

Message

From: Michael Boll [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4811917E15054407B665FE16D12FF415-MICHAEL BOL]
Sent: 2018-03-08 1:03:16 PM
To: martine.band@oeb.ca
CC: Tam Wagner [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=70ad853871354761a98848de59c4c792-Tam Wagner]; Jeannette Briggs [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=148095610f7242f48a5a9da24b1a8a87-Jeannette B]
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.

From: Industry Relations [<mailto:IndustryRelations@oeb.ca>]
Sent: Tuesday, May 09, 2017 9:34 AM
To: Anna Fitzpatrick <Anna.Fitzpatrick@e2energyinc.com>
Subject: OEB FILE No. IRE-2017-0491 - OREC (8% Rebate) - All - RESPONSE

Dear Anna Fitzpatrick,

This is our response to the enquiry you submitted to Industry Relations.

Specifically, you were asking about qualifying for the OREC 8% rebate.

In addition to the qualifying criteria of using less than 250,000 kwh a year or having a demand of less than 50 kW, an account can also qualify for the rebate if it relates to a residential complex like an apartment building or a condominium. If it is a residential complex it can have usage higher than the 250,000kwh or 50kW demand limits.

If you have a bulk metered account that even partially relates to a residential complex, then that account should qualify for the rebate. The rebate would apply to the entire bill amount, even if the majority of the bill relates to non-residential load.

Thank you for your enquiry. I hope you find this information helpful.

*Regards,
Industry Relations*

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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