

# Yukon Utilities Board

Board Order 2026-02

Appendix A: Reasons for Decision

January 29, 2026

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# 1 Introduction and Background

1. The Board received compliance filing, dated October 8, 2025, from ATCO Electric Yukon (AEY) and Yukon Energy Corporation (YEC), jointly the Utilities, pursuant to Board Order 2025-13 issued September 8, 2025. The application addresses the submissions of the Utilities regarding their compliance and responses with the directions in Board Order 2025-13.
2. On October 16, 2025, the Board issued Board Order 2025-15 setting out a process for the compliance filing which saw interveners providing comments on the Utilities compliance filing by October 31, 2025, and the Utilities replying to those comments by November 10, 2025. On the request of Mr. Maissan, the Board amended the process schedule on October 27, 2025 so that intervener comments were due on November 7, 2025 and reply comments on November 17, 2025.
3. Intervener comments were received from Mr. Maissan on November 7, 2025. The Utilities submitted a reply to Mr. Maissan's comments on November 17, 2025.
4. The record for this compliance filing proceeding closed on November 17, 2025.
5. In reaching the determinations contained within this Board Order, the Board has considered all relevant materials comprising the record of this proceeding. Accordingly, references in these reasons for decision to specific parts of the record are intended to assist the reader in understanding the Board's reasoning related to a particular matter and should not be taken as an indication that the Board did not consider all relevant portions of the record with respect to that matter.

# 2 Discussion of Compliance Filing

6. In its compliance filing, the Utilities responded to the 38 directions issued by the Board in Appendix A to Board Order 2025-13. A summary of the directions from Board Order 2025-13 have been provided as Appendix 1 to this document. On review of the Utilities compliance filing, the order of the numbering for directions 36 and 37 does not appear in ascending order of paragraphs. Therefore, for the purposes of this decision, the numbering order in Appendix 1, which is in paragraph ascending order, shall prevail. It should be noted that for Direction 8, the Utilities referenced paragraph 73 when the proper reference is paragraph 77, and for Direction 17, the Utilities referenced paragraph 114 when the proper reference is paragraph 125.
7. The Board will discuss the Utilities' response to the directions in three groups:
  - 1) Those responses to directions related to future proceedings.

- 2) Those responses to directions where the Utilities have complied as directed and do not require any follow-up.
- 3) Those responses to directions where the Utilities' response requires further Board consideration.

### 3 Responses to Directions Relating to Future Proceedings

8. Direction 1 at paragraph 46 of Appendix A to Board Order 2025-13 pertained to stakeholder engagement for any future changes to the Terms and Conditions of Service (T&Cs), Maximum Investment Levels (MILs) or Schedule D Fees Schedule.
9. In the compliance filing the Utilities stated:

The Utilities will evaluate and conduct appropriate stakeholder engagement for future proposed changes to the T&Cs, MILs, or Fees Schedules.
10. No parties provided comments on this direction.
11. Directions 37 at paragraph 246 of Appendix A to Board Order 2025-13<sup>1</sup> stated:

However, the Board agrees with the Utilities that further analysis would be necessary in order for the middle-ground proposal to be fully vetted. Accordingly, at the time of the Utilities' next T&Cs application, the Board directs that an additional MIL and service connection type be investigated. The investigation would examine residential properties that allow for a smaller number of additional dwellings (such as a basement suite, garden suite, duplex, or row house) as opposed to additions that would typically be associated with a Residential Multi-Dwelling service connection.
12. The Utilities responded:

Going forward, the Utilities are committed to investigate, in the next MILs Study, a new MIL dedicated for multi-dwellings with few connections.
13. No parties provided comment on this direction.

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<sup>1</sup> As noted in paragraph 6 of this Board Order, on review of the Utilities compliance filing, the order of the numbering for directions 36 and 37 does not appear in ascending order of paragraphs. Direction 37 can be found at paragraph 246 of Board Order 2025-13.

### 3.1 Board Findings

14. The Board accepts the Utilities' commitments to address the above two directions in a future application as directed. Therefore, no further action is required from the Utilities at this time.

