



**NOTICE OF AMENDMENT TO A CODE**  
**AMENDMENTS TO THE RETAIL SETTLEMENT CODE**  
**BOARD FILE NO.: EB-2008-0297**

**To: All Licensed Electricity Distributors  
All Licensed Electricity Retailers  
All Participants in Consultation Process EB-2008-0297  
Independent Electricity System Operator  
All Other Interested Parties**

**Re: Code Amendments for Access to the Meter and Meter Data**

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The Ontario Energy Board (the "Board") is giving notice under section 70.2 of the *Ontario Energy Board Act, 1998* (the "Act") of amendments to the Retail Settlement Code (the "RSC").

**I. Background**

On January 8, 2009, the Board released a Notice of Proposal to Amend a Code (the "January Notice") in which it proposed amendments to the RSC (the "Proposed Amendments"). The Proposed Amendments were meant to clarify the rights of consumers and retailers to obtain, and the obligations of distributors to provide, access to meters and meter information regardless of what type of meter is used.

The Board received 11 sets of written comments made by a variety of stakeholders. These comments are discussed below.

The Board has considered all of the comments received and has determined that no material changes need to be made to the Proposed Amendments. However, in light of the comments received, the Board has decided to make one minor revision to the Proposed Amendments which is described below. The text of the amendments to the RSC as adopted by the Board is set out in Attachment A to this Notice.

## **II. Comments on and Minor Revision to the Proposed Amendments**

The Board reiterates that the purpose of the amendments is to clarify the existing provisions of sections 11.1 and 11.2 of the RSC, namely the obligations of distributors to provide validated data and the right of customers to access their meters to acquire unverified data. To that end, changes to wording were kept to a minimum. One reason that consumers may wish to access their unverified meter data is to facilitate near real time energy monitoring either through in-home displays or more sophisticated energy management systems.

While consumers are entitled to both valid meter information and unverified meter data, the means of accessing the two data types are different. The amendments therefore separate the requirements for access to meter information into requirements for valid meter information in the amended section 11.1 and for unverified meter data in the amended section 11.2.

Several parties questioned why the provision that stated that raw data did not need to be posted on the EBT system was removed from section 11.1. That statement was deleted because the Board felt it was unnecessary to be included in the RSC. There are many things that do not need to be posted on the EBT system but the Board does not list all of those items. The provisions that state what does need to be included in the EBT system have remained in the RSC. The deletion of the statement should not be read in any way as meaning that it is now a requirement to post raw data on the EBT system. The requirements for meter data to be posted on the EBT System are in sections 5.2 and 11.1 of the RSC and include only valid meter information.

Since unverified meter data does not need to be posted on the EBT system and that is the only information included in section 11.2, the Board agrees with the comment that the reference to section 11.2 should be removed from section 2.5.

Several stakeholders suggested alternative wording for section 11.2.2(a) regarding the costs which consumers are required to pay. Most of the arguments seem to focus on the fact that the costs may not be under the control of the distributor (i.e., the service may be provided by a third party). The Board finds the existing wording appropriate in relation to the consumer's obligation to pay for the costs of obtaining the access to the meter.

The Board received comments from numerous parties that the proposed amendments did not go far enough because they did not address what will happen when smart meters are designated as interval meters and they did not account for issues related to the meter data management and meter data repository ("MDM/R"). Many parties argued that more extensive consultation was needed to address these issues.

Several stakeholders commented on the necessity of describing the method by which consumers or their agents can access verified, hourly, smart meter data. The smart metering initiative requires a transition period for a number of items, including a period

for the initial enrolment of smart meters into the MDM/R. In amendments to the RSC that came into force on June 27, 2007, the Board introduced the "metering evolution period end date". Until the metering evolution period end date is set by the Board, smart meters are not interval meters for the purposes of section 11 of the RSC; therefore, the amendments in this Notice do not require any changes to the EBT system at this time.

The Board agrees that there may be many changes that will be required once the metering evolution period end date is determined by the Board. The Board intends to consult on those matters when the time comes. One of the matters that will likely be included in the consultation is the issue of third parties (retailers and others) access to data from the MDM/R and the data exchange between distributors, retailers and the MDM/R. The information and discussion provided by Cornerstone Hydro Electric Concepts Association Inc. will be useful to that discussion.

The Board recognizes that there were other concerns raised by stakeholders that were outside the scope of these particular amendments. The Board takes note of these issues for the future consultation: the extent to which the exchange of smart meter data will make use of the methodology and infrastructure of the EBT System; the problematic use of "meter read" as an event to establish timing; KYZ pulse outputs with respect to the definition of interval meters; and the function and disclosure of net system load shapes for distributor's service areas.

