



Electricity Distribution Licence

ED-2002-0563

Entegrus Powerlines Inc.

Valid Until

December 15, 2023

Original Signed By

Brian Hewson
Vice President, Consumer Protection and Industry Performance
Ontario Energy Board

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LIST OF AMENDMENTS

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1 Definitions

In this Licence:

“**Accounting Procedures Handbook**” means the handbook, approved by the Board which specifies the accounting records, accounting principles and accounting separation standards to be followed by the Licensee;

“**Act**” means the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B;

“**Affiliate Relationships Code for Electricity Distributors and Transmitters**” means the code, approved by the Board which, among other things, establishes the standards and conditions for the interaction between electricity distributors or transmitters and their respective affiliated companies;

“**distribution services**” means services related to the distribution of electricity and the services the Board has required distributors to carry out, including the sales of electricity to consumers under section 29 of the Act, for which a charge or rate has been established in the Rate Order;

“**Distribution System Code**” means the code approved by the Board which, among other things, establishes the obligations of the distributor with respect to the services and terms of service to be offered to customers and retailers and provides minimum, technical operating standards of distribution systems;

“**Electricity Act**” means the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A;

“**IESO**” means Independent Electricity System Operator;

“**Licensee**” means Entegrus Powerlines Inc.

“**Market Rules**” means the rules made under section 32 of the Electricity Act;

“**OPA**” means the Ontario Power Authority;

“**Performance Standards**” means the performance targets for the distribution and connection activities of the Licensee as established by the Board in accordance with section 83 of the Act;

“**Rate Order**” means an Order or Orders of the Board establishing rates the Licensee is permitted to charge;

“**regulation**” means a regulation made under the Act or the Electricity Act;

“**Retail Settlement Code**” means the code approved by the Board which, among other things, establishes a distributor’s obligations and responsibilities associated with financial settlement among retailers and consumers and provides for tracking and facilitating consumer transfers among competitive retailers;

“**service area**” with respect to a distributor, means the area in which the distributor is authorized by its licence to distribute electricity;

“**Standard Supply Service Code**” means the code approved by the Board which, among other things, establishes the minimum conditions that a distributor must meet in carrying out its obligations to sell electricity under section 29 of the Electricity Act;

“**wholesaler**” means a person that purchases electricity or ancillary services in the IESO administered markets or directly from a generator or, a person who sells electricity or ancillary services through the IESO-administered markets or directly to another person other than a consumer.

2 Interpretation

- 2.1 In this Licence, words and phrases shall have the meaning ascribed to them in the Act or the Electricity Act. Words or phrases importing the singular shall include the plural and vice versa. Headings are for convenience only and shall not affect the interpretation of the Licence. Any reference to a document or a provision of a document includes an amendment or supplement to, or a replacement of, that document or that provision of that document. In the computation of time under this Licence, where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens and where the time for doing an act expires on a holiday, the act may be done on the next day that is not a holiday.

3 Authorization

- 3.1 The Licensee is authorized, under Part V of the Act and subject to the terms and conditions set out in this Licence:
- a) to own and operate a distribution system in the service area described in Schedule 1 of this Licence;
 - b) to retail electricity for the purposes of fulfilling its obligation under section 29 of the Electricity Act in the manner specified in Schedule 2 of this Licence; and
 - c) to act as a wholesaler for the purposes of fulfilling its obligations under the Retail Settlement Code or under section 29 of the Electricity Act.

4 Obligation to Comply with Legislation, Regulations and Market Rules

- 4.1 The Licensee shall comply with all applicable provisions of the Act and the Electricity Act and regulations under these Acts, except where the Licensee has been exempted from such compliance by regulation.
- 4.2 The Licensee shall comply with all applicable Market Rules.

5 Obligation to Comply with Codes

- 5.1 The Licensee shall at all times comply with the following Codes (collectively the “Codes”) approved by the Board, except where the Licensee has been specifically exempted from such

compliance by the Board. Any exemptions granted to the licensee are set out in Schedule 3 of this Licence. The following Codes apply to this Licence:

- a) the Affiliate Relationships Code for Electricity Distributors and Transmitters;
- b) the Distribution System Code;
- c) the Retail Settlement Code; and
- d) the Standard Supply Service Code.