## 4 Responses to Directions Where the Utilities have Complied

15. In its compliance filing, the Utilities' responses address the following directions:

Directions: 4, 6, 8, 9, 10, 12, 13, 15, 16, 17, 19, 20, 21, 22, 23, 24, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38.

### 4.1 Board Findings

16. The Board finds that the Utilities have responded as directed. The Board accepts the wording as provided in Appendix 1 in the Utilities' compliance filing. No further action is required by the Utilities with respect to the above listed directions.

## 5 Responses to Directions requiring further consideration

17. The responses to the following directions require further consideration:

Directions: 2, 3, 5, 7, 11, 14, 18, 25, 26, 27.

18. The Board will discuss the Utilities' response to the directions as follows.

### 5.1 Response to Direction 2

19. In paragraph 55 of Appendix A to Board Order 2025-13 the Board directed:

However, to partially address some of the concerns expressed by the UCG, the Board directs that for all future changes to the T&Cs, including changes to MILs and the Schedule D Fees Schedule, those changes must be included within and approved as part of a GRA. Furthermore, in any GRA proceeding, any party can make inquiries, submissions, or provide any evidence with respect T&Cs issues regardless whether the Utilities have incorporated any changes to the T&Cs in that application.

20. The Utilities provided the following response:

The Utilities note that the T&Cs, MILs and Schedule D Fees are common to both AEY and YEC while general rate applications (GRA's) are distinct to each utility. It is not clear how future changes to the T&Cs, MILs and Schedule D

Fees would be proposed and approved as part of GRA proceedings, given that, typically, the timing of AEY's and YEC's GRAs does not align. This would result in a mismatch for one utility as we see today, and the requirement for each utility to participate in the other utility's GRA on a limited basis for T&Cs, MILs and Schedule D Fees changes. This would create regulatory inefficiency, unnecessary delays in the proceedings, and incremental cost to ratepayers. As such, the Utilities recommend that the status quo be maintained, whereby T&Cs, MILs and Schedule D Fees are reviewed separately in a limited scope proceeding or as part of a Phase II Application. Any interested party can still raise concerns regarding the T&Cs, MILs, and Schedule D Fees during either utility's GRA proceeding, and the Board can decide whether to establish a limited scope proceeding following completion of the GRA.<sup>2</sup>

### 5.1.1 Intervener Comments

21. Mr. Maissan was the only intervener to provide comments on the Utilities' Compliance Filing.
22. Mr. Maissan acknowledged that most often there is a misalignment between the GRAs of the two utilities (AEY and YEC) and added that each of AEY and YEC have been registered interveners in the other's GRAs. Thus, each utility is aware of the issues in the other utility's GRAs and aware of the issues that may impact the intervening utility. Therefore, Mr. Maissan does not believe that T&Cs-related issues raised in one utility's GRA results in regulatory inefficiency, delays in proceedings, or higher costs to ratepayers.
23. According to Mr. Maissan, public opportunity to comment on T&Cs issues would be more straightforward, transparent, and would give both utilities opportunity to provide input which is a benefit.
24. The recommendation of Mr. Maissan is that Board Direction 2 should stand.<sup>3</sup>

### 5.1.2 Utilities' Reply

25. The Utilities responded to Mr. Maissan's comments by stating:
  - Mr. Maissan did not provide any rationale as to what the efficiencies may be.
  - GRAs are distinct to each utility, while T&Cs, MILs and Schedule D are common to both Utilities.
  - Historically T&Cs, MILs, and Schedule D reviews have been treated as separate proceedings or combined with Phase 2 proceedings enabling proper

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<sup>2</sup> The Utilities' Compliance Filing Application, paragraph 5, PDF page 4.

<sup>3</sup> Mr. Maissan comments, PDF page 2.

scoping and avoiding unnecessary delays by expanding the scope of GRA proceedings.

