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BY EMAIL AND WEB POSTING

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NOTICE OF PROPOSAL TO AMEND A CODE

**PROPOSED AMENDMENTS TO THE DISTRIBUTION SYSTEM CODE TO
FACILITATE CONNECTION OF ELECTRIC VEHICLE CHARGING
INFRASTRUCTURE**

BOARD FILE NO.: EB-2019-0207

To: All Licensed Electricity Distributors
All Participants in Consultation Process EB-2019-0207
All Other Interested Parties

The Ontario Energy Board (OEB) is giving notice, under section 70.2 of the *Ontario Energy Board Act, 1998 (Act)*, of proposed amendments to the *Distribution System Code (DSC)*. These proposed amendments are intended to create a standardized and streamlined process for connecting non-residential electric vehicle (EV) charging infrastructure to an electricity distributor's distribution system. The process would apply in cases where the installation of EV charging facilities would require modifications or additions to the distributor's distribution system, such as the connection of public charging facilities that service multiple EVs and fleet charging stations designed for commercial use. The OEB believes that the proposed amendments will facilitate timely deployment of EV charging infrastructure across the province, by removing potential barriers for EV charging service providers that could have emerged from variations in connection procedures among distributors.

A. Background

As part of the OEB's Distributed Energy Resources (DER) Connections Review initiative,¹ the OEB established a Working Group² to provide advice to OEB staff on improving the connection process for DERs. In late 2022, the scope of the DER Working Group was expanded to include the study of potential barriers to the connection of EV charging installations, to support a priority identified in a Letter of Direction issued by the Minister of Energy³. In that Letter, the Minister endorsed the OEB's plan, among other matters, to examine connection processes for EV charging stations, and advised that work should proceed as quickly as possible. The OEB invited EV charging service providers to participate in the consultation and established an EV Subgroup to focus on the connection issues. In addition, the OEB conducted a survey of electricity distributors and EV charging service providers to inform the OEB's work under its [EV Integration](#) initiative. Based on the results of the survey and the comments provided by Working Group members, the OEB identified the following high-level issues related to connecting non-residential EV chargers, in particular public charging stations for charging multiple EVs and fleet charging installations:

- The need for improved consistency among distributors in terms of connection processes, including timelines, responsibilities, offers to connect and costs.
- Establishing detailed timelines for the connection process to ensure the timelines and responsibilities are well understood.
- Further standardizing a consistent and transparent connection process in enabling non-residential EV chargers.
- EV charging service providers also identified the need for mandatory requirements for the connection process, to provide greater certainty that the process improvements would be implemented across the province.

To address this feedback, OEB staff held a series of EV Subgroup meetings, and Working Group meetings, during which several approaches were discussed. Materials related to the EV Subgroup, including presentations and meeting notes, are available on the OEB's [Engage with Us](#) website.

Summary of Notice and Approach to Amendments

The OEB has considered stakeholders' comments regarding the need for improved transparency, consistency and efficiency of EV charging connections and

¹ EB-2019-0207, OEB [Letter](#), August 13, 2019.

² DER Connections Review Working Group members include DER providers, electricity distributors, EV charging providers, government agencies, industry associations and non-for-profit groups.

³ Minister of Energy's [Letter of Direction](#) to the Chair of the OEB Board of Directors, October 21, 2022.

standardization of certain areas of the connection process and finds that they have merit.

With this Notice, the OEB is proposing amendments to the DSC that will, among other matters, require licensed electricity distributors to comply with the OEB's *Electric Vehicle Charging Connection Procedures* (EVCCP). The EVCCP standardizes many of the key elements of the connection process and requirements, including timelines, information exchange, and responsibilities of both distributors and non-residential customers pursuing the connection of EV charging stations. The EVCCP incorporates many of the recommendations from the DER Working Group and the EV Subgroup to address the issues described above. The OEB believes that the establishment of the EVCCP will facilitate timely deployment of electric vehicle supply equipment (EVSE) installations across the province, by removing potential barriers for EV charging service providers that may otherwise have arisen due to differences in connection procedures across the approximately 60 licensed electricity distributors in Ontario. The EVCCP is modelled after the DER Connection Procedures which sets out requirements that, through certain DSC provisions, distributors must follow for connecting DERs which was designed for the purpose of facilitating the province-wide expansion of DERs.

The proposed amendments to the DSC address matters specifically related to the connection of EVSE, which is a subset of general load connections. The EVCCP builds on the load connection requirements set out in the DSC, while providing new requirements pertaining specifically to EVSE connections that define new processes, set timelines and require specific forms of information sharing. The proposed amendments, described in detail in the next section, generally include:

- New EVSE-related definitions.
- A new section requiring distributors to comply with the EVCCP.
- A provision requiring distributors to provide a separate appendix in their Conditions of Service (CoS) document setting out any distributor-specific requirements related to the connection of EVSE not specified in the DSC or EVCCP.

