

Message

From: Michael Boll [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4811917E15054407B665FE16D12FF415-MICHAEL BOL]
Sent: 2018-04-10 4:35:36 PM
To: Tam Wagner [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=70ad853871354761a98848de59c4c792-Tam Wagner]
Subject: RE: Ontario Rebate for Electricity Consumers Act, 2016

Hi Tam,

Friday afternoon works for me.

We are doing fine. Busy trying to deal with transition issues...

From: Tam Wagner
Sent: April 10, 2018 1:29 PM
To: Michael Boll
Subject: Fwd: Ontario Rebate for Electricity Consumers Act, 2016

FYI - Just got a response from Brian. I'm in Washington, DC right now and won't be able to make a call today (obviously given the time) and then am out of the office Thursday. I can try to set something up for Friday or if you want to discuss with Brian separately on Thursday, I can arrange that as well. Let me know what you would prefer.

Cheers,
-Tam-

P.S. How is the legal team doing with yesterday's announcement?

Sent from my iPhone

Begin forwarded message:

From: Brian Hewson <Brian.Hewson@oeb.ca>
Date: April 10, 2018 at 11:43:29 AM EDT
To: Tam Wagner <tam.wagner@ieso.ca>
Subject: RE: Ontario Rebate for Electricity Consumers Act, 2016

Hi Tam,

I apologize for the delay I would be happy to discuss this with you and Michael. We have been asked this question before. I am available today until about 1:30 and then back in the office on Thursday.

Brian

Brian Hewson
Vice President, Consumer Protection & Industry Performance
ONTARIO ENERGY BOARD
Direct Line: 416-440-7628
General: 1-866-632-6732
Brian.hewson@oeb.ca
www.ontarioenergyboard.ca

Please note my email address has changed to Brian.Hewson@oeb.ca Please update your address book accordingly



From: Tam Wagner <tam.wagner@ieso.ca>
Sent: Tuesday, March 27, 2018 9:35 PM
To: Brian Hewson <Brian.Hewson@oeb.ca>
Subject: FW: Ontario Rebate for Electricity Consumers Act, 2016

Hi Brian:

I hope you are doing well. I'm writing to follow-up on an issue regarding the interpretation of the *Ontario Rebate for Electricity Consumers Act, 2016* (OREC). Michael Boll from our legal group had reached out to Martine about this and she indicated that you would be able to help us with this. Please see the email correspondence below.

Please let me know if it would be helpful to set up a call to discuss.

Thanks,
-Tam-

From: Martine Band [<mailto:Martine.Band@oeb.ca>]
Sent: March 26, 2018 10:22 AM
To: Michael Boll
Subject: RE: Ontario Rebate for Electricity Consumers Act, 2016

Hi Michael,

Sorry for not getting back to you sooner. Brian Hewson is the person you should be speaking with about this.

Martine

Martine M. N. Band
Associate General Counsel
Ontario Energy Board
Suite 2700, 2300 Yonge Street
Toronto, Ontario M4P 1E4

Direct Line: 416.440.8117
E-mail: martine.band@oeb.ca

Please note my email address has changed to Martine.Band@oeb.ca. Please update your address book accordingly.

From: Michael Boll [<mailto:Michael.Boll@ieso.ca>]
Sent: Monday, March 26, 2018 10:04 AM
To: Martine Band <Martine.Band@oeb.ca>
Subject: RE: Ontario Rebate for Electricity Consumers Act, 2016

Hi Martine,

Have you been able to make progress on this? We would like to discuss this with the OEB before we provide a response to the market participant.

Regards,
Michael

From: Martine Band [<mailto:Martine.Band@oeb.ca>]
Sent: March 09, 2018 12:08 PM
To: Michael Boll
Cc: Tam Wagner; Jeannette Briggs
Subject: RE: Ontario Rebate for Electricity Consumers Act, 2016

Hi Michael,

I am doing well – hope the same for you. I need to reach out to a few people on my end to see how best to move this along, and will get back to you early next week. Hope that's OK.

Martine

Martine M. N. Band
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E-mail: martine.band@oeb.ca

