumer's bill.

9.2.2 The distributor shall apply the OESP rate assistance on the consumer's bill for the eligibility period specified in the notice, unless a different eligibility period is specified by the CSP any time thereafter or the distributor issues a final bill to the consumer before the eligibility period has expired.

9.2.3 Where a distributor receives notice from the CSP that a consumer's eligibility for rate assistance under the OESP has been renewed or canceled, or that the amount of rate assistance for which the consumer is eligible has changed, the distributor shall implement the necessary changes to the consumer's bill as soon as reasonably practicable.

9.2.4 Where a distributor issues a bill covering less than a full billing period, the distributor may prorate the amount of the OESP rate assistance.

9.2.5 Where a distributor disconnects and issues a final bill to a consumer who is receiving OESP rate assistance and within two billing periods reconnects the consumer at the same premises, the distributor shall upon the reconnection apply the OESP rate assistance to the consumer's bill for the remainder of the eligibility period under section 9.2.2, if any.

9.2.6 Where the OESP rate assistance applied to a consumer's bill exceeds the amount owing on the bill, the distributor shall carry forward the credit to one or more subsequent bills, however the distributor shall not issue a refund of the credit to the consumer at any time including at the time the account is closed or transferred.

9.3 Billing Corrections

9.3.1 Where a distributor receives notice from the CSP of a correction to the amount of rate assistance that was specified in a notice under section 9.2.1, or where the distributor discovers that it has mistakenly applied an amount of rate assistance to a consumer's bill other than the

amount specified in the notice under section 9.2.1, the distributor shall apply the corrected amount as soon as reasonably practicable.

9.3.2 Where the corrected amount is greater than the amount that was specified in the notice under section 9.2.1, the distributor shall apply any rate assistance owing as a credit on the consumer's account and identify the amount credited as a billing adjustment on the bill.

9.3.3 Where the corrected amount is less than the amount that was specified in the notice under section 9.2.1, the distributor shall not be entitled to recoup any rate assistance that the consumer has already received, and for greater certainty the distributor shall not collect any such rate assistance as under-billed amounts under sections 7.7.4 and 7.7.4.1 of the Retail Settlement Code, without the approval of the Board.

9.4 Technical and Administrative Requirements of the CSP

9.4.1 A distributor shall adhere to any technical and administrative requirements set out in a procedure or guideline issued by the CSP, provided that no such procedure or guideline is effective until it is approved by the Board.

9.5 Communications with Consumers

9.5.1 A distributor shall notify a consumer in writing that the consumer's eligibility period for OESP rate assistance is expiring at least 60 days before the period expires, and shall include in the notice information about applying for a renewal of the eligibility period. If the distributor sends the notice by mail, the distributor shall not include the notice in the same envelope as a bill or any other documentation emanating from the distributor.

9.5.2 A distributor shall post on its website a link to the Board's OESP application portal.

9.6 Settlement

9.6.1 For each calendar month in which a distributor applies any OESP rate assistance on consumer bills or collects any OESP-related charges, the distributor shall settle with the IESO within such time limits as the IESO specifies.

9.7 Reporting Requirements for Embedded Distributors

9.7.1 For each calendar month, beginning in 2016, an embedded distributor shall provide its host distributor, no later than the second business day of the following month, with the following information:

(a) for each OESP rate class, the total number of the embedded distributor's customers that received OESP rate assistance; and

(b) for each OESP rate class, the total amount of rate assistance received by the embedded distributor's customers.

Attachment B – Final Amendments to the Unit Sub-Metering Code

Note: The text of the amendments is set out in italics below, for ease of identification only.

1. Section 1.2.1 of the Unit Sub-Metering Code is amended as follows:

a. The following definition is added immediately after the definition of “consumer”:

“CSP” means the centralized service provider engaged by the Board to administer the OESP on the Board’s behalf;

b. The definition of “eligible low-income consumer” is deleted and replaced with the following definition of “eligible low-income customer”:

“eligible low-income customer” has the same meaning as in the Distribution System Code.

c. The definition of “Emergency Financial Assistance” is replaced with the following:

“Emergency Financial Assistance” means emergency financial assistance under LEAP;

d. The following definitions are added immediately after the definition of “interval meter”:

“LEAP” means the Low-Income Energy Assistance Program established by the Board;

“LEAP Intake Agency” means a social service agency, municipality or government agency that assesses a residential electricity consumer’s eligibility for Emergency Financial Assistance;

e. The following definition is added immediately after the definition of “metering services”:

“OESP” means the Ontario Electricity Support Program established pursuant to section 79.2 of the Ontario Energy Board Act;

f. The definition of “Social Service Agency or Government Agency” is deleted.

2. Throughout the Unit Sub-Metering Code (namely sections 4.1.5A, 4.1.5B, 4.2.5H, 4.2.5I and 4.8.3), the term “Social Service Agency or Government Agency” is replaced with “LEAP Intake Agency”.

