

**Newmarket-Tay Power Distribution Ltd. Conditions of Service
NT POWERCOS – 210 – 00 Connections and Reconnections
July 2020**

Newmarket-Tay Power Distribution Ltd.	Number: NT POWER COS–220–01
Conditions of Service	Issue Date: July 2020
Disconnection and Reconnection	Next Review Date:

1. Preamble

This Disconnection and Reconnection section of the Newmarket-Tay Power Distribution Ltd. (NT Power) Conditions of Service covers the operational requirements that NT Power will establish for disconnecting and/or reconnecting the electrical services in accordance with the requirements under section 31 of the *Electricity Act*, the Ontario Electrical Safety Code, and following sections of the Ontario Energy Board’s (OEB) Distribution System Code:

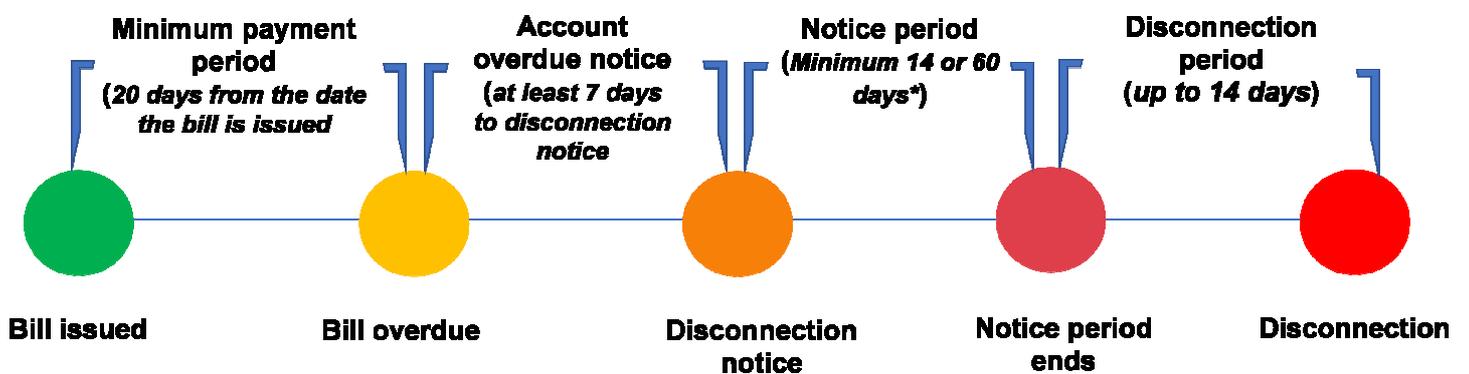
- Section 2.7 - Arrears Payment Agreements
- Section 4.2 - Disconnection and Reconnection
- Section 4.4 - System Inspection Requirements and Maintenance
- Section 4.5 - Unplanned Outages and Emergency Conditions
- Section 4.8 - Winter Disconnection, Reconnection and Load Control Devices
- Appendix C attached to the Distribution System Code

2. Disconnection and Reconnection

NT Power must perform all disconnection and reconnection of electrical services in accordance with the applicable legislation, codes and good utility practice. In particular, NT Power must perform disconnection and reconnection of electrical services for non-payment in accordance with the section 4.2 – Disconnection and Reconnection of the DSC.

The process for the NT Power’s disconnection for non-payment is shown in following figure. The NT Power’s timelines and events for disconnection for non-payment are stated in Table 1.

The Process for Disconnection Due to Non-payment



Note: Customers with documentation from a physician that disconnection will pose a significant health risk will receive a minimum 60 day disconnection notice period. Other customers will receive a minimum 14 day disconnection notice period.

Table 1. NT Power’s Timelines for Customer Disconnection for non-payment

#	Timelines	Event
1.	Day 1	Bill issued
2.	After 3 Business Days	Bill deemed received
3.	Day 21	Bill due date
4.	Day 24	Overdue notice issued
5.	After 3 Business Days	Account overdue notice deemed received
6.	Day 31	Disconnection notice issued via mail
7.	Day 36	Disconnection notice deemed received
8.	Day 37 to Day 51	14-day minimum disconnection notice period (Note 1)
9.	Day 51	14-day minimum disconnection notice period ends
10.	Day 52 to 66	14-day minimum disconnection window
11.	Day 52	The earliest date disconnection may occur
12.	Day 66	The latest date disconnection may occur
13.	Within Day 50 to 64	48 Hour disconnection notification hand-delivered
14.	Within Day 50 to 64	48 Hour customer telephone contact
15.	Within Day 52 to 66	Disconnection of service occurs

Note (1)

NT Power will provide a minimum notice period of 60 calendar days for customers with documentation from a physician that disconnection will pose a significant health risk. Events #8-15 will be adjusted based on the 60 calendar day disconnection notice.