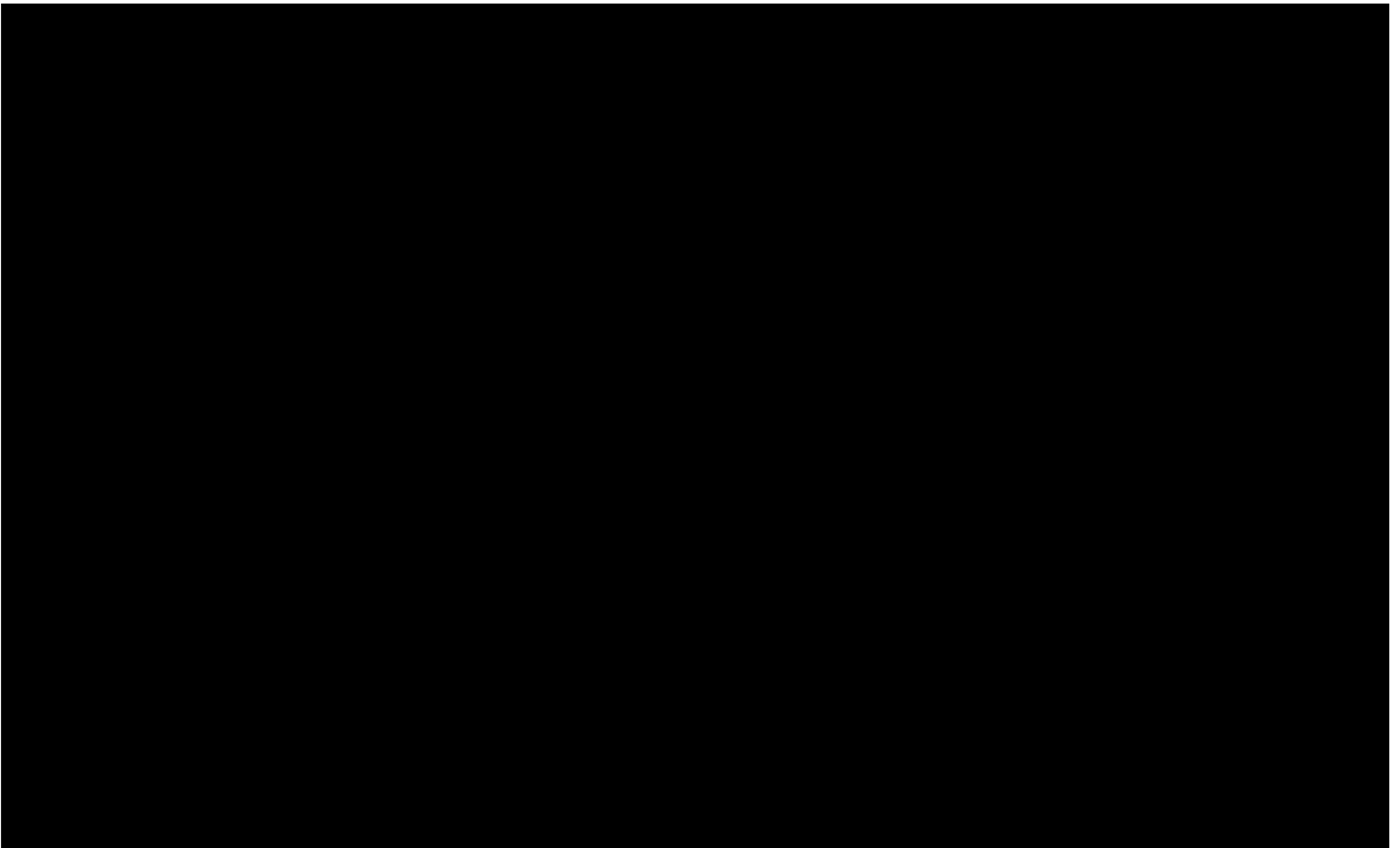
Please note my email address has changed to Martine.Band@oeb.ca. Please update your address book accordingly.

From: Michael Boll [<mailto:Michael.Boll@ieso.ca>]
Sent: Thursday, March 8, 2018 1:03 PM
To: Martine Band <Martine.Band@oeb.ca>
Cc: Tam Wagner <tam.wagner@ieso.ca>; Jeannette Briggs <jeannette.briggs@ieso.ca>
Subject: Ontario Rebate for Electricity Consumers Act, 2016

Martine,

I hope you are well. I'm writing to raise an issue and initiate a discussion regarding the interpretation of the *Ontario Rebate for Electricity Consumers Act, 2016* (OREC), specifically as it relates to university campuses on which a residential complex is located.

A consultant to an IESO market participant forwarded the below email it received from the OEB regarding the OREC rebate.



Under OREC, a consumer that has an eligible account is entitled to an 8% rebate on its bill.

Under OREC, *“eligible account” means, in respect of a consumer, an account with an electricity vendor, or with a person prescribed by the regulations, for the provision of electricity in Ontario if, [...]*

(d) the account relates to,

- (i) a dwelling,*
- (ii) a property, within the meaning of the Condominium Act, 1998,*
- (iii) a residential complex, within the meaning of subsection 2 (1) of the Residential Tenancies Act, 2006, without regard to section 5 of that Act, or*
- (iv) a property that includes one or more housing units and that is owned or leased by a co-operative within the meaning of the Co-operative Corporations Act, or*

The IESO's interpretation of OREC is that the rebate would not apply to the invoice for the entire bulk metered electricity consumption for a university campus that also has a residential complex located on it. As an example, a residential complex may represent a small portion (e.g. 4%) of the total campus' load.

The interpretation of an eligible account under OREC would also apply to the definition of a “specified consumer” under the Fair Hydro Plan Act, 2017. If the expansive interpretation expressed in the OEB

email above were applied, an entire university campus' electricity invoice amount would be eligible for the fair adjustment under Fair Hydro.

It has been suggested to the IESO that this expansive interpretation is currently being used by all LDCs across Ontario for this specific subset of consumer.

Please let me know if you would like to have a call to discuss, or if there is someone else at the OEB we should discuss this with.

Regards,
Michael

Michael Boll | Associate General Counsel

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