Message

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Subject: FW: notice and amendment appendices for EB-2016-0003 Ontario Energy Board
Attachments: Notice_Attachment A_Proposed_TSC_Amendments_20170921.pdf; Notice_Attachment B_Proposed_DSC_Amendments_20170921.pdf; Notice_Proposal_Amend_TSCDSC_RegionalPlanningCostAllocationReview_20170921.pdf

Good Morning All,

On September 21, 2017, the OEB issued a Notice of Proposal to amend the Transmissions System Code ("TSC") and Distribution System Code ("DSC") (attached). Below is a summary of this OEB policy consultation, proposed amendments to the TSC and DSC and the next steps.

Background

- On January 7, 2016, the OEB issued a letter stating that it will be holding a policy consultation aimed at ensuring the cost responsibility provisions for load customers in the TSC and DSC are aligned and facilitate regional planning and the implementation of regional infrastructure plans.
- The IESO is interested in this policy consultation because of the cost allocation evidence the IESO prepared for the recent Hydro One leave-to-construct application for the Supply to Essex County Transmission Reinforcement ("SECTR") project. In the SECTR project evidence, the IESO proposed a proportional benefit approach to apportion project costs between load and transmission customers in accordance with the beneficiary pays principle underlying the OEB's proposed amendments to the TSC cost responsibility rules. As well, the IESO is interested more generally in this policy consultation because of its impact on provincial transmission planning and regional planning.
- In early 2016, the IESO established an internal working group and met to discuss the IESO's potential position on cost responsibility issues and its OEB submission for this policy proceeding.
- On July 12, 2016, the OEB held the first working group meeting, which focused primarily on identifying the gaps and inconsistencies that currently exist in the codes (TSC and DSC). The Working Group also identified a number of other cost allocation issues, gaps and inconsistencies.

IESO Presentation
The OEB invited the IESO and Hydro One to give presentations at the first working group meeting. The IESO's presentation was delivered by Regulatory Affairs and Planning.

The IESO noted that its goal is to promote the lowest overall integrated planning solution that meets the needs for a region. The IESO's presentation identified a number of cost allocation issues that make the implementation of the 'optimal' planning solution challenging. The following are five issues that were highlighted in the IESO's presentation:

1. Broadening the "Beneficiary Pays" Principle
2. Recognition of Lumpy Investments
3. Non-wires options to alleviate transmission investments
4. Payment of Local Choices
5. Lack of Cost Sharing between Generation and Load

- On August 5, 2016, the OEB held the second working group meeting to discuss potential solutions to issues that were raised by the working group. Moving forward, stakeholders have also proposed to expand the IESO's role in cost benefit analysis.
- On July 8, 2017, OEB staff notified the working group that the OEB had made its final decision on all of the issues in terms of what will be reflected in the Notice of Proposal.
- On September 21, 2017, the OEB issued its notice of proposed amendments to the TSC and DSC.

Proposed Amendments to the Transmission System Code and Distribution System Code
The OEB is supportive of the proportional benefit approach as it achieves the objective of ensuring the cost of a proposed connection facility that addresses a network requirement or provides network benefits is properly shared according to the beneficiary pays principle.

Cost Responsibility Proposed Amendments
Section 6.3.14
Part (b) failing such agreement, in proportion to the rated peak output of their respective generation facilities and, in the case of line connection facilities, taking into account the relative ~~length~~ of line used by each generator customer in proportion to the length of line being shared by the customers.

Section 6.3.15
Part (b) failing such agreement, in proportion to their respective non-coincident incremental peak load requirements, as reasonably projected by the load forecasts provided by each such load customer or by such modified load forecast as may be agreed by such load customer and the transmitter and, in the case of line connection facilities, taking into account the relative ~~length~~ of line used by each load customer in proportion to the length of line being shared by the customers.

Section 6.3.16
For a new or modified transmitter-owned connection facility that will serve a 6.3.16mix of load customers and generator customers, a transmitter shall attribute the cost of the new connection facility or modification to ~~the~~ those customers based on their proportional benefit, which the transmitter shall determine by considering such factors as the rated peak output of each generation facility, the non-coincident incremental peak load requirements of each load customer, and the length of line used by each customer in proportion to the length of line being shared by the customers. ~~that cause the net incremental coincident peak flow on the connection facility that triggered the need for the new or modified connection facility. If and to the extent that the net incremental coincident peak flow is triggered by one or more load customers, the transmitter shall attribute the cost to each of those triggering load customers in the manner set out in section 6.3.15. If and to the extent that the net incremental coincident peak flow was triggered by one or more generator customers, the transmitter shall attribute the cost to each of those triggering generator customers in the manner set out in section 6.3.14.~~

Section 6.3.18A

IESO-N-0008817

Where one or more load customers triggers the need for a new or modified transmitter-owned connection facility and the IESO undertakes an assessment at the request of a transmitter that confirms the new or modified connection facility will also address a broader network system need, the transmitter shall determine the proportional benefit between the triggering customer(s) and the network pool. In doing so, the transmitter shall attribute the costs accordingly. The transmitter shall determine the capital contribution to be made by the triggering load customer(s) based on that proportional benefit and each load customer's non-coincident incremental peak load requirements, as reasonably projected by the load forecasts provided by each load customer.