In proposing these amendments, the OEB is guided by its objectives as set out in Section 1 of the Act. In addition to facilitating innovation in the electricity sector and ensuring timely deployment of commercial and fleet EV charging facilities across the province, the OEB expects these amendments will further enable EVSE investments and assist distributors in facilitating EV adoption. The OEB notes that the process outlined in the EVCCP, although primarily established to facilitate the province-wide rollout of commercial and fleet charging stations, is also applicable to any non-residential EVSE connection requiring modifications or upgrades to a distributor's distribution system.

The OEB believes the proposed amendments will have a positive impact in supporting the anticipated growth of electrified transportation in Ontario.

The Electric Vehicle Charging Connection Procedures

The EVCCP sets out procedures and information requirements that are in addition to the DSC provisions for load connections with which distributors are required to comply. It also sets out detailed requirements for the exchange of information in a variety of circumstances. The OEB expects the EVCCP to be a stand-alone process document that provides clarity to distributors and customers seeking to connect EVSE, while ensuring distributors comply with regulatory requirements as set out in the DSC and EVCCP.

The EVCCP establishes a preliminary consultation process that provides an EVSE customer with an option to request information from a distributor and requires the distributor to respond to that request within a defined timeline. The EVCCP includes templates for the forms that must be made available to a customer for a preliminary consultation information request and the form of a preliminary consultation report. Upon receipt of a completed connection request, the DSC requires a distributor to provide a customer with an Offer to Connect (OTC). In cases where an expansion of the distribution system is required, the distributor may need to conduct technical assessments and cost calculations to finalize the OTC. The preliminary consultation should provide customers who may be uncertain about EVSE site selection or hesitant to commit to EVSE installation with high-level connection feasibility information, prior to making a request for connection that would require detailed assessments and cost calculations. The preliminary consultation process also provides the customer with an early indication of the potential complexity for the EVSE connection, which may assist the customer in making an informed decision.

The EVCCP includes process flow charts that have been developed based on the requirements applicable to all load connections, but that include specific steps tailored for EVSE connections. The flow charts are expected to assist parties in understanding the linkages between process steps and will provide clarity regarding the responsibilities of distributors and customers. The process also sets out clear timelines that reinforce distributor responsibilities and enable customers to implement projects more quickly.

Section 6.1.1 of the DSC requires distributors to respond to a customer's written request for a customer connection within 15 calendar days, but does not specify the type of response the distributor must provide to the customer. The EVCCP requires a distributor to include in its response confirmation as to whether the distributor considers the connection request to be complete or, if not, the additional information required for the distributor to prepare an OTC. The EVCCP also requires the distributor to make available a connection request form that sets out the information required to perform a connection assessment and create an OTC for the customer, thus reducing possible delays due to missing information, resubmission of connection requests and additional

technical reviews. The OEB anticipates that the improved clarity around the timelines and information requirements, as well as improved connection request quality by the publication of a connection request form, will reduce the overall application processing timelines and therefore facilitate timelier EVSE connections.

Sections 3.2.8 and 3.2.9 of the DSC provide a general overview of the information that a distributor must include in its OTC. To assist EVSE customers who are trying to deploy installations across the province, the EVCCP provides a standardized list and detailed explanations of the information that must be included in the OTC, including a comprehensive Cost Summary detailing costs and charges related to the connection. The OEB believes that this standardized approach will enhance clarity and transparency in the process, aiding customers in understanding the costs and responsibilities associated with their connections. Moreover, it will facilitate consistent information exchange for EVSE connections across the province.

B. Proposed Amendments to the DSC

This section provides details on the proposed amendments to the DSC including the OEB's rationale for the changes. Appendix A contains a clean version of the DSC as it would appear if all proposed amendments were adopted.

Definitions

The OEB proposes to amend Section 1.2 of the DSC with the following new definitions to support the proposed changes:

- A new definition for “electric vehicle supply equipment” to support requirements in the EVCCP.
- A new definition for “Electric Vehicle Charging Connection Procedures” to support requirements for connecting EVSE to the distribution system.

Mandatory Compliance with the EVCCP

- A new provision in Chapter 6 that requires distributors to comply with the EVCCP where a connection of EVSE will require modifications or additions to the distributor's distribution system.

The Act provides that a code issued under Section 70.1 may incorporate by reference, in whole or in part, any standard, procedure or guideline.⁴ The OEB is proposing, through its amendment to the DSC, to require distributors to follow the processes and

⁴ See subsection 70.1(4) of the Act.

requirements in the EVCCP, while continuing to meet other connection requirements in the DSC.