5.2 The Licensee shall:

- a) make a copy of the Codes available for inspection by members of the public at its head office and regional offices during normal business hours; and
- b) provide a copy of the Codes to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

6 Obligation to Provide Non-discriminatory Access

6.1 The Licensee shall, upon the request of a consumer, generator or retailer, provide such consumer, generator or retailer with access to the Licensee's distribution system and shall convey electricity on behalf of such consumer, generator or retailer in accordance with the terms of this Licence.

7 Obligation to Connect

7.1 The Licensee shall connect a building to its distribution system if:

- a) the building lies along any of the lines of the distributor's distribution system; and
- b) the owner, occupant or other person in charge of the building requests the connection in writing.

7.2 The Licensee shall make an offer to connect a building to its distribution system if:

- a) the building is within the Licensee's service area as described in Schedule 1; and
- b) the owner, occupant or other person in charge of the building requests the connection in writing.

7.3 The terms of such connection or offer to connect shall be fair and reasonable and made in accordance with the Distribution System Code, and the Licensee's Rate Order as approved by the Board.

7.4 The Licensee shall not refuse to connect or refuse to make an offer to connect unless it is permitted to do so by the Act or a regulation or any Codes to which the Licensee is obligated to comply with as a condition of this Licence.

8 Obligation to Sell Electricity

- 8.1 The Licensee shall fulfill its obligation under section 29 of the Electricity Act to sell electricity in accordance with the requirements established in the Standard Supply Service Code, the Retail Settlement Code and the Licensee's Rate Order as approved by the Board.

9 Obligation to Maintain System Integrity

- 9.1 The Licensee shall maintain its distribution system in accordance with the standards established in the Distribution System Code and Market Rules, and have regard to any other recognized industry operating or planning standards adopted by the Board.

10 Market Power Mitigation Rebates

- 10.1 The Licensee shall comply with the pass through of Ontario Power Generation rebate conditions set out in Appendix A of this Licence.

11 Distribution Rates

- 11.1 The Licensee shall not charge for connection to the distribution system, the distribution of electricity or the retailing of electricity to meet its obligation under section 29 of the Electricity Act except in accordance with a Rate Order of the Board.

12 Separation of Business Activities

- 12.1 The Licensee shall keep financial records associated with distributing electricity separate from its financial records associated with transmitting electricity or other activities in accordance with the Accounting Procedures Handbook and as otherwise required by the Board.

13 Expansion of Distribution System

- 13.1 The Licensee shall not construct, expand or reinforce an electricity distribution system or make an interconnection except in accordance with the Act and Regulations, the Distribution System Code and applicable provisions of the Market Rules.
- 13.2 In order to ensure and maintain system integrity or reliable and adequate capacity and supply of electricity, the Board may order the Licensee to expand or reinforce its distribution system in accordance with Market Rules and the Distribution System Code, or in such a manner as the Board may determine.

14 Provision of Information to the Board

- 14.1 The Licensee shall maintain records of and provide, in the manner and form determined by the Board, such information as the Board may require from time to time.
- 14.2 Without limiting the generality of paragraph 14.1, the Licensee shall notify the Board of any material change in circumstances that adversely affects or is likely to adversely affect the business, operations or assets of the Licensee as soon as practicable, but in any event no more than twenty (20) days past the date upon which such change occurs.

15 Restrictions on Provision of Information

- 15.1 The Licensee shall not use information regarding a consumer, retailer, wholesaler or generator obtained for one purpose for any other purpose without the written consent of the consumer, retailer, wholesaler or generator.
- 15.2 The Licensee shall not disclose information regarding a consumer, retailer, wholesaler or generator to any other party without the written consent of the consumer, retailer, wholesaler or generator, except where such information is required to be disclosed:
- a) to comply with any legislative or regulatory requirements, including the conditions of this Licence;
 - b) for billing, settlement or market operations purposes;
 - c) for law enforcement purposes; or
 - d) to a debt collection agency for the processing of past due accounts of the consumer, retailer, wholesaler or generator.
- 15.3 The Licensee may disclose information regarding consumers, retailers, wholesalers or generators where the information has been sufficiently aggregated such that their particular information cannot reasonably be identified.
- 15.4 The Licensee shall inform consumers, retailers, wholesalers and generators of the conditions under which their information may be released to a third party without their consent.
- 15.5 If the Licensee discloses information under this section, the Licensee shall ensure that the information provided will not be used for any other purpose except the purpose for which it was disclosed.