3. Throughout the Unit Sub-Metering Code (namely sections 4.1.5A, 4.1.5B, 4.1.14B, 4.1.14C, 4.2.5A, 4.2.5G, 4.6.5, 4.6.6, 4.6.14, 4.6.17 and 4.9.6) the term “eligible low-income consumer” (or, in the case of 4.1.5B, “low-income consumer”) is replaced with “*eligible low-income customer*”.
4. Section 1.3 of the Unit Sub-Metering Code is amended as follows:
 - a. The section heading, “Interpretations”, is replaced with “Interpretation”.
 - b. Sections 1.3.2 and 1.3.3 are deleted.
5. Section 3.4 is amended as follows:
 - a. The following is added to the end of section 3.4.2, after “consumers”:

and the continuous application of OESP rate assistance to the bills of eligible consumers.
 - b. The following is added to section 3.4.3, after “consumption”:

but not including consumer information regarding the OESP,
 - c. The following is added to the end of section 3.4.3, after “consumers”:

Where the departing unit sub-meter provider is advised by the exempt distributor of the identity of the new unit sub-meter provider, the departing unit sub-meter provider shall, prior to the termination of the contract or as soon as reasonably practicable thereafter, ensure that consumer information regarding the OESP is properly transferred to the new unit sub-meter provider to allow for the continuous application of OESP rate assistance to the bills of eligible consumers, but in no case shall either unit sub-meter provider transfer such information to the exempt distributor.
6. Section 4.1.5A of the Unit Sub-Metering Code is amended by deleting the phrase “an eligible low-income consumer provided that such a consumer contacts the unit sub-meter provider and thereafter confirms his or her low-income eligibility” and replacing it with “*eligible low-income customers upon request.*”
7. Section 4.1.5C of the Unit Sub-Metering Code is replaced with the following:

4.1.5C A unit sub-meter provider shall not collect a security deposit from an eligible low-income customer who has requested a waiver under section 4.1.5A.

8. Paragraphs 4.2.5A(j)(ii) and 4.2.2.5G(f)(ii) are amended by replacing the phrase “a Board-approved Emergency Financial Assistance Program administered through a Social Service Agency or Government Agency” with “*Emergency Financial Assistance*”.
9. Section 4.2.8 of the Unit Sub-Metering Code is amended by adding the word “a” between “from” and “consumer”.
10. The following chapter 5 is added to the Unit Sub-Metering Code:

5 OESP

5.1 Eligibility for OESP Rate Assistance

5.1.1 In this section 5.1:

“Aboriginal person” includes a person who is a First Nations person, a Métis person or an Inuit person;

“account-holder” means a consumer who has an account with a unit sub-meter provider for electricity service at a residential dwelling, and who lives at the dwelling for at least six months in a year;

“electricity-intensive medical device” means an oxygen concentrator, a mechanical ventilator, or such other device as may be specified by the Board;

“household” means the account-holder and any other people living at the account-holder’s service address for at least six months in a year, including people other than the account-holder’s spouse, children or other relatives;

“household income” means the combined annual after-tax income of all members of a household aged 16 or over; and

5.1.2 For the purpose of subsection 79.2(4) of the Act, the following classes of consumers are rate-assisted consumers and are eligible for OESP rate assistance:

1. Class A comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of one or two persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of three persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of five persons; and

(d) account-holders with a household income of between \$48,001 and \$52,000 living in a household of seven or more persons;

but does not include account-holders in Class E.

2. *Class B comprises:*

(a) account-holders with a household income of \$28,000 or less living in a household of three persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of four persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of six persons;

but does not include account-holders in Class F.

3. *Class C comprises:*

(a) account-holders with a household income of \$28,000 or less living in a household of four persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of five persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of seven or more persons;

but does not include account-holders in Class G.

4. *Class D comprises:*

(a) account-holders with a household income of \$28,000 or less living in a household of five persons; and

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of six persons;

but does not include account-holders in Class H.

5. *Class E comprises account-holders with a household income and household size described under Class A who also meet any of the following conditions:*

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person; or

(c) *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

6. *Class F comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of six or more persons;*

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of seven or more persons; or*

(c) *account-holders with a household income and household size described under Class B who also meet any of the following conditions:*

i. *the dwelling to which the account relates is heated primarily by electricity;*

ii. *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

iii. *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

7. *Class G comprises account-holders with a household income and household size described under Class C who also meet any of the following conditions:*

(a) *the dwelling to which the account relates is heated primarily by electricity;*

(b) *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

(c) *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

8. *Class H comprises account-holders with a household income and household size described under Class D who also meet any of the following conditions:*

(a) *the dwelling to which the account relates is heated primarily by electricity;*

(b) *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

(c) *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

9. *Class I comprises account-holders with a household income and household size described under paragraphs (a) or (b) of Class F who also meet any of the following conditions:*

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

5.1.3 In the event of a conflict, an order of the Board under subsection 79.2(4) of the Act prevails over this section 5.1 to the extent of the conflict.

5.1.4 The Board may from time to time, without a hearing, revise the income parameters of the classes described in section 5.1.2, having regard to any changes to the Low-Income Measures published by Statistics Canada, except that no such revision shall be effective before January 1, 2017.

