

Policy 2.08 – DISCONNECTION/RECONNECTION POLICY	Version 2.0
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2.08.01 PURPOSE

This policy describes the terms and conditions distributors will use when disconnecting and/or reconnecting the electrical service of a consumer while complying with the applicable legislation and codes.

2.08.02 POLICY STATEMENT

A distributor will comply with the disconnection and reconnection requirements as defined in the Distribution System Code, Retail Settlement Code, Standard Supply Service Code, and the Distribution Rate Handbook.

2.08.03 DEFINITION STATEMENT

Unless otherwise stated, all dates/days contained in this policy are calendar days.

2.08.04 PLANNED INTERRUPTIONS

Although it is the distributors' policy to minimize inconvenience to consumers, it is necessary to occasionally interrupt a consumers' supply to maintain or improve the distributors' system, or to provide new or upgraded services to other consumers. Whenever practical and cost effective, as determined by the distributor, arrangements suitable to the consumer and the distributor may be made to minimize any inconvenience. The distributor will endeavor to provide the consumer with reasonable advance notice, except in cases of emergency, involving danger to life and limb, or impending severe equipment damage.

2.08.05 DISCONNECTION BY REQUEST

Consumers may make a written request (written, telephone, e-mail) to the distributor for temporary disconnection of electrical service. A distributor shall make every reasonable effort to respond promptly to a consumer's request for disconnection. A charge for temporary disconnection and reconnection may apply.

In all circumstances where allowable by law, an attempt shall be made to notify the consumer in advance of the disconnection.

2.08.06 DISCONNECTION WITH NOTIFICATION

Prior to disconnecting a property for non-payment, a distributor shall provide to any person that, according to the distributor's Conditions of Service, receives notice of the disconnection:

- a) the Fire Safety Notice of the Office of the Fire Marshal; and
- b) any other public safety notices or information bulletins issued by public safety authorities and provided to the distributor, which provide information to consumers respecting dangers associated with the disconnection of electricity service (Ref: DSC 4.2.1.1).

A distributor shall include a copy of the notices or bulletins referred to above along with any notice of disconnection that is left at the property at the time of actual disconnection for non-payment (Ref: DSC 4.2.1.2).

A distributor that intends to disconnect, pursuant to section 31 of the *Electricity Act*, the property of a residential consumer for non-payment shall send or deliver a disconnection notice to the consumer that contains, at a minimum, the following information:

- a) the date on which the disconnection notice was printed by the distributor;
- b) the earliest and latest dates on which disconnection may occur;
- 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 consumer may use to pay all amounts that are identified as overdue in the disconnection notice, which must at least include payment by credit card issued by a financial institution and any other method of payment that the distributor 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 the distributor;
- g) that in order to avoid disconnection if the distributor attends at the consumer's property to execute the disconnection, a consumer will only be able to pay by credit card issued by a financial institution, unless the distributor, in its discretion, will accept other forms of payment at the time and sets out the other forms of payment in the disconnection notice;
- h) that a disconnection may take place whether or not the consumer is at the premises;
- i) that where applicable, the disconnection may occur without attendance at the consumer's premises;

- j) that a Vital Services By-Law may exist in the consumer's community and that the consumer should contact their local municipality for more information;
- k) that an Ontario Energy Board-prescribed arrears management program and equal monthly payment plan option may be available to all residential consumers, along with the contact information for the distributor where the consumer can obtain further information;
- l) any additional option(s) that the distributor chooses, in its discretion, to offer to the consumer to avoid disconnection and the deadline for the consumer to avail himself or herself of such option(s) (Ref: DSC 4.2.2).

A distributor that sends or delivers to a consumer a disconnection notice, pursuant to section 31(2) of the *Electricity Act*, for non-payment shall not include that notice in the same envelope as a bill or any other documentation emanating from the distributor (Ref: DSC 4.2.2.1).