- Combining the GRA and T&Cs, MILs, and Schedule D review has a high potential to lead to delays in setting final rates through the GRA process.
- Reviewing the combined T&C, MILs, and Schedule D would have both Utilities as an “applicant” not “intervener” in regard to common matters (T&Cs, MILs, and Schedule D) while acting as a “intervener” on other GRA matters. This can be confusing and ineffective causing regulatory inefficiencies, unnecessary delays in the proceedings, and incremental cost to ratepayers.
- Utilities’ position is any interested party can still raise concerns regarding the T&Cs, MILs, and Schedule D Fees during either utility’s GRA proceeding, and the Board can decide whether to establish a limited scope proceeding following completion of the GRA. This should not be part of the Phase 1 GRA proceeding.
- The Utilities recommend that the status quo be maintained, whereby T&Cs, MILs, and Schedule D Fees are reviewed separately in a limited scope proceeding or as part of a Phase II Application.

### 5.1.3 Board Findings

26. The Board agrees that GRAs are unique to each utility, and the T&Cs, MILs, and Schedule D are common to both utilities. However, the Board does not agree with the Utilities that combining the GRA and T&Cs, MILs, and Schedule D has a high potential to lead to delays in setting rates through the GRA process. The Board considers the inclusion of the T&Cs, MILs, and Schedule D as one issue of many issues that a utility brings forward as part of its GRA.
27. In the event that wholesale changes were to become necessary to the T&Cs, it is reasonable to expect that issue would be brought forward by the Utilities. However, if an issue is brought forward by interveners, it is likely to be a small subset of the T&Cs, MILs, or Schedule D. Accordingly, the Board does give much weight to the argument that including changes to the T&Cs in a GRA proceeding is likely to delay rate setting.
28. The Board is of the view that reviewing T&Cs, MILs, and Schedule D within the context of one GRA proceeding is more efficient than using two separate proceedings to process each of a GRA and a subsequent T&Cs, MILs, and Schedule D proceeding, as was submitted by the Utilities. Having two proceedings versus one creates additional process and costs.
29. In the Board’s view, nothing prevents the Utilities from having a joint panel sit during a GRA proceeding for matters common to both Utilities. Including T&Cs, MILs, and

Schedule D matters as part of a GRA ensures issues identified by and important to interveners are reviewed in a timely manner and are not barred from consideration due to scoping constraints.

30. For the above reasons, Direction 2 from Appendix A to Board Order 2025-13 stands as written and the Utilities are directed to comply with that direction in all future GRAs.

## 5.2 Response to Direction 3

31. In paragraph 58 of Appendix A to Board Order 2025-13 the Board directed:

As noted above, the issue of bill presentation was brought forward by Mr. Yee in the AEY-YEC Rate Rebasing proceeding. At that time, the Board ruled that some of the comments from Mr. Yee are best addressed in a GRA. The Board maintains this view and rules that issues regarding bill presentation are outside the scope of this proceeding. However, at the time of AEY's next GRA, the Board directs that bill presentation issues be put forward in the application.

32. The Utilities provided the following response:

Similar to Direction 2 above, this matter is related to both utilities and must be reviewed as part of a joint submission. In addition to this, in 2023, by its Order 2023-08, the Board provided its decision regarding the bill presentation. Adding the bill presentation issues in each GRA proceeding would also create regulatory inefficiency, unnecessary delays in the proceedings and incremental cost to ratepayers in terms of both regulatory and implementation costs. Therefore, the Utilities recommend that the Board makes it clear that revenue requirement rate applications (e.g., YEC's 2025-27 GRA) could include the review of how the rates are illustrated, while bill presentation issues are reviewed as part of a future Phase II and/or a separate limited scope proceeding.<sup>4</sup>

### 5.2.1 Intervener Comments

33. Mr. Maissan stated that many of his comments on Direction 2 also apply for Direction 3. He added that it was his understanding that the billing system belongs to AEY's parent company and that YEC purchases billing services to provide bills to its retail customers. It is Mr. Maissan's view that bill presentation issues raised in one utility's GRA would result in regulatory inefficiency, proceeding delays, or higher costs to ratepayers.

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<sup>4</sup> Utilities' Compliance Filing Application, PDF pages 4-5.

34. Acknowledging that the billing system is owned by AEY and its parent company, Mr. Maissan stated that it must be the owner to determine what is or is not practical on their billing system.<sup>5</sup>
35. Mr. Maissan recommended that Board Direction 3 stand.