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NT Power reserves the right to disconnect or limit the supply of electrical energy for causes not limited to:

- Contravention of the laws of Canada, the Province of Ontario, or municipal bylaws; including the Ontario's Electrical Safety Code.
- Disconnection of a Consumer without notice in accordance with a court order, or for emergency, safety or system reliability reasons.
- The Customer's electrical system is defective, not maintained, and represents a danger to life or property, or has a material adverse effect on the reliability and safety of NT Power's distribution system.
- Imposition of an unsafe worker situation beyond normal risks inherent in the operation of NT Power's distribution system.
- There is energy diversion, fraud, or abuse.
- A material decrease in the efficiency of NT Power's distribution system.
- A materially adverse effect on the quality of distribution services received by an existing connection.
- Inability of NT Power to perform planned inspections, installations, and maintenance.
- Failure of the consumer or customer to comply with a directive of NT Power that NT Power makes for purposes of meeting its licence obligations.
- Overdue amounts payable to NT Power for distribution of electricity services, including the non-payment of an expansion deposit or a security deposit, in part or in full, payable to NT Power
- Electrical disturbance propagation caused by Customer equipment that is not corrected in a timely fashion.
- Any other conditions identified in these Conditions of Service.

3. Purposes of Disconnections for Supply of Electricity

3.1 System Inspection Requirements and Maintenance

NT Power needs to maintain its distribution system in accordance with good utility practice and performance standards to ensure reliability and quality of electricity service, on both a short-term and long-term basis. NT Power will perform inspection activities of its distribution system in accordance with the requirements in Appendix C attached to the Distribution System Code.

NT Power will address any defects discovered during the inspection activities within a reasonable period of time after the discovery of the defect. NT Power will address a defect by scheduling a more detailed inspection, by planning repair activities or by performing any other action that is an affirmative response to the discovery of the defect.

In order to achieve these objectives, it is necessary to schedule an outage to customer's supply of electricity. NT Power will notify consumers regarding the expected duration and frequency of planned outages due to system inspection requirements and maintenance.

NT Power will provide as much advance notice as possible. NT Power will make all reasonable efforts to minimize the duration and frequency of planned outages. NT Power policies and procedures with respect to planned outages will be described in the Conditions of Service.

3.2 Unplanned Outages and Emergency Conditions

NT Power may require a consumer or customer or a party to a joint use agreement to comply with reasonable and appropriate instructions from NT Power during an unplanned outage or emergency situation.

To assist with distribution system outages or emergency response, NT Power may require a customer to provide NT Power emergency access to customer-owned distribution equipment that normally is operated by NT Power or NT Power-owned equipment on customer property.

During an emergency, NT Power may interrupt supply to a consumer in response to a shortage of supply or to effect repairs on the distribution system or while repairs are being made to consumer-owned equipment.

NT Power may require consumers or customers with permanently connected emergency backup generation facility to notify NT Power regarding the presence of such equipment.

NT Power will require that a consumer's or customer's portable or permanently connected emergency backup generation facility complies with all applicable criteria of the Ontario Electrical Safety Code and does not adversely affect NT Power's distribution system.

NT Power will develop and maintain appropriate emergency plans in accordance with the requirements of the Minister of Energy, Science and Technology and in the Market Rules. NT Power's emergency plan will include, at a minimum, mutual assistance plans with neighbouring distributors or other measures to respond to a wide-spread emergency.

NT Power will establish outage management policies.

3.3 Disconnection Request

The customer has the right to request, a disconnect and reconnect for maintenance on the existing service during normal business hours. Customers may make a written request to NT Power for temporary disconnection of electrical service, e.g., plant expansion, service upgrade, etc. NT Power will make every reasonable effort to respond promptly to a customer's request for disconnection.