16 Customer Complaint and Dispute Resolution

- 16.1 The Licensee shall:
- a) have a process for resolving disputes with customers that deals with disputes in a fair, reasonable and timely manner;
 - b) publish information which will make its customers aware of and help them to use its dispute resolution process;
 - c) make a copy of the dispute resolution process available for inspection by members of the public at each of the Licensee's premises during normal business hours;
 - d) give or send free of charge a copy of the process to any person who reasonably requests it; and
 - e) subscribe to and refer unresolved complaints to an independent third party complaints resolution service provider selected by the Board. This condition will become effective on a date to be determined by the Board. The Board will provide reasonable notice to the Licensee of the date this condition becomes effective.

17 Term of Licence

17.1 This Licence shall take effect on December 16, 2003 and expire on December 15, 2023. The term of this Licence may be extended by the Board.

18 Fees and Assessments

18.1 The Licensee shall pay all fees charged and amounts assessed by the Board.

19 Communication

19.1 The Licensee shall designate a person that will act as a primary contact with the Board on matters related to this Licence. The Licensee shall notify the Board promptly should the contact details change.

19.2 All official communication relating to this Licence shall be in writing.

19.3 All written communication is to be regarded as having been given by the sender and received by the addressee:

- a) when delivered in person to the addressee by hand, by registered mail or by courier;
- b) ten (10) business days after the date of posting if the communication is sent by regular mail; and
- c) when received by facsimile transmission by the addressee, according to the sender's transmission report.

20 Copies of the Licence

20.1 The Licensee shall:

- a) make a copy of this Licence available for inspection by members of the public at its head office and regional offices during normal business hours; and
- b) provide a copy of this Licence to any person who requests it. The Licensee may impose a fair and reasonable charge for the cost of providing copies.

21 Conservation and Demand Management

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SCHEDULE 1 DEFINITION OF DISTRIBUTION SERVICE AREA

This Schedule specifies the area in which the Licensee is authorized to distribute and sell electricity in accordance with paragraph 8.1 of this Licence.

The Entegrus Powerlines Inc. Rate Zone

1. Town of Blenheim served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Excluding the customers located at the following addresses:
 - i. 3 Allison Line, Blenheim, Ontario N0P1A0
 - ii. 19327 Fargo Road, Blenheim, Ontario N0P1A0
 - iii. 19329 Fargo Road, Blenheim, Ontario N0P1A0
 - iv. 192 Marlborough Street, Blenheim, Ontario N0P1A0

2. Town of Bothwell served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Excluding the customers located at the following addresses:
 - i. 499 Elm Street, Bothwell, Ontario N0P1C0
 - ii. 329 Catherine Street, Bothwell, Ontario N0P1C0

3. City of Chatham served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Including the customers located at the following addresses:
 - i. Part Lots 16 & 17, Concession A, Geographic Township of Raleigh, designated as Part 1, Reference Plan 24R 7195, Municipality of Chatham-Kent, and Part Lot 17, Concession A, Geographic Township of Raleigh, designated as Part 2, Reference Plan 7195, Municipality of Chatham-Kent as per Board Order RP-2003-0044, dated September 16, 2003.
 - ii. 40 Frances Ave, Chatham, Ontario N7M0N7
 - iii. 48 Frances Ave, Chatham, Ontario N7M0N7
 - iv. 50 Frances Ave, Chatham, Ontario N7M0N7
 - v. 268 Indian Creek Road West, Chatham, Ontario N7M2E2
 - vi. 274 Indian Creek Road West, Chatham, Ontario N7M2E2
 - vii. 280 Indian Creek Road West, Chatham, Ontario N7M2E2
 - viii. 286 Indian Creek Road West, Chatham, Ontario N7M2E2
 - ix. 292 Indian Creek Road West, Chatham, Ontario N7M2E2
 - x. 356 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xi. 360 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xii. 368 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xiii. 374 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xiv. 378 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xv. 382 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xvi. 386 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xvii. 388 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xviii. 392 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xix. 396 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xx. 402 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xxi. 406 Indian Creek Road West, Chatham, Ontario N7M2E2
 - xxii. 410 Indian Creek Road West, Chatham, Ontario N7M2E2