A distributor shall, at the request of a residential consumer, send a copy of any disconnection notice issued to the consumer for nonpayment to a third party designated by the consumer 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 distributors Billing and Payment Policy. In such a case:

- a) the distributor shall notify the third party that the third party is not, unless otherwise agreed with the distributor, responsible for the payment of any charges for the provision of electricity service in relation to the consumer's property; and
- b) the rules set out in the distributors Billing and Payment Policy shall 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 (Ref: DSC 4.2.2.2).

A residential consumer may, at any time prior to disconnection, designate a third party to also receive any future notice of disconnection and the distributor shall send notice of disconnection to such third party (Ref: DSC 4.2.2.2A).

A distributor shall accept electronic mail (e-mail) or telephone communications from the consumer for purposes of disconnection and reconnection with respect to a designated third party (Ref: DSC 4.2.2.2B).

A disconnection notice issued for non-payment shall expire on the date that is 14 days from the last day of the applicable minimum notice period referred to in this policy, determined in accordance with the rules set out in the distributors Billing and Payment Policy. A distributor may not thereafter disconnect the property of the consumer for non-payment unless the distributor issues a new disconnection notice (Ref: DSC 4.2.2.3).

A distributor shall make reasonable efforts to contact, in person or by telephone, a residential consumer to whom the distributor has issued a disconnection notice for non-payment at least 48 hours prior to the scheduled date of disconnection. At that time, the distributor shall:

- a) advise the consumer of the scheduled date for disconnection;
- b) advise the consumer that a disconnection may take place whether or not the consumer is at the premises;
- c) where applicable, advise the consumer that the disconnection may occur without attendance at the consumer's premises;
- d) advise that the consumer has the option to pay amounts owing by credit card issued by a financial institution, in addition to other forms of payment that the distributor will accept at that time and which can be verified within the time period remaining before disconnection; and advise during what hours such payments may be made;
- e) advise the consumer that, if the distributor attends at the consumer's property to execute the disconnection, the consumer will only be able to pay by credit card issued by a financial institution, unless the distributor, in its discretion, will accept other forms of payment at that time;
- f) advise the consumer that a Board-prescribed standard arrears management program and equal monthly payment plan option may be available to all residential consumers; the distributor must be prepared to enter into an arrears payment agreement at that time if the consumer is eligible;
- f1) advise that the following additional assistance may be available to an eligible low-income customer, along with contact information for the distributor where the customer can obtain further information about the additional assistance:
 - i) a Board-prescribed arrears management program, and other expanded customer service provisions, specifically for eligible low-income customers; and
 - ii) Emergency Financial Assistance; and
- g) advise the consumer of any additional option(s) that the distributor, in its discretion, wishes to offer to the consumer to avoid disconnection (*Ref: DSC 4.2.2.4*).

Where a distributor issues a disconnection notice for non-payment in respect of the disconnection of a multi-unit, master-metered building, the distributor shall post a copy of the disconnection notice in a conspicuous place on or in the building promptly after issuance of the notice (*Ref: DSC 4.2.2.5*).

A distributor shall suspend any disconnection action for a period of 21 days from the date of notification by a LEAP intake agency that it is assessing a residential consumer for the purposes of determining whether the consumer 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 consumer. Where a residential consumer had requested prior to the issuance of the disconnection notice that the distributor also provide a copy of any disconnection notice to a third party, the distributor shall suspend any disconnection action for a period of 21 days

from the date of notification by the third party that he, she or it 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 consumer (*Ref: DSC 4.2.2.6*).

Upon notification by a LEAP intake agency that a consumer 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, the distributor may continue its disconnection process. Distributors will have up to 14 days to act on the previous disconnection notice and must make a further reasonable effort to contact the consumer in accordance with prior to executing disconnection (*Ref: DSC 4.2.2.7*).

A distributor shall not disconnect a customer for non-payment until the following minimum notice periods have elapsed.

- a) 60 days from the date on which the disconnection notice is received by the customer, in the case of a residential customer that has provided the distributor with 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, dependent family member or other person that regularly resides with the customer; or
- b) 14 days from the date on which the disconnection notice is received, in all other cases (*Ref: DSC 4.2.3*).