5.2 Amount of OESP Rate Assistance

5.2.1 Beginning January 1, 2016, consumers in the classes described in section 5.1 who have been approved by the CSP for OESP rate assistance are eligible for the following amounts of assistance:

1. Consumers in Class A are eligible for the same amount as is provided for by the Board for consumers described in Class A under section 9.1 of the Distribution System Code;

2. Consumers in Class B are eligible for the same amount as is provided for by the Board for consumers described in Class B under section 9.1 of the Distribution System Code;

3. Consumers in Class C are eligible for the same amount as is provided for by the Board for consumers described in Class C under section 9.1 of the Distribution System Code;

4. Consumers in Class D are eligible for the same amount as is provided for by the Board for consumers described in Class D under section 9.1 of the Distribution System Code;

5. Consumers in Class E are eligible for the same amount as is provided for by the Board for consumers described in Class E under section 9.1 of the Distribution System Code;

6. Consumers in Class F are eligible for the same amount as is provided for by the Board for consumers described in Class F under section 9.1 of the Distribution System Code;

7. Consumers in Class G are eligible for the same amount as is provided for by the Board for consumers described in Class G under section 9.1 of the Distribution System Code;

8. Consumers in Class H are eligible for the same amount as is provided for by the Board for consumers described in Class H under section 9.1 of the Distribution System Code; and

9. Consumers in Class I are eligible for the same amount as is provided for by the Board for consumers described in Class I under section 9.1 of the Distribution System Code.

5.3 Application of OESP Rate Assistance to the Bill

5.3.1 Where a unit sub-meter provider receives notice from the CSP that a consumer is eligible for rate assistance under the OESP, the unit sub-meter provider shall as soon as reasonably practicable apply the rate assistance specified in the notice to the consumer's bill.

5.3.2 The unit sub-meter provider shall apply the OESP rate assistance on the consumer's bill for the eligibility period specified in the notice, unless a different eligibility period is specified by the CSP any time thereafter or the unit sub-meter provider issues a final bill to the consumer before the eligibility period has expired.

5.3.3 Where a unit sub-meter provider receives notice from the CSP that a consumer's eligibility for rate assistance under the OESP has been renewed or canceled, or that the amount of rate assistance for which the consumer is eligible has changed, the unit sub-meter provider shall implement the necessary changes to the consumer's bill as soon as reasonably practicable.

5.3.4 Where a unit sub-meter provider issues a bill covering less than a full billing period, the unit sub-meter provider may prorate the amount of the OESP rate assistance.

5.3.5 Where a unit sub-meter provider disconnects and issues a final bill to a consumer who is receiving OESP rate assistance and within two billing period reconnects the consumer at the same premises, the unit sub-meter provider shall upon the reconnection apply the OESP rate assistance to the consumer's bill for the remainder of the eligibility period under section 5.3.2, if any.

5.3.6 Where the OESP rate assistance applied to a consumer's bill exceeds the amount owing on the bill, the unit sub-meter provider shall carry forward the credit to one or more subsequent bills, however the unit sub-meter provider shall not issue a refund of the credit to the consumer at any time including at the time the account is closed or transferred.

5.4 Billing Corrections

5.4.1 Where a unit sub-meter provider receives notice from the CSP of a correction to the amount of rate assistance that was specified in a notice under section 5.3.1, or where the unit sub-meter provider discovers that it has mistakenly applied an amount of rate assistance to a consumer's bill other than the amount specified in the notice under section 5.3.1, the unit sub-meter provider shall apply the corrected amount as soon as reasonably practicable.

5.4.2 Where the corrected amount is greater than the amount that was specified in the notice under section 5.3.1, the unit sub-meter provider shall apply any rate assistance owing as a credit on the consumer's account and identify the amount credited as a billing adjustment on the bill.

5.4.3 Where the corrected amount is less than the amount that was specified in the notice under section 5.3.1, the unit sub-meter provider shall not be entitled to recoup any rate assistance that the consumer has already received, and for greater certainty the unit sub-meter provider shall not collect any such rate assistance as under-billed amounts under sections 4.9.6 and 4.9.7, without the approval of the Board.

5.5 Technical and Administrative Requirements of the CSP

5.5.1 A unit sub-meter provider shall adhere to any technical and administrative requirements set out in a procedure or guideline issued by the CSP, provided that no such procedure or guideline is effective until it is approved by the Board.

5.6 Communications with Consumers

5.6.1 A unit sub-meter provider shall notify a consumer in writing that the consumer's eligibility period for OESP rate assistance is expiring at least 60 days before the period expires, and shall include in the notice information about applying for a renewal of the eligibility period. If the unit sub-meter provider sends the notice by mail, the unit sub-meter provider shall not include the notice in the same envelope as a bill or any other documentation emanating from the unit sub-meter provider.

5.6.2 A unit sub-meter provider shall post on its website a link to the Board's OESP application portal.

5.7 Settlement

5.7.1 For each calendar month in which a unit sub-meter provider applies any OESP rate assistance on consumer bills or collects any OESP-related charges, the unit sub-meter provider shall settle with the IESO within such time limits as the IESO specifies.

Attachment C –Final Amendments to the Retail Settlement Code

Note: The text of the amendments is set out in italics below, for ease of identification only.

1. Section 1.2 of the Retail Settlement Code is amended as follows:
 - a. The definition of “eligible low-income customer” is replaced with the following:

“eligible low-income customer” has the same meaning as in the Distribution System Code.
 - b. The definition of “Emergency Financial Assistance” is deleted.
 - c. The definition of “Social Service Agency or Government Agency” is deleted.
2. Sections 1.3.2 and 1.3.3 of the Retail Settlement Code are deleted.