EVSE-specific Appendix to Distributors' Conditions of Service

The OEB is proposing an amendment to Chapter 6 of the DSC that will require a distributor to provide a separate appendix in their CoS document setting out any distributor-specific requirements related to the connection of EVSE not specified in the DSC or EVCCP.

Section 2.4 of the DSC currently requires distributors to document operating practices and connection policies in their CoS. During the EV Subgroup discussions, distributors noted that the DSC allows flexibility in certain aspects of load connection processes, and they may include additional requirements in their respective CoS documents. Some stakeholders expressed concerns that customers found it challenging to navigate diverse CoS documents from various distributors and understand their requirements, making it particularly problematic for EV charging service providers seeking to install EVSE across multiple service areas.

As such, the OEB is proposing a new provision in Chapter 6 of the DSC, requiring distributors to provide a separate appendix in their CoS document. This appendix would outline any supplementary requirements pertaining to EVSE connections that are not explicitly outlined in the DSC or EVCCP. The EVCCP will provide a template for the minimum information that a distributor shall include in its new CoS appendix. The proposed amendments will consolidate distributor-specific EVSE connection information into a single resource for customers.

C. Anticipated Costs and Benefits

The proposed DSC amendments will make compliance with the EVCCP mandatory for licensed electricity distributors. The EVCCP follows the existing load connection process and requirements from the DSC, while providing additional details and provisions to improve the transparency, consistency, clarity and efficiency of the process for distributors and for EV charging proponents. The EVCCP includes process maps for EVSE connections, a preliminary consultation process and template forms, standardized OTC and Cost Summary related to EVSE connections, and a template that sets out the minimum information a distributor shall include in the CoS appendix. The OEB is of the view that the EVCCP will improve customers' understanding of connection requirements and procedures, removing barriers to connection of EVSE through increased standardization across the industry.

The OEB expects the costs of implementing these proposed changes to be minimal, as the EVCCP requirements follow existing DSC provisions and the OEB's expectations for distributors to process load connections on a timely basis. Distributors will have to adopt the proposed template forms and may require internal process adjustments to ensure

responses to a customer's preliminary consultation information request are within the required timeline, when applicable. Distributors may also need to make changes to their processes to ensure they will advise a customer making a written connection request within 15 calendar days as to whether the connection request is deemed complete or, if not, the additional information required for the distributor to prepare an OTC. In considering the potential costs, the OEB has also recognized that distributors have made similar required changes to processes for the purpose of connecting DERs.

Because the proposed amendments will establish uniformity across the province through the EVCCP, this will aid customers in overcoming barriers to EVSE connections. These proposed changes are expected to yield time, effort, and cost savings for both customers and distributors. The OEB also recognizes that monitoring the experience gained from implementing the EVCCP will be essential. Pending feedback from stakeholders, the OEB remains open to evaluating the effectiveness of the EVCCP and making any necessary revisions.

D. Coming Into Force

The proposed amendments to the DSC, as set out in Appendix A, will come into force 3 months from the date that the final Code amendments are published on the OEB's website.

E. Invitation to Comment

The OEB invites comments from any interested stakeholder on the proposed amendments. Anyone interested in providing written comments on the proposed DSC amendments in Appendix A are invited to submit them by **January 19, 2024**. Your written comments must be received by the Registrar by 4:45 p.m. on that date.

Along with the proposed DSC amendments, the OEB is also issuing a draft of the EVCCP as Appendix B. While the EVCCP does not form part of the DSC, the OEB recognizes that the amendments and the EVCCP are closely related, and to fully understand the amendments and implications of the changes requires a consideration of the EVCCP. The OEB will consider stakeholder views and comments on the EVCCP to ensure the EVCCP will facilitate the connection of EVSE as expected.

Instructions for Submitting Comments

Stakeholders are responsible for ensuring that any documents they file with the OEB do not include personal information (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with Rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, EB-2019-0207 for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming convention and documentation submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [Filing Systems page](#) on the OEB's website.
- Stakeholders are encouraged to use RESS. Those who have not yet [setup an account](#) or require assistance using the online filing portal, please contact registrar@oeb.ca for assistance.
- Cost claims are not filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

This Notice, including the proposed DSC amendments in Appendix A, and all related written comments received by the OEB will be available for public viewing on the OEB's [DER Connections Review \(Including EV Charging Connections\)](#) Engage with Us website.

F. Cost Awards

Cost awards will be available under Section 30 of the Act to those that are eligible to receive them in relation to written comments provided on the proposed DSC amendments in this Notice. Any participant previously found eligible for an award of costs in EB-2019-0207 (the DER Connections Review) or EB-2021-0117 (Amendments to the DSC to facilitate DER connections) is determined to be eligible for an award of costs in relation to comments on these proposed DSC amendments.