While the Board recognizes, as some stakeholders suggested, that the current amendments are not of an urgent nature and could possibly wait until the issues related to smart meters mentioned above are addressed, the Board considers it advisable to make these amendments now in order to reduce the areas of disagreement between consumers or their agents, retailers, and distributors. These amendments may also provide a better platform for the more extensive changes expected when the metering evolution period end date is determined by the Board.

The Board has also taken this opportunity, as suggested by stakeholders, to consolidate the RSC for all amendments made since February 2004.

### **III. Anticipated Costs and Benefits of the Amendments**

As stated in the January Notice, the Board expects the amendments to clarify rights and obligations and thereby reduce the areas of disagreement between consumers or their agents, retailers, and distributors. The further clarity in the wording may result in fewer conflicts between the various parties, thereby easing the implementation of energy management through the use of real-time or near-real-time monitoring devices in both commercial and residential settings. The amendments themselves should not cause material additional costs for distributors, retailers, or consumers. The benefits of the amendments outweigh the costs of the amendments.

#### **IV. Coming into Force**

As indicated in the January Notice, the amendments to the RSC will come into force on the date on which they are published on the Board's website.

This Notice, the January Notice, and the comments of interested parties are available for public viewing on the Board's website at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca) and at the office of the Board during normal business hours.

If you have any questions regarding the amendments described in this Notice, please contact Laurie Reid at 416-440-7623. The Board's toll free number is 1-888-632-6273.

**DATED** at Toronto, April 3, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli  
Board Secretary

Attachment A: Amendments to the Retail Settlement Code

## **Attachment A**

### **Amendments to the Retail Settlement Code EB-2008-0297**

1. The first sentence of section 2.5 of the Retail Settlement Code is deleted and replaced with the following:

A distributor shall make available to a consumer, or to a competitive retailer designated by a consumer, validated meter usage information according to the standards and schedule delineated in sections 5.2 and 11.1.

2. The introduction to Chapter 11 of the Retail Settlement Code is deleted and replaced with the following:

This chapter describes the rights of consumers and retailers to access current and historical valid meter information (i.e., verified meter usage data) and unverified meter data (i.e., raw meter usage data) and related information. This chapter also describes the obligations of distributors in providing access to such information.

3. Section 11.1 of the Retail Settlement Code is deleted and replaced with the following:

#### **11.1 Customer Access to Valid Meter Information**

11.1.1 A distributor shall make the following information available to a consumer within the distributor's service area:

- (a) the distributor's meter number for the meter or meters located at the consumer's service address;
- (b) the consumer's service address;
- (c) the distributor's account number;
- (d) the date of the most recent meter reading;
- (e) the date of the previous meter reading;
- (f) multiplied kilowatt-hours recorded at the time of the most recent meter reading;
- (g) multiplied kilowatt-hours recorded at the time of the previous meter reading;
- (h) multiplied kW for the billing period (if demand metered);
- (i) multiplied kVA for the billing period (if available);
- (j) valid usage (kWh/h) for each hour during the billing period for interval-metered consumers;

- (k) an indicator of the read type (e.g., distributor read, consumer read, distributor estimate, etc.); and
- (l) average distribution loss factor for the billing period.

11.1.2 Upon written authorization from a consumer located within the distributor's service area, a distributor shall make the information listed in section 11.1.1 available to a retailer that provides electricity to that consumer. A distributor shall make the information listed in section 11.1.1 available to retailers through the EBT System in accordance with section 5.2.

4. Section 11.2 of the Retail Settlement Code is deleted and replaced with the following:

### **11.2 Customer Access to Unverified Meter Data**

11.2.1 A consumer has the right to access his or her meter in order to obtain unverified meter data, or to assign this right to others, in accordance with any relevant technical specifications and codes.

11.2.2 If a consumer desires regular access to his or her meter in order to obtain unverified meter data, a distributor shall provide access under the following conditions:

- (a) a consumer shall pay the reasonable cost of any software, hardware or other services required for a consumer to obtain direct access to unverified meter data (which may include costs for the installation of a secondary meter access system);
- (b) the timing of consumer access to the meter is negotiable with the distributor; however, a distributor has priority when selecting access windows for the purpose of reading the meter;
- (c) if a distributor's access to the meter is hindered or a consumer's access to the meter corrupts unverified meter data, a distributor may suspend a consumer's right to access until any outstanding problems are resolved;
- (d) a consumer shall bear any cost incurred by a distributor to correct problems caused by a consumer's direct access to the meter; and
- (e) if a consumer assigns his or her right to direct meter access to a third party, the consumer shall remain responsible for the action of the assigned party.