### 5.2.2 Utilities' Reply

36. The Utilities replied to Mr. Maissan's comments by stating that Mr. Maissan did not elaborate or provide any rationale to support his position. The Utilities presented a position similar to that used in its reply argument with respect to Direction 2 above.
37. The recommendation of the Utilities is that Mr. Maissan's recommendation be dismissed, and that bill presentation issues be reviewed as part of a joint submission such as a future Phase II and/or a separate limited scope proceeding.<sup>6</sup>

### 5.2.3 Board Findings

38. The Board does not agree with the Utilities that including the bill presentation issue within the context of a GRA proceeding has a high potential to lead to delays in setting rates through the GRA process. The Board considers the inclusion of bill presentation as one issue of many issues that a utility brings forward as part of its GRA.
39. The Board is of the view that using one proceeding is more efficient than using two proceedings (a GRA and a limited scope proceeding). Having two separate proceedings instead of one creates additional process and costs.
40. As noted above, nothing prevents the Utilities from sitting a joint panel during a GRA process for a matter common to both Utilities, such as bill presentation. Including bill presentation matters as part of a GRA ensures issues identified by and important to interveners are reviewed in a timely manner and are not barred from consideration due to scoping constraints.
41. For the above reasons, Direction 3 from Appendix A to Board Order 2025-13 stands as written and the Utilities are directed to comply with that direction in all future GRAs.

## 5.3 Response to Board Direction 5

42. In paragraph 66 of Appendix A to Board Order 2025-13 the Board directed:

The Board questions the need for a micro-generation customer to fall within the definition of a generation customer. The record of the proceeding has not established that, under the proposed definition, micro-generators are either

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<sup>5</sup> Mr. Maissan comments, PDF pages 2-3.

<sup>6</sup> Utilities Reply, PDF pages 3-4.

net producers or net consumers of electrical energy. If micro-generators are net consumers of electrical energy, then the utilities have not established a case where a micro-generation customer should be a priority for issues surrounding interruption of service. Therefore, the Board directs the Utilities to develop a separate definition for micro-generation customer and either eliminate the need for a micro-generation customer to be a priority for service interruption or provide reasons why micro-generation customers should be a priority service interruption in the compliance filing to this decision. The issue of interruption of service for micro-generating customers will be further discussed in Section 9.2.

43. The Utilities provided the following response:

A separate definition, based on the Yukon’s Micro-generation Policy, was added to the T&Cs. Further, refer to response to Direction 4.10.4 [Board Direction #27] below for revised wording in Section 9.2 of the T&Cs.<sup>7</sup>

### 5.3.1 Intervener Comments

44. Mr. Maissan stated that the definition for Micro-Generation Customer, as proposed by the Utilities, does not align with the Yukon government’s Micro-Generation Policy. For consistency, Mr. Maissan suggested the following modification:

“Micro-Generation Customer” – a Residential, General Service, or Industrial Customer who owns a renewable electrical energy project of a size and technology specified in the Yukon government’s Micro-Generation Policy, that produces electricity for their own consumption while remaining connected to the grid.

45. Mr. Maissan noted that Micro-Generation projects are NOT intended to meet the Customer’s entire electricity need and, in all probability, seldom, if ever, meet a Customer’s electrical energy needs, whether Residential, General Service, or Industrial.
46. His recommendation was that the Utilities define a Micro-Generation Customer in a manner consistent with the Yukon government’s Micro-Generation Policy under which Micro-Generation projects are built and approved with the involvement of the Utilities.<sup>8</sup>

### 5.3.2 Utilities’ Reply

47. The Utilities provided a comparison of the definitions is used versus one from the micro-generation policy:

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<sup>7</sup> Utilities’ Compliance Filing Application, PDF page 5.

<sup>8</sup> Mr. Maissan’s Comments, PDF page 3.

Micro-generation Policy definition:<sup>9</sup>

Micro-generation – The small-scale generation of electric power by individuals, small businesses and communities to meet their own needs, as alternatives or supplements to traditional centralized grid-connection power.

Utilities proposed definition:<sup>10</sup>

“Micro-Generation Customer” – an individual, small business, or community who owns a small-scale generating unit of electric power intended to meet the customer’s energy needs.