- xxiii. 416 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxiv. 420 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxv. 428 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxvi. 430 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxvii. 450 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxviii. 454 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxix. 458 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxx. 462 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxxi. 466 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxxii. 470 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxxiii. 476 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxxiv. 482 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxxv. 486 Indian Creek Road West, Chatham, Ontario N7M2E2
- xxxvi. 9052 Park Ave East, Chatham, Ontario N7M5J4

- b. Excluding the customers located at the following addresses:
 - i. 125 Maple Leaf Drive, Chatham, Ontario N7M6H2
 - ii. 530 McNaughton Ave East, Chatham, Ontario N7L0E4
 - iii. 1120 Richmond Street, Chatham, Ontario N7M5T1
- 4. Town of Dresden served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Including the customers located at the following addresses:
 - i. 586 Walnut Street, Dresden, Ontario N0H2L0
- 5. Village of Erieau served by the former dissolved public utilities commissions as of December 31, 1997.
- 6. Police Village of Merlin served by the former dissolved public utilities commissions as of December 31, 1997.
- 7. Town of Ridgetown served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Excluding the customers located at the following addresses:
 - i. 12801 Gosnell Line, Ridgetown, Ontario N0P2C0
- 8. Village of Thamesville served by the former dissolved public utilities commissions as of December 31, 1997.
- 9. Town of Tilbury served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Including the customers located at the following addresses:
 - i. 53 Ella Street South, Tilbury, Ontario N0P2L0
 - ii. 55 Ella Street South, Tilbury, Ontario N0P2L0
 - iii. 3 Lee Ave, Tilbury, Ontario N0P2L0
 - iv. 11 Lee Avenue, Tilbury, Ontario N0P2L0
 - b. Excluding the customers located at the following addresses:
 - i. 151 Queen Street South, Tilbury, Ontario N0P2L0
 - ii. 582 Roger Street, Tilbury, Ontario N0P2L0

10. Town of Wallaceburg served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Including the customers located at the following addresses:
 - i. 28801 Chenal Road, Wallaceburg, Ontario N8A4K9
 - ii. 1913 Dufferin Ave, Wallaceburg, Ontario N8A4M3
 - iii. 1915 Dufferin Ave, Wallaceburg, Ontario N8A4M3
 - iv. 1916 Dufferin Ave, Wallaceburg, Ontario N8A4M3
 - v. 1934 Dufferin Ave, Wallaceburg, Ontario N8A4M3
 - vi. 1937 Dufferin Ave, Wallaceburg, Ontario N8A4M3
 - vii. 208 Forhan Street, Wallaceburg, Ontario N8A4S3
 - viii. 260 Forhan Street, Wallaceburg, Ontario N8A4S3
 - ix. 8552 Labadie Road, Wallaceburg, Ontario N8A4K9
 - b. Excluding the customers located at the following addresses:
 - i. 6590 Base Line, Wallaceburg, Ontario N8A4K9
 - ii. 6596 Base Line, Wallaceburg, Ontario N8A4K9
 - iii. 7054 Otter Line, Wallaceburg, Ontario N8A4K9
 - iv. 7190 Otter Line, Wallaceburg, Ontario N8A4K9
 - v. 7252 Otter Line, Wallaceburg, Ontario N8A4K9
 - vi. 7276 Otter Line, Wallaceburg, Ontario N8A4K9
 - vii. 7174 Otter Line, Wallaceburg, Ontario N8A4K9
11. Village of Wheatley served by the former dissolved public utilities commissions as of December 31, 1997,
 - a. Excluding the customers located at the following addresses:
 - i. 444 Erie Street North, Wheatley, Ontario N0P2P0
 - ii. 295 Erie Street South, Wheatley, Ontario N0P2P0
 - iii. 351 Erie Street South, Wheatley, Ontario N0P2P0
12. The former Town of Strathroy as of December 31, 2000,
 - a. Including the customers located at the following addresses:
 - i. 10 Carroll Street West, Strathroy, Ontario N7G3H5
 - ii. 2 Cedar Crescent, Strathroy, Ontario N7G2M2
 - iii. 6 Cedar Crescent, Strathroy, Ontario N7G2M2
 - iv. 8 Cedar Crescent, Strathroy, Ontario N7G2M2
 - v. 12 Cedar Crescent, Strathroy, Ontario N7G2M2
 - vi. 14 Cedar Crescent, Strathroy, Ontario N7G2M2
 - vii. 18 Cedar Crescent, Strathroy, Ontario N7G2M2
 - viii. 22 Cedar Crescent, Strathroy, Ontario N7G2M2
 - ix. 51 Pannell Lane, Strathroy, Ontario N7G2C5
 - x. 55 Pannell Lane, Strathroy, Ontario N7G2C5
 - xi. 61 Pannell Lane, Strathroy, Ontario N7G2C5
 - xii. 69 Pannell Lane, Strathroy, Ontario N7G2C5
 - xiii. 623 Saulsbury Street, Strathroy, Ontario N7G3R4
 - b. Excluding the customers located at the following addresses:
 - i. 437 Carroll Street East, Strathroy, Ontario N7G3H3
 - ii. 334 Pannell Lane, Strathroy, Ontario N7G2C8
 - iii. 338 Pannell Lane, Strathroy, Ontario N7G2C8
 - iv. 342 Pannell Lane, Strathroy, Ontario N7G2C8