Attachment D – Final Amendments to the Standard Supply Service Code for Electricity Distributors

Note: The text of the amendments is set out in italics below, for ease of identification only.

1. Section 1.2.1 of the Standard Supply Service Code is amended as follows:
 - a. The definition of “eligible low-income customer” is replaced with the following:

“eligible low-income customer” has the same meaning as in the Distribution System Code.
 - b. The definition of “Emergency Financial Assistance” is deleted.
 - c. The definition of “Social Service Agency or Government Agency” is deleted.
2. Sections 1.3.2 and 1.3.3 of the Standard Supply Service Code are deleted.
3. Paragraph 2.6.2B(f) of the Standard Supply Service Code is amended by replacing “where 2 or more years have passed since a residential customer was qualified as an eligible low-income customer” with *“where a residential customer ceases to qualify as an eligible low-income customer”*; the remainder of the paragraph remains the same.

Attachment E – Final Amendments to the Gas Distribution Access Rule

Note: The text of the amendments is set out in italics below, for ease of identification only.

1. Section 1.2.1 of the Gas Distribution Access Rule is amended as follows:

a. The definition of “eligible low-income customer” is replaced with the following:

“eligible low-income customer” means a residential gas customer who has been approved by a LEAP Intake Agency for Emergency Financial Assistance.

b. The definition of “Emergency Financial Assistance” is replaced with the following:

“Emergency Financial Assistance” means emergency financial assistance under the Low-Income Energy Assistance Program established by the Board;

c. The following definition is added immediately after the definition of “gas vendor-consolidated billing”:

“LEAP Intake Agency” means a social service agency, municipality or government agency that assesses a customer’s eligibility for Emergency Financial Assistance;

d. The definition of “social service agency or government agency” is deleted.

Attachment F – Comparison version showing revisions to the September Proposed Amendments as reflected in the final amendments to the Distribution System Code (for information purposes only)

Note: The text of the ~~proposed~~ amendments is set out in italics below, for ease of identification only.

1. Section 1.2 of the Distribution System Code is amended as follows:

a. The following definition is added immediately after the definition of “consumer”:

“CSP” means the centralized service provider engaged by the Board to administer the OESP on the Board’s behalf;

b. The definition of “eligible low-income customer” is replaced with the following:

“eligible low-income customer” means:

(a) a residential electricity consumer who has been approved by the CSP for the OESP; or

(b) a residential electricity consumer who has been approved by a LEAP Intake Agency for Emergency Financial Assistance;

c. The definition of “Emergency Financial Assistance” is replaced with the following:

“Emergency Financial Assistance” means emergency financial assistance under LEAP;

d. The following definitions are added immediately after the definition of “large embedded generation facility”:

“LEAP” means the Low-Income Energy Assistance Program established by the Board;

“LEAP Intake Agency” means a social service agency, municipality or government agency that assesses a residential electricity consumer’s eligibility for Emergency Financial Assistance;

e. The following definition is added immediately after the definition of “MOST meter”:

“OESP” means the Ontario Electricity Support Program established pursuant to section 79.2 of the Ontario Energy Board Act;

- f. The definition of “Social Service Agency or Government Agency” is deleted.
2. Section 1.3 of the Distribution System Code is amended as follows:
 - a. The section heading, “Interpretations”, is replaced with “*Interpretation*”.
 - b. Section 1.3.2 is replaced with the following:

1.3.2 For the purposes of the definition of “eligible low-income customer” in section 1.2 of this Code, a residential electricity customer becomes an eligible low-income customer on the day the customer is approved for Emergency Financial Assistance or the OESP, and remains an eligible low-income customer until the later of the following days: (a) the day that is two years from the day the customer is approved for Emergency Financial Assistance, and (b) the day that the customer stops receiving assistance under the OESP.
 - c. Section 1.3.3 is deleted.
 3. Section 1.4 of the Distribution System Code is amended by deleting the comma and “1998” after “the Ontario Energy Board Act”.
 4. Paragraph 2.4.11(c) of the Distribution System Code is replaced with the following:

(c) an eligible low-income customer has requested a waiver under section 2.4.11.1.
 5. Section 2.4.11.1 of the Distribution System Code is amended by deleting the phrase “provided that such a customer contacts the distributor and thereafter confirms his or her low-income eligibility” and replacing it with “*upon request*”.
 6. Throughout the Distribution System Code (namely sections 2.4.11.1, 2.4.11.2, 2.9.2, 4.2.2.6 and 4.2.2.7), the term “Social Service Agency or Government Agency” is replaced with “*LEAP Intake Agency*”.
 7. Paragraphs 4.2.2(k1)(ii) and 4.2.2.4(f1)(ii) are amended by replacing the phrase “a Board-approved Emergency Financial Assistance Program administered through a Social Service Agency or Government Agency” with “*Emergency Financial Assistance*”.
 8. The following chapter 9 is added to the Distribution System Code:

9 OESP

9.1 Eligibility for OESP Rate Assistance

9.1.1 In this section 9.1:

“Aboriginal person” includes a person who is a First Nations person, a Métis person or an Inuit person;

