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ONTARIO REGULATION
made under the
ONTARIO ENERGY BOARD ACT, 1998
ONTARIO ELECTRICITY SUPPORT PROGRAM

Definitions

1. (1) In this Regulation,

“account-holder” means a consumer,

- (a) 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, or
- (b) 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 a kidney dialysis machine;

“electricity provider” means, in relation to an account-holder, the distributor referred to in clause (a) of the definition of “account-holder” or the unit sub-meter provider referred to in clause (b) of that definition, as the case may be;

“embedded distributor” means a licensed distributor who is not a market participant and to whom a host distributor distributes electricity;

“host distributor” means a licensed distributor who is a market participant and who distributes electricity to another licensed distributor who is not a market participant;

“household” means, subject to subsections (2) and (3), the account-holder and any other people living at the account-holder’s service address or residential dwelling 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 18 or over;

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

“licensed distributor” means a distributor who is licensed under Part V of the Act;

“OESP” means the Ontario Electricity Support Program continued under section 79.2 of the Act;

“OESP administrative costs” means [●], in respect of the implementation and administration of the OESP;

“OESP online portal” means the website administered by the Minister through which applications for rate assistance are made;

“rate assistance” means OESP rate assistance under section 79.2 of the Act.

(2) When applications are processed pursuant to an agreement with the Minister of Community and Social Services under section 79.2.1 of the Act on behalf of an account-holder who is a recipient of income support under the *Ontario Disability Support Program Act, 1997*, who is an applicant that satisfies the requirements set out in clauses 5 (1) (b) to (e) of that Act or who is a member of such a recipient’s or applicant’s benefit unit, as defined in that Act,

“household” has the same meaning as “benefit unit” in the *Ontario Disability Support Program Act, 1997*.

(3) When applications are processed pursuant to an agreement with the Minister of Community and Social Services under section 79.2.1 of the Act on behalf of an account-holder who is a recipient of basic financial assistance under the *Ontario Works Act, 1997*, who is an applicant eligible for basic financial assistance under that Act or who is a member of such a recipient’s or applicant’s benefit unit, as defined in that Act,

“household” has the same meaning as “benefit unit” in the *Ontario Works Act, 1997*.

(4) For the purposes of subsection 79.2 (10) of the Act and section [XY] of this Regulation,

“lost revenue resulting from the provision of rate assistance” includes OESP administrative costs.

Administration of OESP

2. The OESP shall be administered by the Minister.

Rate-assisted consumers

x. The account-holders set out in Schedule 1 are prescribed as rate-assisted consumers for the purposes of subsection 79.2 (7) of the Act.

Rate assistance

x. (1) Rate assistance shall be provided to rate-assisted consumers on a monthly basis.

(2) The monthly amount of rate assistance for each class of rate-assisted consumer set out in Schedule 1 is,¹

- (a) \$35 for account-holders in Class A;
- (b) \$40 for account-holders in Class B;
- (c) \$45 for account-holders in Class C;
- (d) \$51 for account-holders in Class D;
- (e) \$52 for account-holders in Class E;
- (f) \$57 for account-holders in Class F;
- (g) \$60 for account-holders in Class G;
- (h) \$63 for account-holders in Class H;
- (i) \$68 for account-holders in Class I;
- (j) \$75 for account-holders in Class J;
- (k) \$83 for account-holders in Class K;
- (l) \$90 for account-holders in Class L; and
- (m) \$113 for account-holders in Class M.

¹ S. 5 (1), (2) of the current reg.

Applying for rate assistance

- x. An account-holder may apply to receive rate assistance by,
 - (a) submitting an application through the OESP online portal; or
 - (b) [●]

Eligibility period

- x. (1) An account-holder who applies for rate assistance and whose application is approved is eligible for rate assistance as a rate-assisted consumer for the period beginning from the day on which the application is approved and ending, subject to subsection (2), on,
 - (a) the second anniversary of that day; or
 - (b) if the account-holder is at least 65 years of age or receives disability benefits under the Canada Pension Plan, the fifth anniversary of that day.
- (2) If the account-holder's account with the electricity provider is closed, the account-holder's eligibility period for rate assistance ends on that day.
- (3) A rate-assisted consumer may, before the expiry of an eligibility period, submit an application through the OESP online portal to renew the eligibility period for,
 - (a) two years; or
 - (b) five years, if, at the time of the application for renewal, the account-holder meets the criteria set out in clause (1) (b).
- (4) Nothing in this section prevents an account-holder from applying to receive rate assistance after an eligibility period has expired.