13. Part 1 of Plan 33R-17367, Part of Lot 9, Concession 10, Geographic Township of Caradoc, Municipality of Strathroy-Caradoc.
14. The former Police Village of Mount Brydges as of December 31, 2000,
 - a. Including the customers located at the following addresses:
 - i. 739 Thomas Street, Mount Brydges, Ontario N0L1W0
 - ii. 740 Thomas Street, Mount Brydges, Ontario N0L1W0
 - iii. 751 Thomas Street, Mount Brydges, Ontario N0L1W0
 - b. Excluding the customers located at the following addresses:
 - i. 22828 Rougham Road, Mount Brydges, Ontario N0L1W0
15. The former Town of Parkhill as of December 31, 2000,
 - a. Including the customers located at the following addresses:
 - i. 97 Mill Street, Parkhill, Ontario K0C2J0
 - ii. 100 Mill Street, Parkhill, Ontario K0C2J0
 - iii. 101 Mill Street, Parkhill, Ontario K0C2J0
16. The Village of Dutton as of December 31, 1997, now within the Municipality of Dutton/Dunwich,
 - a. Including the customers located at the following addresses:
 - i. 120 Main Street, Dutton, Ontario N0L1J0
 - ii. 297 Marsh Line, Dutton, Ontario N0L1J0
 - iii. 301 Mary Street, Dutton, Ontario N0L1J0
17. The Village of Newbury as of November 7, 1998.
18. Premise specific municipal address 23508 Bear Line Rd., Chatham, Ontario N7M 5J8.

The St. Thomas Energy Inc. Rate Zone

1. The municipal boundaries of the City of St. Thomas as of December 31, 1999,
 - excluding the customers located at the following addresses:
 - i. 1 Cosma Court, St. Thomas, ON N5R 4J5
 - ii. 133 Centennial Avenue, St. Thomas, ON N5R 5B1
 - iii. 125 Centennial Avenue, St. Thomas, ON N5R 5B1
 - iv. 41237 Major Line, St. Thomas, ON N5P 3T1
 - v. 41291 Major Line, St. Thomas, ON N5P 3T1
 - vi. 42468 Southdale Line, St. Thomas, ON N5R 1B8
 - vii. 42294 Southdale Line, St. Thomas, ON N5R 1B8
 - viii. 42346 Southdale Line, St. Thomas, ON N5R 5B1
 - ix. 42474 Southdale Line, St. Thomas, ON N5R 5B1
 - x. 42260 Southdale Line, St. Thomas, ON N5R 5B1
 - xi. 42488 Southdale Line, St. Thomas, ON N5P 3T1
 - xii. 43897 Water Tower Line, St. Thomas, ON N5P 3V6
 - xiii. 9783 Wellington Road, St. Thomas, ON N5P 4K2
2. Concession 8, Part Lot 10, Registered Plan 11R7149, Part 2 to 6 and 11, Geographic Township of Yarmouth, Municipality of Central Elgin, County of Elgin.