“account-holder” means a consumer who has an account with a distributor that falls within a residential-rate classification as specified in a rate order made by the Board under section 78 of the Act, and who lives at the service address to which the account relates for at least six months in a year;

“electricity-intensive medical device” means an oxygen concentrator, a mechanical ventilator, or such other device as may be specified by the Board;

“household” means the account-holder and any other people living at the account-holder’s service address for at least six months in a year, including people other than the account-holder’s spouse, children or other relatives;

“household income” means the combined annual after-tax income of all members of a household aged 16 or over; and

9.1.2 For the purpose of subsection 79.2(4) of the Act, the following classes of consumers are rate-assisted consumers and are eligible for OESP rate assistance:

1. Class A comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of one or two persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of three persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of five persons; and

(d) account-holders with a household income of between \$48,001 and \$52,000 living in a household of seven or more persons;

but does not include account-holders in Class E.

2. Class B comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of three persons;

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of four persons;*

(c) *account-holders with a household income of between \$39,001 and \$48,000 living in a household of six persons;*

but does not include account-holders in Class F.

3. *Class C comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of four persons;*

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of five persons;*

(c) *account-holders with a household income of between \$39,001 and \$48,000 living in a household of seven or more persons;*

but does not include account-holders in Class G.

4. *Class D comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of five persons; and*

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of six persons;*

but does not include account-holders in Class H.

5. *Class E comprises account-holders with a household income and household size described under Class A who also meet any of the following conditions:*

(a) *the dwelling to which the account relates is heated primarily by electricity;*

(b) *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

(c) *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

6. *Class F comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of six or more persons;*

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of seven or more persons; or*

(c) *account-holders with a household income and household size described under Class B who also meet any of the following conditions:*

i. the dwelling to which the account relates is heated primarily by electricity;

ii. the account-holder or any member of the account-holder's household is an Aboriginal person; or

iii. the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

7. Class G comprises account-holders with a household income and household size described under Class C who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

8. Class H comprises account-holders with a household income and household size described under Class D who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person ; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

9. Class I comprises account-holders with a household income and household size described under paragraphs (a) or (b) of Class F who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

9.1.3 In the event of a conflict, an order of the Board under subsection 79.2(4) of the Act prevails over this section 9.1 to the extent of the conflict.

9.1.4 The Board may from time to time, without a hearing, revise the income parameters of the classes described in section 9.1.2, having regard to any changes to the Low-Income Measures published by Statistics Canada, except that no such revision shall be effective before January 1, 2017.

9.2 Application of OESP Rate Assistance to the Bill

9.2.1 Where a distributor receives notice from the CSP that a consumer is eligible for rate assistance under the OESP, the distributor shall as soon as reasonably practicable apply the rate assistance specified in the notice to the consumer's bill.

9.2.2 The distributor shall apply the OESP rate assistance on the consumer's bill for the eligibility period specified in the notice, unless a different eligibility period is specified by the CSP any time thereafter or the distributor issues a final bill to the consumer before the eligibility period has expired.

9.2.3 Where a distributor receives notice from the CSP that a consumer's eligibility for rate assistance under the OESP has been renewed or canceled, or that the amount of rate assistance for which the consumer is eligible has changed, the distributor shall implement the necessary changes to the consumer's bill as soon as reasonably practicable.

9.2.4 Where a distributor issues a bill covering less than a full billing period, the distributor may prorate the amount of the OESP rate assistance.

9.2.5 Where a distributor disconnects and issues a final bill to a consumer who is receiving OESP rate assistance and within two billing periods reconnects the consumer at the same premises, the distributor shall upon the reconnection apply the OESP rate assistance to the consumer's bill for the remainder of the eligibility period under section 9.2.2, if any.

9.2.6 Where the OESP rate assistance applied to a consumer's bill exceeds the amount owing on the bill, the distributor shall carry forward the credit to one or more subsequent bills, however the distributor shall not issue a refund of the credit to the consumer at any time including at the time the account is closed or transferred.

9.3 Billing ErrorsCorrections

9.3.1 Where a distributor receives notice from the CSP of a correction to the amount of rate assistance that was specified in a notice under section 9.2.1, or where the distributor discovers that it has mistakenly applied an amount of rate assistance to a consumer's bill other than the

amount specified in the notice under section 9.2.1, the distributor shall apply the corrected amount as soon as reasonably practicable, ~~and shall identify the correction as a billing adjustment on the consumer's bill.~~

9.3.2 Where the corrected amount is greater than the amount that was specified in the notice under section 9.2.1, the distributor shall ~~reimburse the consumer for~~ apply any rate assistance owing as a credit on the consumer's account and identify the amount credited as a billing adjustment on the bill, ~~in accordance with sections 7.7.1, 7.7.2 and 7.7.3 of the Retail Settlement Code, as though the consumer had been over-billed.~~

~~9.3.2.3~~ 9.3.3 Where the corrected amount is less than the amount that was specified in the notice under section 9.2.1, the distributor shall not be entitled to recoup any rate assistance that the consumer has already received, and for greater certainty the distributor shall not collect any such rate assistance as under-billed amounts under sections 7.7.4 and 7.7.4.1 of the Retail Settlement Code, without the approval of the Board.

