

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

2ND SESSION, 41ST LEGISLATURE, ONTARIO
66 ELIZABETH II, 2017

Bill 146

**An Act to amend the Ontario Energy Board Act, 1998
to provide transparency in gas pricing**

Mr. M. McNaughton

Private Member's Bill

1st Reading June 1, 2017

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Ontario Energy Board Act, 1998* to require that every gas distributor who issues an invoice for supplying gas to a consumer shall clearly and prominently show on the invoice the amount of the invoice that is reasonably attributable to all costs that are related to supplying the gas to the consumer and that the distributor or vendor has incurred or is expected to incur to comply with its obligations under the cap and trade program under the *Climate Change Mitigation and Low-carbon Economy Act, 2016* or to do anything that it is authorized to do under that Act.

An Act to amend the Ontario Energy Board Act, 1998 to provide transparency in gas pricing

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Clause 44 (1) (b.3) of the *Ontario Energy Board Act, 1998* is amended by adding “subject to section 44.1” at the beginning.

2 The Act is amended by adding the following section:

Invoice to disclose cap and trade costs

44.1 (1) Despite anything to the contrary in a rule of the Board made under clause 44 (1) (b.3), every gas distributor who issues an invoice for providing gas distribution services to a consumer shall clearly and prominently show on the invoice the amount of the invoice that is reasonably attributable to all costs that are related to providing the services to the consumer and that the distributor has incurred or is expected to incur to,

- (a) comply with the distributor’s obligations under the *Climate Change Mitigation and Low-carbon Economy Act, 2016*; or
- (b) do anything that the distributor is authorized to do under that Act, including purchasing, selling, trading or otherwise dealing with emission allowances and credits under that Act in any of the distributor’s cap and trade accounts under that Act.

Costs

(2) The costs described in subsection (1) include labour costs, disbursements and expenses.

Showing as separate amount

(3) The amount that a gas distributor is required to show on an invoice under subsection (1) shall be shown as a separate amount from any other amount on the invoice.

Regulations

(4) In addition to complying with subsection (1), a gas distributor under that subsection shall also ensure that the invoice meets the requirements, if any, that are prescribed.

Different forms

(5) The regulations may prescribe different requirements for invoices and may prescribe the circumstances in which each requirement shall apply or be used.

Errors

(6) No defect, error or omission in the form or substance of an invoice issued in respect of gas to a consumer mentioned in subsection (1) invalidates any proceeding for the recovery of the amount payable under the invoice.

3 Subsection 127 (1) of the Act is amended by adding the following clause:

(g.2) prescribing anything that is described as being prescribed for the purposes of section 44.1;

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Transparency in Gas Pricing Act, 2017*.