Receipt of disconnection notice is determined as follows:

- a) where a disconnection notice is sent by mail, the disconnection notice shall be deemed to have been received by the customer on the fifth calendar day after the date on which the notice was printed by the distributor;
- b) where a disconnection notice is delivered by personal service, the disconnection notice shall be 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 shall be deemed to have been received by the customer on the date of such posting;
- d) "spouse" has the meaning given to it in section 29 of the Family Law Act;
- e) "dependent family member" means a "dependent" as defined in section 29 of the Family Law Act and also includes a grandparent who, based on need, is financially dependent on the customer; and
- f) the distributor shall apply the rules relating to the computation of time set out in section 2.08.11 of this policy (*Ref: DSC 4.2.3.1*).

2.08.07 DISCONNECTION WITHOUT NOTIFICATION

A distributor may disconnect without notice in accordance with a court order or for emergency, safety or system reliability reasons (*Ref: DSC 4.2.4*).

2.08.08 PAYMENT TO AVOID DISCONNECTION

Disconnection can be avoided if payment is made as follows:

- a) Where a distributor has issued a disconnection notice to a residential customer for non-payment, the distributor shall ensure it has the facilities or staff available to permit the customer to pay all amounts that are then overdue for payment by credit card issued by a financial institution. This payment option must be offered during the regular business hours of the distributor, from the time the disconnection notice is delivered to a residential customer until the time the distributor's staff attends at the customer's premises to execute the disconnection.
- b) Where a distributor attends at a customer's property to execute a disconnection, whether during or after the distributor's regular business hours, the distributor shall ensure it has the facilities or staff available at that time to permit the customer to pay all amounts that are then overdue for payment by credit card issued by a financial institution. The distributor may, in its discretion, also accept other forms of payment at the time of disconnection.
- c) Where a distributor was unsuccessful in its attempt to contact a residential customer 48 hours before the planned disconnection and the distributor intends to execute the disconnection by attendance at the customer's premises, the distributor shall make a reasonable attempt to communicate with the customer, with due regard for the safety and security of the distributor's personnel, if the customer is at the property, to advise that disconnection will be executed and that payment may be made by credit card issued by a financial institution
- d) A distributor shall not disconnect a customer for non-payment on a day the distributor is closed to the public to make payment and/or reconnection arrangements or on the day preceding that day. (*Ref: DSC 4.2.5*).

The physical process by which a distributor disconnects or reconnects shall reflect good utility practice and consider safety as a primary requirement (*Ref: DSC 4.2.5.1*).

A distributor shall not apply any charges for disconnecting a customer for non-payment (*Ref: DSC 4.2.5.1A*).

A distributor may recover from the customer responsible for the disconnection reasonable costs for repairs of the distributor's physical assets attached to the property in reconnecting the property (*Ref: DSC 4.2.5.2*).

2.08.09 RECONNECTION

The distributor shall insist that electrical services that have been disconnected for six (6) or more months have an inspection certificate from the Electrical Safety Authority prior to reconnection. Notwithstanding the distributor reserves the right to require, an Electrical Safety Authority inspection certificate at any time prior to reconnection at the expense of the customer.

The distributor shall insist that a responsible representative of the property be present when electrical service is energized or reconnected.

A distributor may recover from the person requesting the reconnection any Board approved reconnection charges. The reconnection charges shall be applied only after reconnection has occurred. If a residential customer is unable to pay the reconnection charges, the distributor shall offer reasonable payment arrangements. The distributor shall waive the reconnection charges for an eligible low-income customer. (Ref: DSC 4.2.5.3).

Where a distributor has disconnected the property of a customer for non-payment, the distributor shall reconnect the property within 2 business days of the date on which the customer:

- a) makes payment in full of the amount overdue for payment as specified in the disconnection notice; or
- b) enters into an arrears payment agreement with the distributor referred to in Policy 2.06 Collection Policy (Ref: DSC 7.10.1).

