

## **Motion 1 (NDP)**

### **Section 0.1**

I move that the Bill be amended by adding the following section:

Purpose

0.1 The purpose of this Act is to provide financial assistance in respect of electricity costs.

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**RECOMMENDATION: OPPOSE**

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### **Analysis/Summary**

The proposed motion would add a new section to the bill which would outline the purpose of the Act.

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### **Proposed Response and Rationale**

I recommend voting **AGAINST** this motion because:

- The proposed new section is not necessary. The purpose of the Act is already evident from the provisions of the Bill.
- Adding a new section does not add anything to the interpretation of the Act's provisions.

## **Key Messages**

- This legislation, if passed, would bring into force the *Ontario Rebate for Electricity Consumers Act* which would provide an eight per cent (8%) rebate on monthly electricity costs for nearly 5 million residential consumers, small businesses and farms
- The government has introduced this legislation because we know that families need help with the cost of everyday living.

## **Motion 2 (NDP)**

### **Subsection 3(2)**

I move that clause 3(2)(c) of the Bill be struck out

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## **RECOMMENDATION: OPPOSE**

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### **Analysis/Summary**

The proposed motion would strike the clause that provides the government with the authority to prescribe in regulation that a consumer is not entitled to receive financial assistance.

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### **Proposed Response and Rational**

I recommend voting **AGAINST** this motion because:

- This legislation currently provides financial assistance to RPP eligible consumers and other eligible consumers as defined in this legislation and other statutes and regulations (e.g. Ontario Energy Board Act). As those definitions could change over time, the government requires flexibility to align program eligibility as needed to ensure eligible consumers continue to receive the rebate.
- This provision, together with others in the Act, gives Regulation making authority to address eligibility as future requirements may warrant.
- Eligibility for the financial assistance is outlined in Subsection 3(1), which refers to having an “eligible account”. Under subsection 1 (1), “eligible accounts” include accounts for residences, farms and small

businesses – representing roughly 5 million customers across the province. Section 1(1) also provides authority to make regulations that could expand the rebate to additional consumers and circumstances by identifying others who may issue “eligible accounts” (e.g. independent power authorities).

- The proposed motion restricts the government’s authority to prescribe consumers who are not entitled to receive the financial assistance.
- The regulation making authority in section 3 (2) is intended to ensure that the government can address any unintended consequences of an inclusive rebate.
- These could arise from future circumstances in which the eligibility for the Regulated Price Plan changes at some point in the future and there is a policy decision to align the electricity rebate eligibility with those changes.
- Authority to prescribe through regulation consumers who are not entitled to receive the financial assistance enables the government to address any future issues that may arise over eligibility.

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## **Key Messages**

- This legislation, if passed, would bring into force the *Ontario Rebate for Electricity Consumers Act* which would provide an eight per cent (8%) rebate on monthly electricity bills for nearly 5 million residential consumers, small businesses and farms
- The government has introduced this legislation because we know that families need help with the cost of everyday living.
- The government is committed to ensuring fair access to the financial assistance provided for through the Ontario Rebate for

Electricity Consumers Act. This provision will allow for effective administration of the program into the future.

- The Legislation provides the authority to adjustment eligibility requirements, including to expand, as future conditions may warrant.

## **Notice to vote against Section 4 (NDP)**

An Act in respect of the cost of electricity

### ***4. Invoices***

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**The New Democratic Party has submitted NOTICE to vote against Section 4 of the Bill.**

**THERE IS NO VOTE ON THE NOTICE.**

**Vote to carry Section 4.**

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## **Analysis/Summary**

Section 4 of the bill would provide requirements for electricity vendors and unit sub-meter providers who issue invoices to clearly display on the invoice a credit equal to the amount of the financial assistance provided to the customer and the net amount of the invoice after the credit.

Additionally this section provides a transitional period for electricity vendors and unit sub-meter providers who, for technical reasons, are unable to adapt their invoices in time for January 1, 2017 to have their invoices adapted by no later than July 1, 2017.

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## **Proposed Response and Rationale**

- Section 4 of the Act provides important direction for electricity vendors and unit sub-meter providers to ensure that all consumers across Ontario receive accurate information about the financial assistance they are receiving.

- This will ensure that consumers know exactly the amount of financial assistance they are receiving as well as the net amount of the invoice after the credit.
- This will also enable consumers to verify that they are getting the full rebate to which they are entitled.
- This section also provides important transitional provisions for electricity vendors or unit sub-meter providers who may be unable for technical reasons to adapt their invoices to provide the financial assistance to consumers as of January 1, 2017.

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## **Key Messages**

- If passed, this legislation would provide an 8% rebate for residential consumers, small businesses and farms, as of January 1, 2017.
- The government is committed to transparency and ensuring that all customers get access to the same information about the 8% rebate.

