

October 25, 2021

**VIA RESS and EMAIL**

Ms. Christine E. Long  
Registrar  
Ontario Energy Board  
2300 Yonge St., Suite 2700  
Toronto, ON M4P 1E4  
Email: registrar@oeb.ca

Dear Ms. Long:

**Re: Green Button Implementation (EB-2021-0183) – Notice of Proposal to Amend the Retail Settlement Code (“RSC”) and Draft OEB Staff Guidance**

On October 12, 2021 the Ontario Energy Board (“OEB”) issued for comment a Notice of Proposal to amend the RSC and draft guidance to assist electricity and natural gas distributors in implementing Green Button in Ontario in a manner consistent with the requirements set out in Ontario Regulation 633/21 (“Green Button regulation”) made under the *Electricity Act, 1998*.

The Green Button regulation stipulates a data standard for use in providing customers and authorized third parties with access to energy usage and account information. The regulation comes into effect on November 1, 2021 and provides a two-year implementation window for distributors.

The proposed RSC amendments focus on distinguishing the Green Button processes from current processes addressing customer-requested data. The draft guidance represents an initial step toward clarifying the information expected to be made available via Green Button, outlining expected customer authorization and revocation processes, and addressing customer privacy. In their letter OEB staff also indicates the approval of a deferral account and the introduction of reporting requirements related to Green Button, with further information to be made available in the near term.

Alectra Utilities (“Alectra”) is pleased to offer comments herein and commends the OEB for its continued work on this initiative, including its consultation efforts through the Green Button Task Force.

## **Proposed Retail Settlement Code Amendments**

Alectra has reviewed the proposed amendments to the RSC which seek to clearly distinguish new requirements under the Green Button regulation from current requirements to process consumer requests for current and historical energy data as set out in RSC Section 10.6.3 and Chapter 11. Alectra has no objections to the proposed amendments.

## **Implementation**

Alectra is in the planning phase of its Green Button implementation and has begun its investigation of various platform capabilities to enable the service. Alectra expects to have its plans developed and implementation to begin in Q2 2022.

Alectra wishes to note that its evaluation of platforms capable of providing service will need to consider other business platforms that are currently in place, or that will be in place in the future, in order to continue to deliver and enhance the customer experience. This is likely true for many utilities across the province. That said, it will be important that the platform be flexible enough to not only provide the data required as set out in the regulation, but to also integrate it with other systems seamlessly.

At this stage, Alectra is not in a position to estimate expected implementation costs. Alectra is concerned, however, that the expeditious implementation timeline may result in future reconfiguration needs. That is, the immediacy of the implementation need may cause configuration issues in the future. Alectra will continue to monitor this and advise the OEB accordingly as more information becomes available.

## **Deferral Account**

Alectra notes the OEB's establishment and approval of a generic deferral account for the recording of incremental costs directly attributed to Green Button implementation. Alectra anticipates the near-term issuance of an accounting order with further details.

## **Working Group**

Alectra supports the establishment of an industry-led implementation working group to aid distributors, IT service providers, third parties, consumer groups and other stakeholders through the implementation period. Alectra has extracted considerable value from its participation in the Green Button Task Force and wishes to affirm its interest in participating in the industry led-working group.

## Reporting

Alectra welcomes the introduction of reporting requirements to assist the Board with monitoring implementation progress and identifying barriers to implementation. Alectra supports this as a quarterly reporting requirement and acknowledges the value of providing the Board with insight into potential hurdles as they arise.

## Draft OEB Staff Guidance

OEB staff have provided draft guidance regarding how Green Button should be implemented in Ontario. The draft guidance covers such topics as the energy data to be made available, the process for authorization and revocation of third-party access, and termination of authorization of third-party access. Brief comments related to each of these sections is provided below.

### Energy Data to be Made Available

The draft OEB staff guidance outlines the energy usage and account information identified in the NAESB ESPI<sup>1</sup> standard that distributors currently collect in the normal course of business, and which is therefore required to be made available through Green Button. Alectra understands the Green Button initiative creates the obligation to provide this information through Green Button. As a result, Alectra finds this guidance helpful.

### Authorization and Revocation of Third-Party Access

OEB staff have outlined certain features regarding processes in which customers authorize or revoke third party access to their energy data. Alectra agrees with the use of an authentication process and concurs with the importance of informed consent. Alectra finds that the guidance provided by OEB staff in this regard is aligned with other aspects of the Distribution System Code and Privacy legislation concerning the protection of customer information.

### Termination of Authorization of Third-Party Access

While Alectra supports the authorization process guidelines outlined in OEB staff's draft guidance, Alectra has concerns about the rights or responsibilities of a distributor in terminating third party access. As outlined under section 3 (6) of the Green Button Regulation:

*An energy provider may, in accordance with such requirements as may be established by the Board, terminate any authorizations for a person or entity that*

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<sup>1</sup> "NAESB ESPI standard" is the standard titled "REQ.21 Energy Services Provider Interface Model Business Practices", version 3.3, published on January 30, 2020 by the North American Energy Standards Board.

*were made in accordance with subsection (1) by one or more account holders if there has been a significant violation of the terms and conditions under which access to the energy data was provided.*

Alectra's concerns stem from its inability to control the actions or even to monitor the behaviour of a third party. Distributors do not have oversight of the actions of third parties and cannot reasonably be tasked with such oversight. OEB staff recognize this in the draft guidance by noting the following:

*OEB staff notes it would generally not be a distributor's role to monitor the behaviour of a third party once the customer agrees to share their data with the third party. Rather, it is the third party's responsibility to manage the data under its own privacy policies and legal or regulatory requirements.*

Accordingly, Alectra seeks further guidance from the OEB in respect of its responsibilities in the termination process and the circumstances that would warrant such termination of third-party access.

Alectra appreciates the opportunity to provide these comments for the OEB's consideration. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,



Michael Lister, MBA, CFA  
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Alectra Utilities Corporation