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ONTARIO REGULATION

made under the

ONTARIO FAIR HYDRO PLAN ACT, 2017

Amending O. Reg. 196/17

(INVOICING REQUIREMENTS)

1. Section 1 of Ontario Regulation 196/17 is revoked and the following substituted:

Information to be included on invoices

1. (1) Subject to section 1.1, this section applies in respect of invoices issued to a specified consumer by an electricity vendor or unit sub-meter provider.

(2) Every electricity vendor and unit sub-meter provider shall comply with this section,

(a) as soon as is practicable after the day this section comes into force; and

(b) in every case, no later than March 31, 2018.

(3) The electricity vendor or unit sub-meter provider shall ensure that the invoice in respect of each billing period sets out, in a location where conservation or other utility messages to consumers are usually placed, the following statement: “Ontario’s Fair Hydro Plan saved you [*insert specified amount*] on your bill. This includes the 8 % Provincial Rebate.”

(4) For the purposes of the statement mentioned in subsection (3), the specified amount to be inserted shall be calculated for each invoice in accordance with section 1.2 or 1.3, as the case may be.

Exceptions

1.1 Sections 1, 1.2 and 1.3 do not apply in respect of an invoice issued by an electricity vendor or unit sub-meter provider to a specified consumer for a billing period if the electricity

distributed to the consumer by the electricity vendor or unit sub-meter provider for the billing period,

- (a) is electricity conveyed to a distribution system under a net metering agreement between the consumer, the distributor and any other person;
- (b) is electricity conveyed as part of a pilot or demonstration project authorized under subsection 88 (1.1) of the *Ontario Energy Board Act, 1998*; or
- (c) is electricity conveyed in respect of an electricity price pilot project specified by the Board in accordance with subsection 6 (3) of Ontario Regulation 95/05 (Classes of Consumers and Determination of Rates) made under the *Ontario Energy Board Act, 1998*.

Specified amount, regulated rate consumer

1.2 (1) Subject to subsection (2), for the purposes of subsection 1 (4), if the specified consumer is a regulated rate consumer, the specified amount shall be the amount calculated in respect of the consumer by taking the following steps:

1. Calculate the difference between the following amounts in respect of charges relating to electricity:
 - i. The sum of the following amounts:
 - A. If the electricity was consumed on or before April 30, 2018 and the invoice in respect of the electricity is issued on or after January 1, 2018, the amount calculated by multiplying the following rate by the amount of electricity consumed by the specified consumer: the rate that would have been effective on January 1, 2018 if it had been determined by the Board using the method prescribed by regulations under clause 79.16 (1) (b) of the *Ontario Energy Board Act, 1998* and which is published by the Board under its Regulated Price Plan Report (dated May 1, 2017 to April 30, 2018).
 - B. If the electricity was consumed during the period beginning on May 1, 2018 and ending on April 30, 2019, the amount calculated by multiplying the following rate by the amount of electricity consumed by the specified consumer: the rate that would have been effective on May 1, 2018 if it had been determined by the Board using the method prescribed by regulations under clause 79.16 (1) (b) of the *Ontario Energy Board Act, 1998*, and which is published by the Board in accordance with subsection 5 (5) of Ontario Regulation 195/17 (Fair Adjustments Under Part II of the Act) made under the Act.

- ii. The sum of the following amounts:
 - A. If the electricity was consumed on or before April 30, 2018 and the invoice in respect of the electricity is issued on or after January 1, 2018, the amount calculated by multiplying the following rate by the amount of electricity consumed by the specified consumer: the rate determined under subsection 3 (1) of Ontario Regulation 195/17 made under the Act.
 - B. If the electricity was consumed during the period beginning on May 1, 2018 and ending on April 30, 2019, the amount calculated by multiplying the following rate by the amount of electricity consumed by the specified consumer: the rate determined under subsection 5 (1) of Ontario Regulation 195/17 made under the Act.
- 2. If applicable, calculate the amount in respect of the electricity vendor's specific loss adjustment factor, if any, by applying the following steps:
 - i. Multiply the amount calculated under subparagraph 1 i by the electricity vendor's specific loss adjustment factor as determined by the Board.
 - ii. Multiply the amount calculated under subparagraph 1 ii by the electricity vendor's specific loss adjustment factor as determined by the Board.
 - iii. Calculate the result of subtracting the amount calculated under subparagraph i from the amount calculated under subparagraph ii.
- 3. Calculate the sum of the following amounts:
 - i. The amount of any rate protection provided to the consumer under section 79.3 of the *Ontario Energy Board Act, 1998* and Ontario Regulation 198/17 (Distribution Rate-Protected Residential Consumers) made under that Act.
 - ii. The amount of any rate protection provided to the consumer under section 79.4 of the *Ontario Energy Board Act, 1998* and Ontario Regulation 197/17 (First Nations Delivery Credit (On-Reserve Consumers Under Section 79.4 of the Act)) made under that Act.
- 4. Calculate the difference between the following amounts in respect of regulatory charges:
 - i. The sum of the following amounts as set out in the Board's Order EB-2016-0362 dated December 15, 2016:

- A. The amount that the consumer would have been required to contribute under subsection 79 (4) of the *Ontario Energy Board Act, 1998*.
- B. The amount that the consumer would have been required to contribute under subsection 79.2 (10) of the *Ontario Energy Board Act, 1998*.

ii. The sum of the following amounts:

- A. The amount that the consumer is required to contribute under subsection 79 (4) of that Act, as set out in the Board's Order EB-2017-0234 dated June 22, 2017.
- B. The amount that the consumer is required to contribute under subsection 79.2 (10) of the *Ontario Energy Board Act, 1998* as set out in the Board's Order EB-2017-0135 dated March 23, 2017.

5. Calculate the amount of the financial assistance provided to the specified consumer pursuant to the *Ontario Rebate for Electricity Consumers Act, 2016*.
6. Calculate the difference between the following amounts in respect of tax payable under Part IX of the *Excise Tax Act (Canada)*:
 - i. The amount of harmonized sales tax that would have been payable by the consumer under Part IX of the *Excise Tax Act (Canada)* in respect of the amounts mentioned in paragraphs 1, 2, 3 and 4 if each of those amounts is calculated without taking into account any forecasted impact of any provision of the Act and sections 1, 2 and 4 of Schedule 2 of the *Fair Hydro Act, 2017*.
 - ii. The amount of harmonized sales tax that is payable by the consumer under Part IX of the *Excise Tax Act (Canada)* by the consumer in respect of the amounts mentioned in paragraphs 1, 2, 3 and 4.
7. Calculate the sum of the amounts calculated under paragraphs 1 to 6.

(2) In the case of an invoice in respect of electricity conveyed by a unit sub-meter provider, the calculations under paragraphs 2 and 3 of subsection (1) do not apply and the sum calculated under paragraph 7 of subsection (1) shall not include such amounts.

(3) For the purposes of paragraph 4 of subsection (1), a reference to subsection 79.2 (10) of the *Ontario Energy Board Act, 1998* is a reference to that subsection as it read on the day this section comes into force.

Specified amount, other specified consumer

1.3 (1) Subject to subsection (2), for the purposes of subsection 1 (4), if the specified consumer is not a regulated rate consumer, the specified amount shall be the amount calculated in respect of the consumer by taking the following steps:

1. Calculate the sum the following amounts in respect of charges relating to electricity:
 - i. If the electricity was consumed on or before April 30, 2018 and the invoice in respect of the electricity is issued on or after January 1, 2018, the amount calculated by multiplying the dollar per megawatt hour amount determined under subsection 4 (1) of Ontario Regulation 195/17 made under the Act by the amount of electricity consumed by the specified consumer.
 - ii. If the electricity was consumed during the period beginning on May 1, 2018, and ending on April 30, 2019, the amount calculated by multiplying the dollar per megawatt hour amount determined under subsection 6 (1) of Ontario Regulation 195/17 made under the Act by the amount of electricity consumed by the specified consumer.
2. If applicable, calculate the amount in respect of the electricity vendor's specific loss adjustment factor, if any, by multiplying the amount calculated under paragraph 1 by the electricity vendor's specific loss adjustment factor as determined by the Board.
3. Calculate the sum of the amounts referred to in subparagraphs 3 i and ii of subsection 1.2 (1).
4. Calculate the amounts referred to in paragraphs 4, 5 and 6 of subsection 1.2 (1) in respect of the consumer.
5. Calculate the sum of the amounts calculated under paragraphs 1 to 4.

(2) In the case of an invoice in respect of electricity conveyed by a unit sub-meter provider, the calculations under paragraphs 2 and 3 of subsection (1) do not apply and the sum calculated under paragraph 5 of subsection (1) shall not include such amounts.

Commencement

- 2. This Regulation comes into force on the day it is filed.**