6.3.18B
Where section 6.3.18A applies, the transmitter shall apply to the Board for approval of the attribution of costs between the triggering load customer(s) and the network pool. Where the Board approves a different attribution of costs, the transmitter shall recalculate the capital contribution to be made by the triggering load customer(s).

6.3.19
Where a distributor is required under this Code to provide a capital contribution to a transmitter, the transmitter shall permit the capital contribution to be provided in equal installments over a period of time not to exceed five years. Where a distributor provides the capital contribution in installments, the transmitter shall charge interest on the unpaid balance at the OEB's prescribed construction work in progress (CWIP) rate which is updated quarterly and published on the OEB website. The interest charges shall accrue monthly commencing on the date the connection asset goes into service and be paid annually, as part of each installment payment.

Upstream Transmission Connection Investments – Treatment of Embedded Distributors
The OEB notes that it is of the view that the beneficiary pays principle should apply to all distributors regardless of whether they are connected to the transmission system or embedded within a distribution system. The allocation of costs should reflect the extent each distributor (and its customers) caused for and benefit from a connection facility investment.

Addressing Inconsistencies and Gaps between the TSC and DSC
According to the OEB, the DSC provides much more discretion to distributors than the TSC provides to transmitters within the context of allocating costs associated with connection asset investments. The OEB believes the DSC needs to be revised to achieve greater consistency with the TSC to ensure that all customers are treated equitably (i.e., beneficiary pays) whether they are connected to the transmission or distribution system. However, the OEB notes that it is not contemplating a broader review of the DSC at this time given the latitude of this consultation and potential unintended consequences of a *wholesale change of sections of the DSC from "may" to "shall"*.

Capital Contribution True-Ups and Load Forecasts
A load forecast plays a major factor in the amount of capital contribution that a customer must provide to a transmitter or distributor. For example, if the load forecast is higher than the customer's actual load – the capital contribution is low because the lower actual consumption results in a shortfall of revenues for the distributor and vice versa.

The TSC includes true-up provisions to address this load forecast issue by ensuring the capital contribution reflects the customers' actual load and hence it's consistent with the beneficiary pays principle. It also removes the incentive to provide a higher load forecast in order to reduce the capital contribution that much is provided to the transmitter.

On the other hand, the DSC permits the distributor to require an expansion deposit even where no capital contribution is required because the distributor can still be at risk if the customer does not deliver on the forecast revenue. Hence, the distributor risk, the DSC permits distributors to require an expansion deposit until it is demonstrated that the customer is going to deliver on the revenue.

The OEB is proposing to amend the sections of the DSC relating to expansion deposits to be consistent with the TSC by replacing "may" with "shall".

Out of Scope

Non-wires options to alleviate transmission investments issue was raised by the IESO during the Working Group process and the OEB notes it's out of scope for this policy consultation. The OEB notes that there is already a mechanism in place in relation for some non-wires options. ***The OEB notes that its 2014 changes to the CDM Guidelines provide distributors the ability to fund certain non-wires investments (i.e., storage, eligible generation) in distribution rates.*** The OEB is yet to receive an application from a distributor to include such generation in its rate base. Hence, the OEB believes most cost effective solution in regional plan should be implemented regardless of the type of solution (i.e., wires or non-wires).

Next Steps

- The OEB proposes that the proposed amendments to the TSC and the DSC, as set out in Attachment A and B, come into force on the date the final Code amendments are published on the OEB's website.
- I will set up a meeting to discuss these changes with internal stakeholders before the OEB's October 23, 2017 deadline for comment submissions.

Please let me know if you have any questions or concerns.

Cheers,
Phillip

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Subject: FW: notice and amendment appendices for EB-2016-0003 Ontario Energy Board

FYI – the OEB just issued proposed amendments to the TSC and DSC pertaining to cost responsibility provisions. I will review them shortly and send out a summary (plus next steps).

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Subject: notice and amendment appendices for EB-2016-0003 Ontario Energy Board

Good afternoon:
The OEB has issued proposed amendments to the Transmission System Code (TSC) and the Distribution System Code (DSC) which are aimed at ensuring the cost responsibility provisions are better aligned and facilitate the implementation of regional plans.

*Comments on the proposed Code amendments are due by **October 21, 2017**.*

The Notice (and Appendices with the proposed TSC and DSC amendments) are attached.

Susi É. Ahlborn
Case Administrator
Office of the Registrar

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