Costs will be recovered from all rate-regulated licensed electricity distributors apportioned based on respective customer numbers. Appendix C contains important information regarding cost awards for this Notice and comment process, including in relation to eligibility requests and objections. The deadlines for filing cost eligibility requests and objections will be strictly enforced to facilitate a timely decision on cost eligibility.

If you have any questions regarding the proposed amendments to the Code described in this Notice, please contact IndustryRelations@oeb.ca. The OEB's toll-free number is 1-888-632-6273.

DATED at Toronto, **December 15, 2023**

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar

Attachments:

- Appendix A — Proposed Amendments to the Distribution System Code – Clean version
- Appendix B — Electric Vehicle Charging Connection Procedures
- Appendix C — Cost Awards

Appendix A

to

Notice of Proposed Amendments to the
Distribution System Code

December 15, 2023

EB-2019-0207

Proposed Amendments to the Distribution System Code – Clean Version

1.2 Definitions

“Electric Vehicle Supply Equipment” or “EVSE” means electrical supply equipment that is dedicated to supplying a source of electricity for the sole purpose of charging electric vehicles;

“Electric Vehicle Charging Connection Procedures” means the document issued from time to time by the Board that sets out a procedure for the connection of EVSE and that is referred to in section 6.1.6 and 6.1.6.1;

Electric Vehicle Supply Equipment Connections for Non-residential Customers

6.1.6 A distributor shall follow the connection and expansion requirements of this Code as well as the requirements of the Electric Vehicle Charging Connection Procedures to process a request for connection of non-residential EVSE where the connection requires modifications or additions to the distributor's distribution system.

6.1.6.1 A distributor shall include in its Conditions of Service an appendix setting out any additional requirements related to the connection of EVSE that are not specified in this Code or the Electric Vehicle Charging Connection Procedures. The appendix shall be in the form of Appendix 1 to the Electric Vehicle Charging Connection Procedures which sets out the minimum information a distributor shall include in the Conditions of Service appendix.

Appendix B

to

Notice of Proposed Amendments to the Distribution System
Code

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Electric Vehicle Charging Connection Procedures

[see separate document attached]

Appendix C

to

Notice of Proposed Amendments to the Distribution System Code

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Cost Awards

Cost Award Eligibility

The OEB will determine eligibility for cost awards in accordance with its Practice Direction on Cost Awards. Any participant in this process intending to request cost awards (and has not already been determined eligible for cost awards in the OEB's EB-2019-0207 Decisions issued on September 10, 13, or 23, 2019 or on January 13, 2020 or EB-2019-0207 Decision issued on April 29, 2021 EB-2021-0117 Decision issued on September 3, 2021 or EB-2019-0207 Decision issued on March 25, 2022 or EB-2019-0207 Decision issued on September 28, 2022 or EB-2019-0207 Decision issued on June 12, 2023) must file a written submission with the OEB by **December 22, 2023**, identifying the nature of their interest in this process and the grounds on which they are eligible for cost awards (addressing the OEB's cost eligibility criteria in Section 3 of the OEB's Practice Direction on Cost Awards). An explanation of any other funding to which the participant has access must also be provided, as should include the name and credentials of any lawyer, analyst or consultant that the person intends to retain, if known. All requests for cost eligibility will be posted on the OEB website.

Licensed electricity distributors will be provided with an opportunity to object to any of the requests for cost award eligibility. If an electricity distributor has objections to any of the cost eligibility requests, those objections must be filed with the OEB by **January 10, 2024**. Any objections will be posted on the OEB website. The OEB will then make a final determination on the cost eligibility of the requesting participants.

Eligible Activities

Cost awards will be available in relation to providing comments on the proposed DSC amendments in Appendix A, and on the Electric Vehicle Charging Connection Procedures in Appendix B, to a maximum of 6 hours.

Cost Awards

The OEB will apply the principles in Section 5 of its Practice Direction on Cost Awards, when determining the amount of the cost awards. The maximum hourly rates in the OEB's Cost Awards Tariff will also be applied. The OEB expects that groups representing the same interests or same type of participant will make every effort to communicate and co-ordinate their participation in this process. Cost awards are made available on a per eligible participant basis, regardless of the number of professional advisors that an eligible participant may wish to retain.

The OEB will use the process in Section 12 of its *Practice Direction on Cost Awards* to implement the payment of the cost awards; i.e., the OEB will act as a clearing house for all cost award payments in this process. For more information on this process, please see the OEB's Practice Direction on Cost Awards and the October 27, 2005 letter regarding the rationale for the OEB acting as a clearing house for the cost award payments. These documents can be found on the OEB website at www.oeb.ca on the "Rules, Codes, Procedures & Forms" webpage.