48. The position of the Utilities is that the Utilities’ definition proposed is consistent with the definition used in the Yukon Government’s Micro-Generation Policy and provides clear guidance for T&Cs users and that Mr. Maissan’s recommendation should be dismissed.<sup>11</sup>

### 5.3.3 Board Findings

49. The Board has reviewed the definitions of Micro-Generation Customer as provided by Mr. Maissan and the Utilities, and the definition from the Yukon Government’s Micro-Generation Policy. The Board finds that both the Utility-supplied definition and the definition recommended by Mr. Maissan to be consistent with the Micro-Generation definition from the Yukon Government’s Micro-Generation Policy.
50. The Yukon Government’s policy definition includes a clause that the electric power generated will be used by Customers “to meet their own needs, as alternatives or supplements to traditional centralized grid-connection power” whereas the Utilities’ definition does not overtly express such a qualifier and states that the electric power generated will be used “to meet the customer’s energy needs.” The Board is of the view that the Utility definition can be construed to imply that the micro-generation meets the micro-generation customer’s entire energy need.
51. The definition provided by Mr. Maissan references the Yukon government’s Micro-Generation Policy and that, while the micro-generation is for the customer’s consumption, the policy does not imply that the energy generated meets the customer’s entire energy requirements given that it states the need for the customer to remain connected to the grid. To a small degree, the definition provided by Mr. Maissan is more encompassing than the definition provided by the Utilities and,

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<sup>9</sup> Definition provided by the Utilities from Yukon Government, Micro-Generation Policy, as last updated in June 2021, Section DEFINITIONS, PDF p. 7. Available at <https://yukon.ca/sites/default/files/emr/emr-micro-generation-policy.pdf>.

<sup>10</sup> Utilities’ Compliance Filing Application, PDF page 27.

<sup>11</sup> Utilities’ Reply, PDF pages 4-5.

in the Board's view, is closer to the definition provided in the Yukon government's Micro-Generation Policy.

52. For the above reasons, the Board therefore directs the Utilities to adopt the definition as provided by Mr. Maissan in the final version of the T&Cs for this application.

## 5.4 Response to Board Direction 7

53. In paragraph 73 of Appendix A to Board Order 2025-13, the Board directed the following:

The Board directs the Utilities to remove the definition of "Electric Service Regulations" from the T&Cs.

54. The Utilities provided the following response:

The term has been deleted in Section 2 of the T&Cs.

### 5.4.1 Intervener Comments

55. Mr. Maissan commented that, although the definition of "Electric Service Regulations" has been removed from the T&Cs, the term still appears in the document. His recommendation is that the term "Electric Service Regulations" be purged from the entire document.<sup>12</sup>

### 5.4.2 Utilities' Reply

56. The Utilities stated that the term "Electric Service Regulations" appears in Section 1 of the T&Cs as a reference to the prior naming convention of the T&Cs and is used in currently effective documents. The Utilities stated that the reference should remain and that maintaining it does not adversely impact the T&Cs.<sup>13</sup>

### 5.4.3 Board Findings

57. The Board agrees with the reply from the Utilities that a reference to the term is still valid and that maintaining that reference does not adversely impact the T&Cs. No further action is required from the Utilities for this direction.

## 5.5 Response to Board Direction 11

58. In paragraph 85 of Appendix A to Board Order 2025-13 the Board directed:

The Board finds the wording proposed by the Utilities for Section 3.6(e) is overly broad. For this reason, the Board directs that this Section to be amended by deleting the words after "service reliability." However, the Board

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<sup>12</sup> Mr. Maissan Comments, PDF page 3.

<sup>13</sup> Utilities' Reply, PDF page 5.

will reconsider Section 3.6(e) as proposed by the Utilities if, in the compliance filing, the Utilities are able to explain why the deleted words are necessary. The Board approves the following wording for Section 3.6(e):

The Company has the right to refuse the connection of Generating Customers due to safety concerns or potential impacts on the grid and service reliability.

59. The Utilities provided the following response:

The Utilities have utilized the recommended wording by the Board as a starting point, adding additional clarity that reflects both new and existing connections as well as a reference to Section 11.2 and 11.3. The Utilities believe this is important to clarify that the clause is applicable to both new and existing connections, as for example, if an existing customer alters their connection without notice or does not maintain the asset. This is also consistent with other clauses in Section 3.6 which reference both new and existing Generating Customers.