The customer will be responsible for costs associated with any temporary de-energization of distribution. Beyond normal business hours, NT Power will charge the customer the premium cost. Additional works will be chargeable to the customer.

Where an inspection by the ESA may be required prior to NT Power reconnecting the supply of electrical energy, it must be the responsibility of the party requiring the reconnection to arrange for the inspection and the payment of the reconnection fees.

3.4 Disconnection without Notification

NT Power may disconnect a customer without notice in accordance with a court order, or for emergency, safety or system reliability reasons.

3.5 Disconnection and Reconnection Due to Non-payment

NT Power will perform disconnection and reconnection of electrical services due to non-payment in accordance with applicable legislation and the most recent version of the Distribution System Code.

NT Power will follow the following process for collection of arrears and disconnection of Service, consistent with the OEB's customer service rules (Rules) regarding disconnection of service for non-payment, as set out in the Distribution System Code:

In accordance with applicable legislation and following the due date, procedures will be followed to collect the overdue amount of a bill for the provision of electricity service. The minimum payment period is 20 days from the date on which the bill was issued to the customer. If the bill is sent by mail, NT Power will add 3 calendar days, providing a total of 23 days from the date the bill was printed.

After the fourth day following the expiry of the minimum payment period of 20 days, NT Power will start collection actions if payment of the amount due is not made by the customer, and subsequently an account overdue notice will be issued.

The account overdue notice will be provided by the customer's preferred method of communication, if known, or otherwise by mail or any other means determined to be appropriate by NT Power after the due date.

If the bill remains unpaid following the account overdue notice, a disconnection notice is printed and mailed after minimum 7 calendar days that account overdue notice was sent and no payment was received.

The disconnection notice will provide a minimum 14 calendar day notice period before disconnection may take place. Residential customers who have provided documentation from a physician that disconnection will pose a significant health risk to the customer or on the physical health of the customer's spouse, dependent family member or other person that regularly resides with the customer will receive 60 calendar days disconnect notice.

NT Power reserves the right to request annual updated documentation from a physician confirming that disconnection poses a risk of significant adverse effects on the physical health of the customer or on the physical health of the customer's spouse, or dependent family member or another person that regularly resides with the customer.

Disconnection notices sent to residential customers will contain information prescribed in the OEB's Customer Rules including, but not limited to:

- (a) the date on which the disconnection notice was printed;
- (b) the earliest and latest dates on which disconnection may occur;

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- (c) the amount that is then overdue for payment, including all applicable late payment and other charges associated with non-payment to that date;
- (d) the amount of any approved service charge(s) that may apply to reconnect service following disconnection, and the circumstances in which each of these charges is payable;
- (e) the forms of payment that the customer may use to pay all amounts that are identified as overdue in the disconnection notice, which must at least include payment by credit card and any other method of payment that NT Power ordinarily accepts and which can be verified within the time period remaining before disconnection;
- (f) the time period during which any given form of payment listed under paragraph (e) will be accepted by NT Power;
- (g) that, in order to avoid disconnection if NT Power attends at the customer's property to execute the disconnection, a customer will only be able to pay by credit card, unless NT Power, in its discretion, accepts other forms of payment at that time and sets out the other forms of payment in the disconnection notice;
- (h) that a disconnection may take place whether or not the customer is at the premises;
- (i) that the disconnection may occur without attendance at the customer's premises (provided, however, that this information need not be included if NT Power does not in fact disconnect service without attendance at the customer's premises);
- (j) that an OEB prescribed standard arrears management program and equal monthly payment plan option may be available to all residential customers, along with contact information for NT Power where the customer can obtain further information;
 - (j) that the following additional assistance may be available to an eligible low-income customer, along with contact information for NT Power where the customer can obtain further information about the additional assistance:
 - i. OEB prescribed standard arrears management program, and other expanded customer service provisions, specifically for eligible low-income customers; and
 - ii. Emergency Financial Assistance;
- (k) any additional option(s) that NT Power chooses, in its discretion, to offer to the customer to avoid disconnection and the deadline for the customer to avail himself or herself of such option(s).

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Without limiting the generality of the foregoing, prior to disconnecting a property for non-payment, NT Power must provide to any person that, according to NT Power's Conditions of Service, receives notice of the disconnection:

- a) A Fire Safety Notice of the Office of the Fire Marshall; and
- b) Any other public safety notices or information bulletins issued by public safety authorities and provided to NT Power, which provide information to consumers respecting dangers associated with the disconnection of electricity service.