9.4 Technical and Administrative Requirements of the CSP

9.4.1 A distributor shall adhere to ~~the~~ any technical and administrative requirements set out in ~~the~~ procedure or guideline issued by the CSP ~~[on _____, 2015 and entitled "OESP Technical and Administrative Requirements for Distributors and Unit Sub-Meter Providers"]~~, ~~as it may be amended by the CSP from time to time~~, provided that no such procedure or guideline amendment is effective until it is approved by the Board.

9.5 Communications with Consumers

9.5.1 A distributor shall notify a consumer in writing that the consumer's eligibility period for OESP rate assistance is expiring at least 60 days before the period expires, and shall include in the notice information about applying for a renewal of the eligibility period. If the distributor sends the notice by mail, the distributor shall not include the notice in the same envelope as a bill or any other documentation emanating from the distributor.

9.5.2 A distributor shall post on its website a link to the Board's OESP application portal.

9.6 Settlement

9.6.1 For each calendar month in which a distributor applies any OESP rate assistance on consumer bills or collects any OESP-related charges, the distributor shall settle with the IESO no later than the 20th day of the following month within such time limits as the IESO specifies.

9.7 Reporting Requirements for Embedded Distributors

9.7.1 For each calendar month, beginning in 2016, an embedded distributor shall provide its host distributor, no later than the second business day of the following month, with the following information:

- (a) for each OESP rate class, the total number of the embedded distributor's customers that received OESP rate assistance; and*
- (b) for each OESP rate class, the total amount of rate assistance received by the embedded distributor's customers.*

Attachment G – Comparison version showing revisions to the September Proposed Amendments as reflected in the final amendments to the Unit Sub-Metering Code (for information purposes only)

Note: The text of the ~~proposed~~ amendments is set out in italics below, for ease of identification only.

1. Section 1.2.1 of the Unit Sub-Metering Code is amended as follows:

a. The following definition is added immediately after the definition of “consumer”:

“CSP” means the centralized service provider engaged by the Board to administer the OESP on the Board’s behalf;

b. The definition of “eligible low-income consumer” is deleted and replaced with the following definition of “eligible low-income customer”:

“eligible low-income customer” has the same meaning as in the Distribution System Code.

c. The definition of “Emergency Financial Assistance” is replaced with the following:

“Emergency Financial Assistance” means emergency financial assistance under LEAP;

d. The following definitions are added immediately after the definition of “interval meter”:

“LEAP” means the Low-Income Energy Assistance Program established by the Board;

“LEAP Intake Agency” means a social service agency, municipality or government agency that assesses a residential electricity consumer’s eligibility for Emergency Financial Assistance;

e. The following definition is added immediately after the definition of “metering services”:

“OESP” means the Ontario Electricity Support Program established pursuant to section 79.2 of the Ontario Energy Board Act;

f. The definition of “Social Service Agency or Government Agency” is deleted.

2. Throughout the Unit Sub-Metering Code (namely sections 4.1.5A, 4.1.5B, 4.2.5H, 4.2.5I and 4.8.3), the term “Social Service Agency or Government Agency” is replaced with “*LEAP Intake Agency*”.
3. Throughout the Unit Sub-Metering Code (namely sections 4.1.5A, 4.1.5B, 4.1.14B, 4.1.14C, 4.2.5A, 4.2.5G, 4.6.5, 4.6.6, 4.6.14, 4.6.17 and 4.9.6) the term “eligible low-income consumer” (or, in the case of 4.1.5B, “low-income consumer”) is replaced with “*eligible low-income customer*”.
4. Section 1.3 of the Unit Sub-Metering Code is amended as follows:
 - a. The section heading, “Interpretations”, is replaced with “Interpretation”.
 - b. Sections 1.3.2 and 1.3.3 are deleted.
5. Section 3.4 is amended as follows:
 - a. The following is added to the end of section 3.4.2, after “consumers”:

and the continuous application of OESP rate assistance to the bills of eligible consumers.
 - b. The following is added to section 3.4.3, after “consumption”:

but not including consumer information regarding the OESP,
 - c. The following is added to the end of section 3.4.3, after “consumers”:

Where the departing unit sub-meter provider is advised by the exempt distributor of the identity of the new unit sub-meter provider, the departing unit sub-meter provider shall, prior to the termination of the contract or as soon as reasonably practicable thereafter, ensure that consumer information regarding the OESP is properly transferred to the new unit sub-meter provider to allow for the continuous application of OESP rate assistance to the bills of eligible consumers, but in no case shall either unit sub-meter provider transfer such information to the exempt distributor.
6. Section 4.1.5A of the Unit Sub-Metering Code is amended by deleting the phrase “an eligible low-income consumer provided that such a consumer contacts the unit sub-meter provider and thereafter confirms his or her low-income eligibility” and replacing it with “*eligible low-income customers upon request.*”
7. Section 4.1.5C of the Unit Sub-Metering Code is replaced with the following:

4.1.5C *A unit sub-meter provider shall not collect a security deposit from an eligible low-income customer who has requested a waiver under section 4.1.5A.*