2.08.10 DISCONNECTION OTHER

A distributor may consider the following reasons for disconnection:

- Adverse effect on the reliability and safety of the distribution system.
- Imposition of an unsafe worker situation beyond normal risks inherent in the operation of the distribution system.
- A material decrease in the efficiency of the distributor's distribution system.
- A materially adverse effect on the quality of distribution services received by an existing connection.
- Inability of the distributor to perform planned inspections and maintenance.
- Failure of the consumer or customer to comply with a directive of a distributor that the distributor makes for purposes of meeting its licence obligations.
- The customer owes the distributor money for distribution services, or for a security deposit. The distributor shall give the customer a reasonable opportunity to provide the security deposit referred to in Policy 2.01 Security Deposit Policy (Ref: DSC 4.2.6).

A distributor shall not disconnect a residential or general service <50 kW customer with a smart meter or interval meter based solely on an estimated bill (*Ref: DSC 4.2.7*).

2.08.11 LOAD CONTROL DEVICES

A distributor may install a load control device instead of disconnecting supply to a customer for non-payment, provided that the distributor complies with the provisions set out below (*Ref: DSC 2.9.1*).

Where a customer voluntarily requests the installation or continued use of a load limiter device, the distributor shall install a load limiter device provided the distributor ordinarily provides such a service (*Ref: DSC 2.9.1A*).

Where a distributor is notified by a LEAP Intake Agency that the agency is assessing the customer for Emergency Financial Assistance, the distributor shall refrain from installing a load control device for a period of 21 days after receiving such notification (*Ref: DSC 2.9.2*).

When the distributor installs a load limiter device, either for non-payment or at the customer's request, it shall also deliver a written notice to the customer explaining in plain language the operation of the device, the maximum capacity of the device, how to reset the device if the maximum capacity is exceeded, as well as a telephone number for the customer to obtain further information and an emergency telephone number to contact if the capacity is exceeded and the customer cannot manually reset the device for any reason (*Ref: DSC 2.9.3*).

When the distributor installs a load limiter device for non-payment that cannot be manually reset by the customer after the maximum limit is triggered, then the distributor must provide a 24-hour telephone number the customer may call to have the load limiter device remotely reset (*Ref: DSC 2.9.3A*).

When the distributor installs a timed load interrupter for non-payment, it shall also deliver a written notice to the customer explaining in plain language the effect of the device on service and a telephone number for the customer to obtain further information (*Ref: DSC 2.9.3B*).

When a distributor installs a load control device for non-payment, the distributor shall also provide to the customer:

- a) the Fire Safety Notice of the Office of the Fire Marshal; and
- b) any other public safety notices or information bulletins issued by public safety authorities and provided to the distributor, which provide information to consumers respecting dangers associated with the disconnection of electricity service (*Ref: DSC 2.9.3C*).

A load control device may not be installed at a residential customer's property during the course of an arrears payment agreement, unless the agreement has been terminated in accordance with the provisions of the DSC (Ref: DSC 2.9.4).

Where a distributor had previously installed a load control device for non-payment and the residential customer then enters into an arrears payment agreement, the distributor shall remove the device within 2 business days of the customer entering into an arrears payment agreement (Ref: DSC 2.9.5).

A customer may request the installation or continued use of the load limiter device during the course of the arrears payment agreement where the distributor ordinarily provides such a service (Ref: DSC 2.9.5A).

Where a load control device was installed by a distributor for non-payment, the distributor shall remove the load control device within 2 business days of an outstanding account being paid in full (Ref: DSC 2.9.6).

2.08.12 COMPUTATION OF TIME

A distributor shall apply the following rules relating to the computation of time:

- where there is reference to a number of days between two events, the days shall be counted by excluding the day on which the first event happens and including the day on which the second event happens;
- where the time for doing an act expires on a day that is not a business day, the act may be done on the next day that is a business day;
- where an act, other than payment by a customer, occurs on a day that is not a business day, it shall be deemed to have occurred on the next business day;
- where an act, other than payment by a customer, occurs after 5:00 p.m., it shall be deemed to have occurred on the next business day; and
- receipt of a payment by a customer is effective on the date that the payment is made, including payments made after 5:00 p.m. (Ref: DSC 2.6.7).

2.08.13 RESPONSIBILITIES

The Distributor's management is responsible for ensuring this policy is implemented and adhered to by the employees of the distributor.