Notice of expiry

- x. (1) At least 60 days before the expiry of a rate-assisted consumer's eligibility period, the electricity provider shall notify the rate-assisted consumer in writing of the expiry.
- (2) The notice referred to in subsection (1) shall include information respecting how to apply for renewal of the eligibility period through the OESP online portal and, if the notice is sent to the consumer by mail, shall be mailed separately from any other document mailed to the rate-assisted consumer by the electricity provider.

Payments in respect of rate assistance

Compensation for lost revenue

x. (1) Each month, the IESO shall pay distributors and unit sub-meter providers the compensation to which they are entitled under subsection 79.2 (10) of the Act.²

(2) The IESO is prescribed as an entity that is entitled to be compensated under subsection 79.2 (10) of the Act for any lost revenue resulting from the provision of rate assistance under the OESP,³ and shall, after making the payments referred to in subsection (1), retain for itself the compensation to which it is entitled.

Duty to maintain records

x. (1) This section applies for the purposes of section 79.7 of the Act.

(2) Every distributor shall maintain records respecting any complaints received by the distributor from consumers or market participants respecting rate assistance or the OESP.

(3) Every unit sub-meter provider shall maintain records respecting [●].

Duty of IESO to provide information

x. No later than the last day in each month, the IESO shall provide to the Minister, in the form and manner specified by the Minister, the following information respecting the provision of rate assistance in the preceding month:

1. The total amount of rate assistance provided to rate-assisted consumers during the month, and the amount specific to each distributor and unit sub-meter provider with whom a rate-assisted consumer has an account.
2. Any other information respecting the provision of rate-assistance or the administration of the OESP that the Minister may specify.

Duty of distributors to provide information

x. No later than April 30 in each year, every distributor with whom a rate-assisted consumer has an account shall provide to the Minister, in the form and manner specified by the Minister, the following information respecting its account-holders and the provision of rate assistance in the preceding calendar year:

1. The number of account-holders who were rate-assisted consumers on December 31 of that year.

² S. 3 (4) of the current reg.

³ S. 2 of the current reg.

2. The number of account-holders who received rate assistance for any period during the year, but who were no longer rate-assisted consumers on December 31.
3. The number of rate-assisted consumers who also received emergency financial assistance under the Board's Low-income Energy Assistance Program during the year.
4. The number of account-holders whose service was disconnected during the year for non-payment.
5. The number of account-holders whose accounts were in arrears on December 31 of that year, and the total amount in arrears as of that day.
6. The number of arrears payment agreements entered into during the year with account-holders, the number of such agreements that were cancelled during the year for non-payment, and the total amount owing under those agreements as of December 31.
7. The number of account-holders' accounts with unpaid amounts that were written off as bad debts during the year, and the total amount written off as of December 31.
8. The number of account-holders enrolled, as of December 31 in that year, in an equal billing plan or an equal monthly billing plan.
9. The number of account-holders for whom the distributor holds security deposits, and the total amount held, as of December 31, of that year.
10. The number of account-holders who had load limiter devices or timed load interrupter devices installed during the year.
11. Any other information respecting the provision of rate-assistance or the administration of the OESP that the Minister may specify.

Duty of unit sub-meter providers to provide information

x. No later than April 30 in each year, every unit-sub meter provider with whom a rate-assisted consumer has an account shall provide to the Minister, in the form and manner specified by the Minister, the following information respecting its account-holders and the provision of rate assistance in the preceding calendar year:

1. The information described in paragraphs 1-3 of [●], in relation to its own account-holders.

2. Any other information respecting the provision of rate-assistance or the administration of the OESP that the Minister may specify.

Reliance on information

x. (1) For the purposes of this Regulation, the IESO shall rely on the information provided to it by distributors, unit sub-meter providers, retailers of electricity, and any other persons or entities that are required to provide information under this Regulation or by an order of the Board or under the authority of another regulation made under the Act.

(2) For the purposes of this Regulation, host distributors shall rely on the information provided to them by their embedded distributors.

Transitional, funding

x. For the purposes of subsections 79.2 (4) and (5) of the Act, the credit balance in the variance account maintained by the IESO under the OESP as it existed before section 2 of Schedule 2 to the *Fair Hydro Act, 2017* came into force shall be fully applied towards the provision of rate assistance.