8. Paragraphs 4.2.5A(j)(ii) and 4.2.2.5G(f)(ii) are amended by replacing the phrase “a Board-approved Emergency Financial Assistance Program administered through a Social Service Agency or Government Agency” with “*Emergency Financial Assistance*”.
9. Section 4.2.8 of the Unit Sub-Metering Code is amended by adding the word “a” between “from” and “consumer”.
10. The following chapter 5 is added to the Unit Sub-Metering Code:

5 OESP

5.1 Eligibility for OESP Rate Assistance

5.1.1 *In this section 5.1:*

“Aboriginal person” includes a person who is a First Nations person, a Métis person or an Inuit person;

“account-holder” means a consumer who has an account with a unit sub-meter provider for electricity service at a residential dwelling, and who lives at the dwelling for at least six months in a year;

“electricity-intensive medical device” means an oxygen concentrator, a mechanical ventilator, or such other device as may be specified by the Board;

“household” means the account-holder and any other people living at the account-holder’s service address for at least six months in a year, including people other than the account-holder’s spouse, children or other relatives;

“household income” means the combined annual after-tax income of all members of a household aged 16 or over; and

5.1.2 *For the purpose of subsection 79.2(4) of the Act, the following classes of consumers are rate-assisted consumers and are eligible for OESP rate assistance:*

1. *Class A comprises:*

(a) account-holders with a household income of \$28,000 or less living in a household of one or two persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of three persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of five persons; and

(d) account-holders with a household income of between \$48,001 and \$52,000 living in a household of seven or more persons;

but does not include account-holders in Class E.

2. Class B comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of three persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of four persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of six persons;

but does not include account-holders in Class F.

3. Class C comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of four persons;

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of five persons;

(c) account-holders with a household income of between \$39,001 and \$48,000 living in a household of seven or more persons;

but does not include account-holders in Class G.

4. Class D comprises:

(a) account-holders with a household income of \$28,000 or less living in a household of five persons; and

(b) account-holders with a household income of between \$28,001 and \$39,000 living in a household of six persons;

but does not include account-holders in Class H.

5. Class E comprises account-holders with a household income and household size described under Class A who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

(c) *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

6. *Class F comprises:*

(a) *account-holders with a household income of \$28,000 or less living in a household of six or more persons;*

(b) *account-holders with a household income of between \$28,001 and \$39,000 living in a household of seven or more persons; or*

(c) *account-holders with a household income and household size described under Class B who also meet any of the following conditions:*

i. *the dwelling to which the account relates is heated primarily by electricity;*

ii. *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

iii. *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

7. *Class G comprises account-holders with a household income and household size described under Class C who also meet any of the following conditions:*

(a) *the dwelling to which the account relates is heated primarily by electricity;*

(b) *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

(c) *the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.*

8. *Class H comprises account-holders with a household income and household size described under Class D who also meet any of the following conditions:*

(a) *the dwelling to which the account relates is heated primarily by electricity;*

(b) *the account-holder or any member of the account-holder's household is an Aboriginal person; or*

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

9. Class I comprises account-holders with a household income and household size described under paragraphs (a) or (b) of Class F who also meet any of the following conditions:

(a) the dwelling to which the account relates is heated primarily by electricity;

(b) the account-holder or any member of the account-holder's household is an Aboriginal person; or

(c) the account-holder or any member of the account-holder's household regularly uses, for medical purposes, an electricity-intensive medical device at the dwelling to which the account relates.

5.1.3 In the event of a conflict, an order of the Board under subsection 79.2(4) of the Act prevails over this section 5.1 to the extent of the conflict.

5.1.4 The Board may from time to time, without a hearing, revise the income parameters of the classes described in section 5.1.2, having regard to any changes to the Low-Income Measures published by Statistics Canada, except that no such revision shall be effective before January 1, 2017.

5.2 Amount of OESP Rate Assistance

5.2.1 Beginning January 1, 2016, consumers in the classes described in section 5.1 who have been approved by the CSP for OESP rate assistance are eligible for the following amounts of assistance:

1. Consumers in Class A are eligible for the same amount as is provided for by the Board for consumers described in Class A under section 9.1 of the Distribution System Code;

2. Consumers in Class B are eligible for the same amount as is provided for by the Board for consumers described in Class B under section 9.1 of the Distribution System Code;

3. Consumers in Class C are eligible for the same amount as is provided for by the Board for consumers described in Class C under section 9.1 of the Distribution System Code;

4. Consumers in Class D are eligible for the same amount as is provided for by the Board for consumers described in Class D under section 9.1 of the Distribution System Code;

5. Consumers in Class E are eligible for the same amount as is provided for by the Board for consumers described in Class E under section 9.1 of the Distribution System Code;

6. Consumers in Class F are eligible for the same amount as is provided for by the Board for consumers described in Class F under section 9.1 of the Distribution System Code;

7. Consumers in Class G are eligible for the same amount as is provided for by the Board for consumers described in Class G under section 9.1 of the Distribution System Code;

8. Consumers in Class H are eligible for the same amount as is provided for by the Board for consumers described in Class H under section 9.1 of the Distribution System Code; and

9. Consumers in Class I are eligible for the same amount as is provided for by the Board for consumers described in Class I under section 9.1 of the Distribution System Code.