NT Power must include a copy of the notices or bulletins, as stated above, along with any notice of disconnection that is left at the property at the time of actual disconnection for non-payment.

Disconnection notices will be in writing and if issued by mail will be deemed to be received on the fifth calendar day after the date on which the notice was printed.

Where NT Power issues a disconnection notice for non-payment in respect of the disconnection of a multi-unit, master-metered building, NT Power must post a copy of the disconnection notice in a conspicuous place on or in the building promptly after issuance of the notice.

The disconnect notice period starts from the date on which the disconnection notice is deemed to have been received by the customer:

- a) Where a disconnection notice is sent by mail, the disconnection notice is deemed to have been received by the customer on the fifth calendar day after the date on which the notice was printed by NT Power
- b) Where a disconnection notice is delivered by personal service, the disconnection notice is deemed to have been received by the customer on the date of delivery.
- c) Where a disconnection notice is delivered by being posted on the customer's property, the disconnection notice is deemed to have been received by the customer on the date of such posting.

NT Power will make reasonable efforts to contact, in person or by telephone, a residential Customer to whom NT Power has issued a disconnection notice for non-payment at least 48 hours prior to the scheduled date of disconnection. In order to accomplish this objective, NT Power will hand-deliver a letter to the customer at least 48 hours prior to scheduling the disconnection. At that time, NT Power will advise that the customer has the option to pay amounts owing by credit card, in addition to other forms of payment that NT Power will accept and which can be verified within the time period remaining before disconnection; and advise during what hours such payments can be

made. In addition, NT Power will contact the customer by telephone to advise the disconnection will occur at least 48 hours prior to the scheduled date of disconnection.

NT Power will disconnect the customer within 14 calendar days after the applicable minimum disconnection notice period ends and until payment arrangements satisfactory to NT Power have been made.

A disconnection notice issued for non-payment will expire on the date that is 14 calendar days from the last day of the applicable minimum notice period. NT Power will not thereafter disconnect the property of the customer for non-payment. If no disconnection occurs within this 14-calendar day period, NT Power will restart the disconnection process and issue a new disconnection notice.

NT Power will not disconnect customers on a day when they are closed to the public to make payment and/or reconnection arrangements or on the day preceding that day.

4. Reconnection Requirements

In developing physical and business process for reconnection, NT Power must consider safety and reliability as a primary requirement.

A customer must be connected within 2 business days of the date the customer makes payment in full of the amount overdue, or after the customer enters into an OEB prescribed standard arrears management program.

NT Power may also recover from the customer applicable reconnection costs and reasonable costs for repairs of NT Power's physical assets in reconnecting the property. Such discontinuance or restriction of service does not relieve the customer of the liability for arrears or other applicable charges for the balance of the term of contract, nor shall NT Power be liable for any damage to the customer's premises resulting from such discontinuance or restriction of service, other than physical damage to facilities arising directly from entry on the customer's property.

The reconnection charges must be applied only after reconnection has occurred. If a residential customer is unable to pay the reconnection charges, NT Power must offer reasonable payment arrangements following the reconnection. Low-income customers do not have to pay a reconnection charge.

5. Third Party Notification

NT Power must, at the request of a residential customer, send a copy of any disconnection notice issued to the customer for non-payment to a third party designated by the customer for that purpose provided that the request is made no later than the last

day of the applicable minimum notice period set out in the NT Power's Billing and Payment Policy. In such a case:

- a) NT Power must notify the third party that the third party is not, unless otherwise agreed with NT Power, responsible for the payment of any charges for the provision of electricity service in relation to the customer's property; and
- b) The rules set out in NT Power's Billing and Payment Policy must apply, with such modifications as the context may require, for the purposes of determining the date of receipt of the disconnection notice by the third party.

A customer may, at any time prior to disconnection, designate a third party to also receive any future notice of disconnection and NT Power must send notice of disconnection to such third party.

NT Power must accept electronic mail or written communications from the customer for purposes of disconnection and reconnection with respect to a designated third party.

6. Suspension of Disconnection for Bill Payment Assistance

NT Power must suspend any disconnection action for a period of 21 days from the date of notification by a Low-Income Energy Assistance Program (LEAP) intake agency that it is assessing a residential customer for the purposes of determining whether the customer is eligible to receive bill payment assistance, provided such notification is made within 14 days from the date on which the disconnection notice is received by the customer.