## **Motion 3 (NDP)**

### **Subsection 5.1**

I move that the Bill be amended by adding the following section:

#### **Duty to consult First Nations**

5.1 (1) The Minister shall identify the First Nations that have unlicensed distributors who own or operate distribution systems on their reserves and shall consult with those First Nations and the unlicensed distributors to determine whether the unlicensed distributors are willing to enter in to an arrangement with the Minister to provide the financial assistance provided for in this Act.

#### **Results of consultation**

(2) The Minister shall publish the results of the consultation within six months after this Act receives Royal Assent.

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### **RECOMMENDATION: OPPOSE**

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## **Analysis/Summary**

This proposed motion would require the Minister to consult with First Nations that have unlicensed distributors who own or operate distribution systems on their reserves to determine whether the unlicensed distributors are willing to enter in to an arrangement with the Minister to provide the financial assistance provided for in this Act. Additionally the Minister would be required to publish the results of the consultation within six months of this Act receiving Royal Assent.



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## **Proposed Response and Rational**

I recommend voting **AGAINST** this motion because:

- The Crown's duty to consult is triggered when a government activity has the potential to adversely affect the rights of indigenous peoples. It is the government's position that providing a rebate to First Nation customers served by unlicensed distributors does not trigger the duty to consult.
- Nonetheless, there are existing provisions within the Act that allow the Lieutenant Governor in Council, through regulation, to provide First Nations consumers, served by an unlicensed distributor – known as Independent Power Authorities with the financial assistance provided for in this Act.
- The Ministry has existing agreements with a number of Independent Power Authorities to provide their eligible consumers with the Ontario Clean Energy Benefit.
- Through regulation, the government intends to establish a similar process which would allow those consumers to receive the financial assistance provided for in the Act.
- Additionally, on June 27, 2016, the Minister asked the Ontario Energy Board to examine and report back on developing an appropriate electricity rate (or rate assistance) for on-reserve First Nations consumers.

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## **Key Messages**

- Our government recognizes that the price of electricity can be a particular challenge for those that pay a higher share of their income towards the bill - particularly for on-reserve First Nations consumers.
- We have heard concerns about high electricity costs from First Nations leaders across Ontario and understand on-reserve First Nations consumers often face unique challenges that lead to higher electricity consumption and higher costs that impact electricity affordability.
- Given these unique challenges, the Minister of Energy committed to look at options for addressing First Nations electricity costs. That's why under s.35 of the Ontario Energy Board Act, 1998 the Minister of Energy requested that the Ontario Energy Board (OEB) investigate appropriate rate assistance options for on-reserve First Nations electricity consumers.
- Through regulation, our government intends to establish a process that will enable First Nations consumers who are served by independent power authorities to receive the financial assistance provided for through Bill 13.

## **Motion 4 (NDP)**

### **Subsection 15 (2)**

I move that subsection 15(2) of the Bill be struck out

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## **RECOMMENDATION: OPPOSE**

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### **Analysis/Summary**

Subsection 15 (2) of the Act would provide the Minister of Energy with the authority to make regulations that prescribe information that must be included on or with invoices and govern the presentation of the financial assistance.

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### **Proposed Response and Rational**

I recommend voting **AGAINST** this motion because:

- Subsection 15(2) provides the Minister with necessary authority to issue regulations prescribing information that must be included on or

with invoices issued to consumers who receive payments of financial assistance under this Act.

- In order to ensure that consumers receive accurate information about the financial assistance they are receiving under this Act, the Minister must have authority to prescribe to electricity vendors and sub-meter providers what that information should include.
- Requiring electricity vendors and unit sub-meter providers to set out prescribed information ensures that all consumers across the province receive information that is accurate and easy to understand.

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## **Key Messages**

- If passed, this legislation would provide an 8% rebate for residential consumers, small businesses and farms, as of January 1, 2017.
- The government is committed to transparency and ensuring that all customers get access to the same information about the 8% rebate.



## **Motion 5 (PC)**

### **Section 19**

I move that section 19 of the Bill be struck out and the following substituted:

#### **Short title**

**19. The short title of this Act is the *Raymond Cho MPP Hydro Benefit Act, 2016***

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**RECOMMENDATION: OPPOSE**

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### **Analysis/Summary**

This motion would replace the existing short title of the Act - the *Ontario Rebate for Electricity Consumers Act, 2016* - with *Raymond Cho MPP Hydro Benefit Act, 2016*

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### **Proposed Response and Rational**

I recommend voting **AGAINST** this motion because:

- The short title of the Act under section 19 of the Bill follows the standard convention for short titles; provides a simple and accurate description of the Act and should be maintained.
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## **Key Messages**

- This legislation, if passed, would bring into force the *Ontario Rebate for Electricity Consumers Act* which would provide an eight per cent (8%) rebate on monthly electricity bills for nearly 5 million residential consumers, small businesses and farms
- The government has introduced this legislation because we know that families need help with the cost of everyday living.