#### 5.5.1 Board findings

60. The Board finds the change to Section 3.6(e) as proposed by the Utilities may be more limiting than desired. The Board directs the Utilities to use the following wording for this section in the final version of the T&Cs for this application:

The Company has the right to refuse the connection, terminate service to or refuse power generated by Generating Customers due to safety concerns, potential impacts on the grid or service reliability, and for the reasons outlined in Sections 11.2 and 11.3.

### 5.6 Response to Board Direction 14

61. In paragraph 101 of Appendix A to Board Order 2025-13 the Board directed:

In the Board's view, Section 4.5 needs clarification as to what is reasonable prior notice and on the types of changes in service requirements that are contemplated in the section, including what is a significant change in load. The Board finds that the issues raised by Mr. Maissan in relation to this section have merit, but the Board does not accept the wording proposed by Mr. Maissan for Section 4.5 because it is too prescriptive. Therefore, the Board directs the Utilities, in the compliance filing to this decision, to provide wording that meets the objective of the Utilities but also sufficiently addresses the concerns raised by Mr. Maissan. This direction also applies to Section 8.1, which is discussed in a later section.

62. The Utilities provided the following response:

The Utilities have altered the wording in Sections 4.5 and 8.1 of the T&Cs, as set out below, in order to provide additional guidance to customers.

#### Specification of a 90-day notification requirement

The Utilities believe that 90 days will provide sufficient advance notice for the Utilities to assess the additional load, assess the system in the area with the change in load and work with the customer. The Utilities note that the intent of Section 4.5 continues to be building awareness and improving system planning for safe and reliable service today and in the future, in particular as the energy transition progresses. As mentioned in the proceeding, it is already common practice for electricians to contact the Utilities when a major change in load is being made at a property.

#### Specification of a threshold of change for which notification is required

The Utilities added a threshold of 20 percent of the Customer Connected Load, or as otherwise communicated by the Company, to enhance clarity regarding the meaning of “significant” load.

A typical residential home has a Connected Load of approximately 26.2 kW (per the Canadian Electrical Code), and a 20 percent change would be approximately 5.2 kW. The proposed threshold would therefore capture incremental loads such as the addition of air conditioners (7.2 kW), stoves (9.6 kW), hot water heaters (7.2kW), Level 2 EV charging stations (12 kW), hot tubs/saunas (9.6 kW), and portable 240 V electric heaters (9.6kW). Based on these values and the Utilities’ knowledge of their facilities, a notification threshold of 20 percent of the existing Customer Connected Load is considered a reasonable guideline to ensure continued reliability and safety.

The inclusion of “or as otherwise communicated” acknowledges that the 20 percent threshold is not absolute. Instead, it serves as a general guideline to enhance transparency and customer awareness. The Company may adjust this threshold on a case-by-case basis based on local system constraints or evolving infrastructure needs.

The Utilities believe that the proposed wording strikes an appropriate balance and is intended to enable better communication with the utility and customers, which will enhance system planning for today and the future.<sup>14</sup>

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<sup>14</sup> Utilities’ Compliance Filing Application, PDF pages 8-9.

### 5.6.1 Intervener Comments

63. Mr. Maissan supported the proposed increase in a customer’s connected load of 20 per cent or greater as requiring prior written permission from the company. He did not support the qualifier “or as otherwise communicated by the company.” He also did not support the 90-day notice period for Residential Customers. Mr. Maissan submitted that a 30-day notice period is the outer limit for a company response for Residential Customers. Mr. Maissan argued that if “Significant Change in Load” is defined as 20 per cent or more of an existing customers connected load, then this threshold definition should be added to Section 2.1 of the T&Cs.
64. Mr. Maissan recommended the following wording for clauses 4.5(a) and 4.5(b):

4.5(a):

Notwithstanding the requirements of Section 8.1, a Residential Customer shall give to the Company a 30-day prior written notice, and all other Customers a 90-day prior written notice, of any change in load which is equal to or greater than 20% of the Customer’s existing connected load. Some Residential Customer examples might include, but not limited to, electric heating, an EV level 2 charger, hot tub or sauna, a portable 240V electric heater, an air conditioner, an electric cook stove, an electric hot water heater, and industrial or commercial appliances.