Where a residential customer had requested prior to the issuance of the disconnection notice that NT Power also provide a copy of any disconnection notice to a third party, NT Power must suspend any disconnection action for a period of 21 days from the date of notification by the third party that he or she is attempting to arrange assistance with the bill payment, provided such notification is made within 14 days from the date on which the disconnection notice is received by the customer.

Upon notification by a LEAP Intake Agency that a customer is not eligible to receive bill payment assistance, or if another third party who was considering the provision of bill assistance decides not to proceed, NT Power may continue its disconnection process. NT Power will have up to 14 days to act on the previous disconnection notice and must make a further reasonable effort to contact the customer in accordance with prior to executing disconnection.

7. Arrears Payment Agreement

NT Power must make available to any residential or general service < 50 kW customer who is unable to pay their outstanding electricity charges, the opportunity to enter into an arrears payment agreement with NT Power

If NT Power enters into discussions with a residential customer and offers an arrears agreement but the customer declines to enter into an arrears agreement, NT Power may proceed with disconnection and is not required to offer an arrears agreement to such a customer after disconnection.

Before entering into an arrears payment agreement with a residential customer, NT Power must apply any security deposit held on account of the customer against any electricity charges owing at the time.

As part of the arrears payment agreement, NT Power may require that the customer pay a down payment of up to 15% of the electricity charge arrears accumulated, inclusive of any applicable late payment charges but excluding other service charges, when entering into the arrears management program.

Where an eligible low-income customer enters into an arrears payment agreement for the first time or subsequent to having successfully completed a previous arrears payment agreement as an eligible low-income customer, NT Power may require that the customer pay a down payment of up to 10% of the electricity charge arrears accumulated, inclusive of any applicable late payment charges but excluding other service charges.

The arrears payment agreement must allow the residential electricity customer to pay all remaining electricity charges that are then overdue for payment as well as the current bill amount if the customer elects to do so, after applying a security deposit, and the down payment referred, including all electricity-related service charges that have accrued to the date of the agreement, over the following periods:

- a) a period of at least 5 months, where the total amount of the electricity charges remaining overdue for payment is less than twice the customer's average monthly billing amount;
- b) a period of at least 10 months, where the total amount of the electricity charges remaining overdue for payment is equal to or exceeds twice the customer's average monthly billing amount;
- c) in the case of an eligible low-income customer, a period of at least 8 months, where the total amount of the electricity charges remaining overdue for payment is less than or equal to 2 times the customer's average monthly billing amount;
- d) in the case of an eligible low-income customer, a period of at least 12 months where the total amount of the electricity charges remaining overdue for payment

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- exceeds 2 times the customer's average monthly billing amount and is less than or equal to 5 times the customer's average monthly billing amount; or
- e) (e) in the case of an eligible low-income customer, a period of at least 16 months where the total amount of the electricity charges remaining overdue for payment exceeds 5 times the customer's average monthly billing amount.

The customer's average monthly billing amount must be calculated by taking the aggregate of the total electricity charges billed to the customer in the preceding 12 months and dividing that value by 12. If the customer has been a customer of NT Power for less than 12 months, the customer's average monthly billing amount shall be based on a reasonable estimate made by NT Power

Where a residential customer defaults on more than one occasion in making a payment in accordance with an arrears payment agreement, or a payment on account of a current electricity charge billing, a security deposit amount due or an under-billing adjustment, NT Power may cancel the arrears payment agreement.

If NT Power cancels an arrears payment agreement, NT Power will give written notice of cancellation to the customer and to any third party designated by the customer at least 10 days before the effective date of the cancellation.

Where, at the time of entering into an arrears payment agreement a customer has designated a third party to receive notice of cancellation of the arrears payment agreement, NT Power must provide notice of cancellation to such third party. NT Power must accept electronic mail (e-mail) or telephone communications from the customer.

If the customer makes payment of all amounts due pursuant to the arrears payment agreement as of the cancellation date and makes such payment on or before the cancellation date, NT Power must reinstate the arrears payment agreement.

Where an eligible low-income customer defaults on more than two occasions in making a payment in accordance with an arrears payment agreement, or a payment on account of a current electricity charge billing or an under-billing adjustment, NT Power may cancel the arrears payment agreement.

