

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

ONTARIO ENERGY BOARD ACT, 1998

AMOUNTS TO BE EXCLUDED FROM RATES

Amounts to be excluded from gas rates

1. For the purposes of paragraph 2 of subsection 36 (3.1) of the Act, the Board shall not include any of the following amounts in approving or fixing just and reasonable rates for the sale, transmission or distribution of gas:

1. Any award, damages or penalty a gas transmitter or gas distributor is required to pay under an agreement entered into under section 51 of the *Building Transit Faster Act, 2020* or an order made under section 68 of that Act.
2. Compensation a gas transmitter or gas distributor is required to pay to Metrolinx, as determined under section 69 of the *Building Transit Faster Act, 2020*.

Amounts to be excluded from electricity rates

2. For the purposes of paragraph 2 of subsection 78 (5) of the Act, the Board shall not include any of the following amounts in approving or fixing just and reasonable rates for the transmission or distribution of electricity:

1. Any award, damages or penalty a transmitter or distributor is required to pay under an agreement entered into under section 51 of the *Building Transit Faster Act, 2020* or an order made under section 68 of that Act.
2. Compensation a transmitter or distributor is required to pay to Metrolinx, as determined under section 69 of the *Building Transit Faster Act, 2020*.

Commencement

- 3. [Commencement]**