4.5(b):

Other than for a change in connected load covered in Section 4.5 (a) above, no Customer shall change their requirement for a service connection without the Company’s written permission. A Customer shall be responsible for all damage caused to the Company’s facilities as a result of that Customer changing its requirements for a service connection without the Company’s written permission.<sup>15</sup>

### 5.6.2 Utilities’ Reply

65. The Utilities disagreed with Mr. Maissan’s recommendations. The Utilities reiterated that the clause is intended to enable the Utilities and customers to work together to address energy transition while maintaining safe and reliable service.
66. To support the Utilities’ position that the 20 per cent threshold should not be hard and fast, the Utilities cited regional dependant circumstances. The Utilities explained that situations can arise that are influenced by system limitations and customer usage changes. This requires the need for flexibility and underlies the necessity for the

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<sup>15</sup> Mr. Maissan Comments, PDF pages 3-4.

phrase “or as otherwise communicated by the Company” to be included in this clause of the T&Cs.

67. With respect to the notice period, the Utilities noted that the intent has always been to work with customers to meet their desired energization date. Setting a hard timeframe of 30 days or 14 days will lead to expectations that in some circumstances the utility will be unable to fulfill.
68. The Utilities asked that Mr. Maissan’s recommendation that the notice period change from 90 days to 30 days be dismissed.

### 5.6.3 Board Findings

69. The Board recognizes two issues with this clause. First, the definition of a “significant change in load,” and second, the required notice period to the Company.
70. With respect to the definition of significant change in load, the Board is persuaded by the Utilities submissions that, at times, extenuating circumstances may affect the practicality of the 20 per cent threshold to be categorized as a significant change in load.
71. Regarding the second issue of notice period, no evidence has been provided regarding the frequency of regional constraints requiring a 90-day notice period.
72. Therefore, to resolve these issues, the Board directs the following wording to be used for Sections 4.5(a) and 4.5(b) in the final version of the T&Cs for this application:

4.5(a):

Notwithstanding the requirements of Section 8.1, it is the Company’s intent to work with customers to meet their desired energization date. However, if the company identifies a regional constraint that may affect the customers requested significant change in load, the Company may require up to a 90-day notice period to effect such change. A significant change in load is recognized as a change in load which is equal to or greater than 20 per cent of the Customer’s existing Connect Load, or as otherwise communicated by the Company (examples include but are not limited to the installation of one or more of electric heating, an EV charger, hot tub or sauna, portable 240 V electric heater, air conditioner, stove, hot water heater, or industrial appliance that may increase a Customer’s existing Connect Load by greater than 20 per cent).

4.5(b)

Other than for a change in connected load covered in Section 4.5 (a) above, no Customer shall change their requirement for a service connection without the

Company's written permission. A Customer shall be responsible for all damage caused to the Company's facilities as a result of that Customer changing its requirements for a service connection without the Company's written permission.

## 5.7 Response to Board Direction 18

73. In paragraph 127 of Appendix A to Board Order 2025-13 the Board directed:

Therefore, in the compliance filing to this decision, the Board directs the Utilities to redraft the wording of Section 4.13 to implement the findings and directions outlined above. In addition, the Utilities are to identify any obstacles to the implementation of these directions and identify how the Utilities will overcome those obstacles.

74. The Utilities provided the following response:

In Section 4.13, the Utilities have adjusted the wording to ensure that each individual unit has a separate Point of Service with no exceptions. However, the Utilities, upon further investigation of the Hydro Quebec Terms and Conditions referenced by the Board in the Decision, as outlined below, have retained the wording around common use areas being billed under the applicable General Service price schedule.

In addition to being common practice in Canada, the use of the General Service rate being applied to common areas is also consistent to the referenced Hydro Quebec's Rate D terms, specifically:

“(2.13) If the installed capacity of the premises exceeds 10 kilowatts, the appropriate general rate applies.”