3. Block 19, Registered Plan 11M-92, City of St. Thomas, County of Elgin.
4. Part of Lot 9 Concession 7, Registered Plan 11R-8918, City of St. Thomas, County of Elgin.
5. Part of Lots 5 and 6, Concession 6, Geographic Township of Yarmouth as in E390923, City of St. Thomas, County of Elgin.
6. Part of Blocks 84, 86, 87, 94 and 99 Plan 11M-193 in the City of St. Thomas, County of Elgin.
7. Harvest Run Phase 1 consisting of lots 1 to 20 and lots 49 to 69 on Acorn Trail, lots 21 to 48 on Honey Bend, and lots 70 to 104 on Ashberry Place, Part of Blocks 117 and 118, Part of lot 10, Concession 7, Geographic Township of Yarmouth, Municipality of Central Elgin, County of Elgin.
8. Inclusion of the three customers below located in the Geographic Township of Yarmouth, Municipality of Central Elgin, County of Elgin:
 - 19 Woodland Road, Yarmouth, ON N5P 1P3
 - 19A Woodland Road, Yarmouth, ON N5P 1P3
 - 21 Woodland Road, Yarmouth, ON N5P 1P3
9. Harvest Run Phase 2A consisting of all of Block 117 and Parts of Blocks 105, 118 and 119 Registered Plan 11M-216 in the City of St. Thomas.
10. Harvest Run Phase 2B consisting of part of Blocks 105, 118, 119, 120, Register Plan 11M-216 in the City of St. Thomas.

SCHEDULE 2 PROVISION OF STANDARD SUPPLY SERVICE

This Schedule specifies the manner in which the Licensee is authorized to retail electricity for the purposes of fulfilling its obligation under section 29 of the Electricity Act.

The Licensee is authorized to retail electricity directly to consumers within its service area in accordance with paragraph 8.1 of this Licence, any applicable exemptions to this Licence, and at the rates set out in the Rate Orders.

SCHEDULE 3 LIST OF CODE EXEMPTIONS

This Schedule specifies any specific Code requirements from which the Licensee has been exempted.

1. The Licensee is exempt from the requirements of section 2.5.3 of the Standard Supply Service Code with respect to the price for small volume/residential consumers, subject to the Licensee offering an equal billing plan as described in its application for exemption from Fixed Reference Price, and meeting all other undertakings and material representations contained in the application and the materials filed in connection with it.

APPENDIX A

MARKET POWER MITIGATION REBATES

1. Definitions and Interpretations

In this Licence

“embedded distributor” means a distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a distributor who is a market participant and who distributes electricity to another distributor who is not a market participant.

In this Licence, a reference to the payment of a rebate amount by the IESO includes interim payments made by the IESO.

2. Information Given to IESO

- a Prior to the payment of a rebate amount by the IESO to a distributor, the distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with information in respect of the volumes of electricity withdrawn by the distributor from the IESO-controlled grid during the rebate period and distributed by the distributor in the distributor’s service area to:
 - i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- b Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity consumed in the service area of an embedded distributor, the embedded distributor shall provide the host distributor, in the form specified by the IESO and before the expiry of the period specified in the Retail Settlement Code, with the volumes of electricity distributed during the rebate period by the embedded distributor’s host distributor to the embedded distributor net of any electricity distributed to the embedded distributor which is attributable to embedded generation and distributed by the embedded distributor in the embedded distributor’s service area to:
 - i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- c Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity

consumed in the service area of an embedded distributor, the host distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with the information provided to the host distributor by the embedded distributor in accordance with section 2.

The IESO may issue instructions or directions providing for any information to be given under this section. The IESO shall rely on the information provided to it by distributors and there shall be no opportunity to correct any such information or provide any additional information and all amounts paid shall be final and binding and not subject to any adjustment.

For the purposes of attributing electricity distributed to an embedded distributor to embedded generation, the volume of electricity distributed by a host distributor to an embedded distributor shall be deemed to consist of electricity withdrawn from the IESO-controlled grid or supplied to the host distributor by an embedded generator in the same proportion as the total volume of electricity withdrawn from the IESO-controlled grid by the distributor in the rebate period bears to the total volume of electricity supplied to the distributor by embedded generators during the rebate period.

3. Pass Through of Rebate

A distributor shall promptly pass through, with the next regular bill or settlement statement after the rebate amount is received, any rebate received from the IESO, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt, to:

- a retailers who serve one or more consumers in the distributor's service area where a service transaction request as defined in the Retail Settlement Code has been implemented;
- b consumers who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998* and who are not served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
- c embedded distributors to whom the distributor distributes electricity.

The amounts paid out to the recipients listed above shall be based on energy consumed and calculated in accordance with the rules set out in the Retail Settlement Code. These payments may be made by way of set off at the option of the distributor.