The defaults must occur over a period of at least 2 months before NT Power may cancel the arrears payment agreement.

NT Power must make available to a residential electricity customer a second arrears payment agreement if the customer so requests, provided that 2 years or more has passed since a first arrears payment agreement was entered into and provided that the customer performed his or her obligations under the first arrears payment agreement.

In the case of an eligible low-income customer, NT Power must allow such a customer to enter into a subsequent arrears payment agreement upon successful completion of the previous arrears payment agreement on the following terms:

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- i. If a second or subsequent arrears agreement is requested less than 12 months from the date of completion of the previous arrears payment agreement, then the standard arrears payment agreement terms applicable to all residential customers also apply to the eligible low-income customer; or
- ii. If a second or subsequent arrears agreement is requested 12 months or more from the date of completion of the previous arrears payment agreement, the eligible low-income customer shall be entitled to the arrears payment agreement terms.

NT Power is not required to waive any late payment charges that accrue to the date of the arrears payment agreement but no further late payment charges may be imposed on a residential customer after he or she has entered into an arrears payment agreement with NT Power in respect of the amount that is the subject of that agreement.

NT Power must not disconnect the property of a residential customer, for failing to make a payment subject to an arrears payment agreement, unless the customer is in default, and NT Power has cancelled the arrears payment agreement in accordance with the provisions of this Code.

In the event a customer failed to perform their obligations under a previous arrears payment agreement and NT Power terminated the agreement (in the case of a residential customer) or otherwise (in the case of a general service < 50 kW customer), NT Power may require that the customer wait 1 year after termination of the previous agreement before entering into another arrears payment agreement with NT Power

8. Winter Disconnection and Reconnection

NT Power must not, during a winter Disconnection Ban Period of 12:00 am November 15th to 11:59 pm April 30, or during any other Disconnection Ban Period, as determined by the OEB:

- disconnect an occupied residential property solely on the grounds of non-payment;
- issue a disconnection notice in respect of an occupied residential property solely on the grounds of non-payment, provided. However, NT Power may issue a disconnection notice that complies with section 4.2 of this Code in the last month of the Disconnection Ban Period in respect of a disconnection to take place after the end of the Disconnection Ban Period; or

Nothing must:

- a) prevent NT Power from taking such action in respect of an occupied residential property as may be required to comply with any applicable and generally accepted safety requirements or standards; or
- b) require NT Power to act in a manner contrary to any applicable and generally accepted safety requirements or standards.

9. Payment Options to Avoid Disconnection

To avoid disconnection, NT Power makes every effort to offer solutions to customers that have arrears, including: offering an Arrears Management Program; increasing awareness of assistance or support that may be available through LEAP emergency financial assistance, OESP or other sources.

Disconnection can be avoided if payment is made as follows:

Customers may pay their electricity bills using any of the following methods:

- a) cash, debit, cheque and credit card payments at the NT Power offices;
- b) mailing a cheque or money order payable to NT Power at the remit to address printed on the bill;
- c) depositing a cheque or money order in a designated Night Deposit Box;
- d) in person at most Canadian financial institutions; or through automated banking machines, telephone banking or Internet bill payment services as offered by the customer's financial institution;
- e) pre-authorized automatic withdrawal from the Customer's bank account by NT Power on the due date or dates as assigned through budget agreements;
- f) using a Visa or Mastercard Credit Card via the NT Power third party service provider noted on the NT Power Website, or contacting the number listed on the bill (subject to third party processing fees).

All payments must be in Canadian dollars.

All cheques received are typically processed for payment upon receipt. NT Power assumes no responsibility for any related charges, including, but not limited to, non-sufficient fund charges to the customer.

Where payment is made by mail, payment will be deemed to be made on the date postmarked. Where payment is made at an acceptable financial institution, payment will be deemed to be made when the bill is stamped or acknowledged by the financial institution or an equivalent transaction record is made.

Payment options for cash, cheque and debit will be available during the regular business hours, Monday to Friday, 8:30 am to 4:00 pm. Credit Card payments may also

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be made by calling NT Power offices or visiting Newmarket-Tay website for details (fees apply). A Night Deposit Box is also located at NT Power offices.

If NT Power representative attends at the customer's property to execute the disconnection, a customer will only be able to pay by credit card (fees apply).

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