

This confidential draft document is provided for discussion purposes only. It should not be construed as representing the position adopted by the Government of Ontario on any of the topics included or not included in this document. Any notes included in this document are intended only to help facilitate a discussion of the topics to which they relate.

NOTICE: THESE ARE INSTRUCTIONS FOR A DRAFT.

THE LANGUAGE USED IS SUBJECT TO CHANGE BASED ON DRAFTING REQUIREMENTS

PLEASE DO NOT FORWARD OR DISTRIBUTE ANY FURTHER.

**A PROPOSAL TO CREATE REGULATION
MADE UNDER THE
ONTARIO FAIR HYDRO PLAN ACT, 2017**

Amending O. Reg. 195/17

(FAIR ADJUSTMENTS UNDER PART II OF THE ACT)

Please amend s.6(4) of O. Reg. 195/17 (Fair Adjustments Under Part II of the Act) made under the OFHPA so that the subsection reads as follows (underlined portion being our instructions):

6 (4) The rates referred to in paragraph 1 of subsection (1) are the rates that would have been effective May 1, 2018 if they had been determined by the Board using the method prescribed by regulations made under clause 79.16(1)(b) of the *Ontario Energy Board Act, 1998*, having regard to all adjustments under section 25.33 of the *Electricity Act, 1998* but without otherwise taking into account any forecasted impact of any provision of the Act .