



October 12, 2015

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
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Toronto, ON M4P 1E4
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VIA EMAIL

RE: OEB FILE NO.: EB-2015-0268

All Participants in EB-2014-0158 (Consultation on the Effectiveness of Part II of the *Energy Consumer Protection Act, 2010*)

Dear Ms. Walli:

Summitt Energy LP. ("Summitt Energy") respectfully submits the following with respect to the above noted consultation.

The Ministry of Energy has introduced Bill 112 that would amend the Ontario Energy Board Act, 1998 (OEBA) and the Energy Consumer Protection Act, 2010 (ECPA) to enhance the Ontario Energy Board's (OEB) mandate and organization to ensure that it continues to have a robust set of tools to regulate and protect consumers.

Bill 112 is currently before the Legislative Assembly of Ontario and is still under debate. It is our understanding that Bill 112 will undergo further consultation once it is assigned to a Committee for review. Summitt Energy anticipates that there will be opportunity for all stakeholders to participate and provide comment so that the final Bill 112 will be one that best protects consumers while maintaining a viable industry for all stakeholders.

At this time, Summitt Energy is of the opinion that it is somewhat premature of the OEB to seek comment on proposed changes to the Electricity Retailer Code of Conduct (Retailer Code) and the Code of Conduct for Gas Marketers (Marketer Code). There is potential that these proposed changes by the OEB will be amended once Bill 112 is finalised. To that, Summitt feels that it is not beneficial nor effective for the OEB to seek comment until Bill 112 is proclaimed.

In regards to the OEB proposal that the final amendments to each code and rule will come into force on the later of January 1, 2016 or the date on which Bill 112, if passed, and amendments to the ECPA Regulation, if made, come into force.

Summitt believes that an OEB consultation will be more effective and a better use of stakeholder resources if conducted after proclamation of Bill 112 but before the changes to the OEBA and ECPA come into force.

Respectfully submitted

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