Proposed Regulation to Require all Ontario Utilities to Implement Green Button by July 1, 2020

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The Ontario Ministry of Energy is proposing regulations[1] to require electricity and natural gas utilities to implement the Green Button Download My Data ("DMD") and Connect My Data ("CMD") programs by July 1, 2020. The proposed regulations would be created subsequent to the amendment of the *Green Energy Act, 2009* and *Ontario Energy Board Act, 1998* through Bill 177,*Stronger, Fairer Ontario Act (Budget Measures), 2017*. These regulations would come into force on July 1, 2018, pending the passage of the proposed amendments to the legislation and the regulations' approval.

The Green Button refers to the adoption of a standard data format[2] for electricity and natural gas utilities ("energy providers") in order to provide customers (or "account holders") with direct access to their own energy data. The common data format would allow customers to then share their electricity data with mobile and web-based applications in order to create new tools to help manage their energy use from computers and smart devices.

DMD will allow the customer to download their energy usage data to a file that can be opened by software and applications of their choosing. CMD will allow the customer to authorize a third party (for example, a smartphone application) to gather their data directly from their energy provider without requiring the customer to share their login credentials with that third party.

To implement the regulations, energy providers would be required to procure or develop a software platform and obtain Green Button DMD and CMD certification through the Green Button Alliance ("GBA") certification program.[3] If an energy provider already has a Green Button DMD solution, the GBA allows energy providers to test their DMD files for compliance. Energy providers would also be required to make energy data available to third parties subject to the consent of the account holder, as part of meeting the requirements of the Green Button CMD certification.

Exemptions & Role of the Ontario Energy Board

Certain energy providers may be exempted from compliance with these regulations including Hydro One Remotes Communities Inc., Attawapiskat Power Corporation, Fort Albany Power Corporation and Kashechewan Power Corporation due to the unique nature of their service territories and/or infrastructure.

Under the amendments, the Ontario Energy Board ("OEB") would have the authority to grant extensions to an energy provider in order to comply with the proposed requirements. An extension can be sought if the energy provider is facing technical, operational or other special circumstances which prevent the energy provider from meeting the requirements on time or cost-effectively.

The OEB would also have the authority under the current rate application process to reimburse rate regulated utilities for costs incurred to implement and administer the Green Button DMD and CMD programs.

History of the Green Button Program

The Green Button began in the United States in 2011 as a response from the industry to the White House's call-to-action to facilitate utility customers' access to their energy usage data in a common and easy-to-use format. Since then, it has been adopted by utilities across North America, with Ontario leading the implementation of the program as the first adopter in Canada. Approximately 10 electricity utilities in Ontario have implemented Green Button DMD for their residential and small business customers, representing over 60 per cent of Ontario's electricity customers. London Hydro has also implemented DMD for large commercial and industrial customers. Three electricity utilities (London Hydro, Whitby Hydro and Festival Hydro) have implemented Green Button CMD, and one electricity utility, Hydro One, has implemented CMD on a pilot basis for a segment of its customers.

Benefits of the Green Button Program

The province-wide implementation of a common standard for energy data and protocol for the secure transfer of energy data is anticipated to:

- Increase conservation and efficiency by promoting behavioural changes;
- Increase energy reporting and benchmarking by requiring large building owners and the broader public sector to report annually on the energy consumption of their buildings. As the energy data would be in a common format, third-party applications could support the aggregation of data for multiple energy accounts, facilitating building-level reporting for multi-metered properties;
- Increase process efficiencies for consumers and third-party service providers to access energy data from electricity and natural gas utilities;
- Reduce utility customer care effort and increase conservation program efficiencies and innovations for electricity and natural gas utilities (*e.g.*easier access to data to conduct audits and evaluate programs; innovations to existing programs based on increased consumer access to data); and
- Create economic development opportunities by fostering the development of innovative and interactive energy management software tools and apps that make consumption data available to customers in more engaging ways (e.g. gamification of energy data to drive greater customer awareness).

What's Next

Comments on the proposed regulations are invited through a web form available on the Environmental Registry website. The window for comments is 54 days, beginning November 29, 2017 and closing on January 22, 2018.

1 The full notice is available on the Environmental Registry website.

2 NAESB Energy Services Provider (ESPI) standard,more information about data standard available on the NAESB website

3 Green Button Alliance Certification

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