5.3 Applying Application of OESP Rate Assistance to the Bill

5.3.1 Where a unit sub-meter provider receives notice from the CSP that a consumer is eligible for rate assistance under the OESP, the unit sub-meter provider shall as soon as reasonably practicable apply the rate assistance specified in the notice to the consumer's bill.

5.3.2 The unit sub-meter provider shall apply the OESP rate assistance on the consumer's bill for the eligibility period specified in the notice, unless a different eligibility period is specified by the CSP any time thereafter or the unit sub-meter provider issues a final bill to the consumer before the eligibility period has expired.

5.3.3 Where a unit sub-meter provider receives notice from the CSP that a consumer's eligibility for rate assistance under the OESP has been renewed or canceled, or that the amount of rate assistance for which the consumer is eligible has changed, the unit sub-meter provider shall implement the necessary changes to the consumer's bill as soon as reasonably practicable.

5.3.4 Where a unit sub-meter provider issues a bill covering less than a full billing period, the unit sub-meter provider may prorate the amount of the OESP rate assistance.

5.3.5 Where a unit sub-meter provider disconnects and issues a final bill to a consumer who is receiving OESP rate assistance and within two billing period reconnects the consumer at the same premises, the unit sub-meter provider shall upon the reconnection apply the OESP rate assistance to the consumer's bill for the remainder of the eligibility period under section 5.3.2, if any.

5.3.6 Where the OESP rate assistance applied to a consumer's bill exceeds the amount owing on the bill, the unit sub-meter provider shall carry forward the credit to one or more subsequent bills, however the unit sub-meter provider shall not issue a refund of the credit to the consumer at any time including at the time the account is closed or transferred.

5.4 Billing Errors Corrections

5.4.1 Where a unit sub-meter provider receives notice from the CSP of a correction to the amount of rate assistance that was specified in a notice under section 5.3.1, or where the unit sub-meter provider discovers that it has mistakenly applied an amount of rate assistance to a consumer's bill other than the amount specified in the notice under section 5.3.1, the unit sub-

meter provider shall apply the corrected amount as soon as reasonably practicable, ~~and shall identify the correction as a billing adjustment on the consumer's bill.~~

5.4.2 Where the corrected amount is greater than the amount that was specified in the notice under section 5.3.1, the unit sub-meter provider shall ~~reimburse the consumer for~~ apply any rate assistance owing, ~~in accordance with sections 4.9.2, 4.9.3 and 4.9.4, as though the consumer had been over-billed as a credit on the consumer's account and identify the amount credited as a billing adjustment on the bill.~~

5.4.3 Where the corrected amount is less than the amount that was specified in the notice under section 5.3.1, the unit sub-meter provider shall not be entitled to recoup any rate assistance that the consumer has already received, and for greater certainty the unit sub-meter provider shall not collect any such rate assistance as under-billed amounts under sections 4.9.6 and 4.9.7, without the approval of the Board.

5.5 Technical and Administrative Requirements of the CSP

5.5.1 A unit sub-meter provider shall adhere to ~~the~~ any technical and administrative requirements set out in ~~the~~ procedure or guideline issued by the CSP ~~[on _____, 2015 and entitled "OESP Technical and Administrative Requirements for Distributors and Unit Sub-Meter Providers"]~~, ~~as it may be amended by the CSP from time to time~~, provided that no such ~~amendment procedure or guideline~~ is effective until it is approved by the Board.

5.6 Communications with Consumers

5.6.1 A unit sub-meter provider shall notify a consumer in writing that the consumer's eligibility period for OESP rate assistance is expiring at least 60 days before the period expires, and shall include in the notice information about applying for a renewal of the eligibility period. If the unit sub-meter provider sends the notice by mail, the unit sub-meter provider shall not include the notice in the same envelope as a bill or any other documentation emanating from the unit sub-meter provider.

5.6.2 A unit sub-meter provider shall post on its website a link to the Board's OESP application portal.

5.7 Settlement

5.7.1 For each calendar month in which a unit sub-meter provider applies any OESP rate assistance on consumer bills or collects any OESP-related charges, the unit sub-meter provider shall settle with the IESO ~~no later than the 20th day of the following month~~ within such time limits as the IESO specifies.

Attachment H – Comparison version showing revisions to the September Proposed Amendments as reflected in the final amendments to the Gas Distribution Access Rule (for information purposes only)

Note: The text of the **proposed** amendments is set out in italics below, for ease of identification only.

1. Section 1.2.1 of the Gas Distribution Access Rule is amended as follows:

a. The definition of “eligible low-income customer” is replaced with the following:

“eligible low-income customer” ~~has the same meaning as in the Distribution System Code.~~ means a residential gas customer who has been approved by a LEAP Intake Agency for Emergency Financial Assistance.

b. The definition of “Emergency Financial Assistance” is ~~deleted.~~ replaced with the following:

“Emergency Financial Assistance” means emergency financial assistance under the Low-Income Energy Assistance Program established by the Board;

c. The following definition is added immediately after the definition of “gas vendor-consolidated billing”:

“LEAP Intake Agency” means a social service agency, municipality or government agency that assesses a customer’s eligibility for Emergency Financial Assistance;

e.d. The definition of “social service agency or government agency” is deleted.