Revocation

x. **Ontario Regulation 314/15 (Ontario Electricity Support Program), made under the Act, is revoked.**

Commencement

x. (1) **Subject to subsection (2), this Regulation comes into force on the later of the day section 2 of Schedule 2 to the *Fair Hydro Act, 2017* comes into force and the day it is filed.**

(2) **[Provisions TBD] come into force on the latest of,**

- (a) **the day section 2 of Schedule 2 to the *Fair Hydro Act, 2017* comes into force;**
- (b) **the day this Regulation is filed; and**
- (c) **March 31, 2018.**

SCHEDULE 1 CLASSES OF RATE-ASSISTED CONSUMERS⁴

The following are classes of rate-assisted consumers for the purposes of subsection 79.2 (7) of the Act and section [XY] of this Regulation:

1. Class A is composed of the following account-holders, other than account-holders who also meet the requirements of Class E:

⁴ Schedule to the current reg.

- i. Account-holders with a household income of more than \$39,000 and no more than \$48,000 living in a household of three persons.
 - ii. Account-holders with a household income of more than \$48,000 and no more than \$52,000 living in a household of five persons.
 - iii. If the applications are processed pursuant to an agreement with the Minister of Community and Social Services under section 79.2.1 of the Act, account-holders living in any size household where the household income exceeds the maximum amount specified for that household size in any other part of this Schedule.
2. Class B is composed of the following account-holders, other than account-holders who also meet the requirements of Class G:
 - i. Account-holders with a household income of more than \$28,000 and no more than \$39,000 living in a household of two persons.
 - ii. Account-holders with a household income of more than \$39,000 and no more than \$48,000 living in a household of four persons.
 - iii. Account-holders with a household income of more than \$48,000 and no more than \$52,000 living in a household of six persons.
 - iv. If the applications are processed pursuant to an agreement with the Minister of Community and Social Services under section 79.2.1 of the Act, account-holders living in a household of one person where the household income is between \$28,001 and \$39,000.
3. Class C is composed of the following account-holders, other than account-holders who also meet the requirements of Class I:
 - i. Account-holders with a household income of \$28,000 or less living in a household of one or two persons.
 - ii. Account-holders with a household income of more than \$28,000 and no more than \$39,000 living in a household of three persons.
 - iii. Account-holders with a household income of more than \$39,000 and no more than \$48,000 living in a household of five persons.
 - iv. Account-holders with a household income of more than \$48,000 and no more than \$52,000 living in a household of seven or more persons.

4. Class D is composed of the following account-holders, other than account-holders who also meet the requirements of Class J:
 - i. Account-holders with a household income of \$28,000 or less living in a household of three persons.
 - ii. Account-holders with a household income of more than \$28,000 and no more than \$39,000 living in a household of four persons.
 - iii. Account-holders with a household income of more than \$39,000 and no more than \$48,000 living in a household of six persons.
5. Class E is composed of account-holders with a household income and household size described under Class A who also meet any of the following requirements:
 - 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 family living within the household is an Indigenous person.
 - 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.
6. Class F is composed of the following account-holders, other than account-holders who also meet the requirements of Class K:
 - i. Account-holders with a household income of \$28,000 or less living in a household of four persons.
 - ii. Account-holders with a household income of more than \$28,000 and no more than \$39,000 living in a household of five persons.
 - iii. Account-holders with a household income of more than \$39,000 and no more than \$48,000 living in a household of seven or more persons.
7. Class G is composed of account-holders with a household income and household size described under Class B who also meet any of the following requirements:
 - 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 family living within the household is an Indigenous person.

- 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.
- 8. Class H is composed of the following account-holders, other than account-holders who also meet the requirements of Class L:
 - i. Account-holders with a household income of \$28,000 or less living in a household of five persons.
 - ii. Account-holders with a household income of more than \$28,000 and no more than \$39,000 living in a household of six persons.
- 9. Class I is composed of account-holders with a household income and household size described under Class C who also meet any of the following requirements:
 - 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 family living within the household is an Indigenous person.
 - 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.
- 10. Class J is composed of,
 - i. account-holders with a household income of \$28,000 or less living in a household of six or more persons, other than account-holders who also meet the requirements of Class M,
 - ii. account-holders with a household income of more than \$28,000 and no more than \$39,000 living in a household of seven or more persons, other than account-holders who also meet the requirements of Class M, and
 - iii. account-holders with a household income and household size described under Class D who also meet any of the following requirements:
 - 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 family living within the household is an Indigenous person.

- 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.
- 11. Class K is composed of account-holders with a household income and household size described under Class F who also meet any of the following requirements:
 - 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 family living within the household is an Indigenous person.
 - 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.
- 12. Class L is composed of account-holders with a household income and household size described under Class H who also meet any of the following requirements:
 - 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 family living within the household is an Indigenous person.
 - 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.
- 13. Class M is composed of account-holders with a household income and household size described under subparagraph i or ii of the description of Class J who also meet any of the following requirements:
 - 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 family living within the household is an Indigenous person.
 - 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.