If requested in writing by OPGI, the distributor shall ensure that all rebates are identified as coming from OPGI in the following form on or with each applicable bill or settlement statement:

"ONTARIO POWER GENERATION INC. rebate"

Any rebate amount which cannot be distributed as provided above or which is returned by a retailer to the distributor in accordance with its licence shall be promptly returned to the host distributor or IESO as applicable, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt.

Nothing shall preclude an agreement whereby a consumer assigns the benefit of a rebate payment to a retailer or another party.

Pending pass-through or return to the IESO of any rebate received, the distributor shall hold the funds received in trust for the beneficiaries thereof in a segregated account.

ONTARIO POWER GENERATION INC. REBATES

For the payments that relate to the period from May 1, 2006 to April 30, 2009, the rules set out below shall apply.

1. Definitions and Interpretations

In this Licence

“embedded distributor” means a distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a distributor who is a market participant and who distributes electricity to another distributor who is not a market participant.

In this Licence, a reference to the payment of a rebate amount by the IESO includes interim payments made by the IESO.

2. Information Given to IESO

- a Prior to the payment of a rebate amount by the IESO to a distributor, the distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with information in respect of the volumes of electricity withdrawn by the distributor from the IESO-controlled grid during the rebate period and distributed by the distributor in the distributor’s service area to:
 - i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented and the consumer is not receiving the prices established under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- b Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity consumed in the service area of an embedded distributor, the embedded distributor shall provide the host distributor, in the form specified by the IESO and before the expiry of the period specified in the Retail Settlement Code, with the volumes of electricity distributed during the rebate period by the embedded distributor’s host distributor to the embedded distributor net of any electricity distributed to the embedded distributor which is attributable to embedded generation and distributed by the embedded distributor in the embedded distributor’s service area to:

- i consumers served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
 - ii consumers other than consumers referred to in clause (i) who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*.
- c Prior to the payment of a rebate amount by the IESO to a distributor which relates to electricity consumed in the service area of an embedded distributor, the host distributor shall provide the IESO, in the form specified by the IESO and before the expiry of the period specified by the IESO, with the information provided to the host distributor by the embedded distributor in accordance with section 2.

The IESO may issue instructions or directions providing for any information to be given under this section. The IESO shall rely on the information provided to it by distributors and there shall be no opportunity to correct any such information or provide any additional information and all amounts paid shall be final and binding and not subject to any adjustment.

For the purposes of attributing electricity distributed to an embedded distributor to embedded generation, the volume of electricity distributed by a host distributor to an embedded distributor shall be deemed to consist of electricity withdrawn from the IESO-controlled grid or supplied to the host distributor by an embedded generator in the same proportion as the total volume of electricity withdrawn from the IESO-controlled grid by the distributor in the rebate period bears to the total volume of electricity supplied to the distributor by embedded generators during the rebate period.

3. Pass Through of Rebate

A distributor shall promptly pass through, with the next regular bill or settlement statement after the rebate amount is received, any rebate received from the IESO, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt, to:

- a retailers who serve one or more consumers in the distributor's service area where a service transaction request as defined in the Retail Settlement Code has been implemented and the consumer is not receiving the prices established under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998*;
- b consumers who are not receiving the fixed price under sections 79.4, 79.5 and 79.16 of the *Ontario Energy Board Act, 1998* and who are not served by a retailer where a service transaction request as defined in the Retail Settlement Code has been implemented; and
- c embedded distributors to whom the distributor distributes electricity.

The amounts paid out to the recipients listed above shall be based on energy consumed and calculated in accordance with the rules set out in the Retail Settlement Code. These payments may be made by way of set off at the option of the distributor.

If requested in writing by OPGI, the distributor shall ensure that all rebates are identified as coming from OPGI in the following form on or with each applicable bill or settlement statement:

"ONTARIO POWER GENERATION INC. rebate"

Any rebate amount which cannot be distributed as provided above or which is returned by a retailer to the distributor in accordance with its licence shall be promptly returned to the host distributor or IESO as applicable, together with interest at the Prime Rate, calculated and accrued daily, on such amount from the date of receipt.

Nothing shall preclude an agreement whereby a consumer assigns the benefit of a rebate payment to a retailer or another party.

Pending pass-through or return to the IESO of any rebate received, the distributor shall hold the funds received in trust for the beneficiaries thereof in a segregated account.