Typical common-area equipment in multiple dwellings such as central HVAC plant, elevator motors, corridor and exterior lighting, ventilation systems, and other shared mechanical assets - regularly exceed 10 kW in individual or aggregate demand. As a result, these facilities naturally fall within the general service rate class.

As outlined in response AEY-YEC-YUB-2-002, the characteristics of common areas use, being parking lots, elevators, escalators, are akin to commercial use rather than residential. When applying the cost causation principles, the use of common areas is more akin to General Service rate.

Accordingly, the Utilities respectfully request to maintain the historical practice of applying the General Service rate to common area, which best serves the public interest by aligning with national distribution practices and maintaining consistency with cost causation principles.

### 5.7.1 Intervener Comments

75. Mr. Maissan was of the view that the Utilities' proposed wording for Section 4.13 of the T&Cs changes virtually nothing and pushes all residential apartment and condominium buildings to rely on baseboard heating thereby driving up utility peak loads and customer costs.
76. Mr. Maissan wants the practices of other utilities in regard to multiple dwellings to be ignored and to see electrical energy consumption for residential purposes in Yukon be charged at residential rates.
77. The recommendation of Mr. Maissan is:

That the Board orders the Utilities to work with Multiple Dwelling building owners and managers to correct this adverse situation, and in the event that a mutually satisfactory solution is not found and communicated to the Board within 1 calendar year of the Board Order, that a revenue meter that measures the electricity input into such heating systems be installed and all the metered energy be allocated equally to each dwelling unit and paid for by unit owners / occupiers at Residential rates.<sup>16</sup>

### 5.7.2 Utilities' Reply

78. The Utilities responded that the proposed wording in the compliance filing is consistent to other jurisdictions and thus, is consistent with Board direction.
79. The Utilities further added:

... common areas such as parkades, elevators and common heating have different electrical system demands / requirements which are more akin to commercial use from a cost causation standpoint. This is consistent to how other jurisdictions including Hydro Quebec treats these services. Furthermore, common area consumption would not have a link to a specific customer who would be responsible for electrical energy consumption, which would enable each customer to individually reap the rewards and benefits from DSM initiatives.

80. The Utilities asked that Mr. Maissan's recommendation be dismissed.<sup>17</sup>

### 5.7.3 Board Findings

81. As noted above, the Utilities were directed to implement the findings and directions of the Board for Section 4.13 and to identify any obstacles to the implementation of

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<sup>16</sup> Mr. Maissan's Comments, PDF page 5.

<sup>17</sup> Utilities' Reply, PDF page 7.

those directions and to identify how the utilities will overcome those obstacles. In the Utilities' compliance filing, the Utilities' adjusted the wording to Section 4.13 to ensure that each individual unit in a multiple dwelling situation has a unique point of service with no exceptions. However, the Board notes that the Utilities responded to the direction, stating that common areas for a multiple dwelling should be billed at the General Service Rate because it is common practice in Canada and is consistent to the referenced Hydro Quebec's Rate D terms where the installed capacity exceeds 10 KW. Further, the Utilities did not identify any obstacles to implementing the residential rate for common areas in a multiple dwelling.

82. Although some jurisdictions in Canada do charge common areas in a multiple dwelling at a General Service Rate, the Utilities did not provide evidence that amenities such as elevators, escalators, parking garages, common areas lighting, or central HVAC plant are common in multiple dwellings in Yukon, or that such amenities regularly exceed 10 kW in individual or aggregate demand. Further, multiple dwellings in Yukon are on a smaller scale than those found in other jurisdictions. For these reasons, the Board is not persuaded that common areas in a multiple dwelling should be charged at a General Service Rate rather than a Residential rate.
83. Accordingly, the direction from Board Order 2025-13 stands that energy consumption for common areas for multiple residential dwellings shall be billed on the Residential rate. The Utilities are directed to comply with this direction and reflect such in Section 4.13 in the final version of the T&Cs for this application.

## 5.8 Response to Board Direction 25

84. In paragraph 170 of Appendix A to Board Order 2025-13, the Board directed:

In the Board's view, Section 8.1, like Section 4.5, needs clarification as to what is reasonable prior notice and the types of changes in service requirements that are contemplated in the section, including what is a significant change in load. The Board finds that the issues raised by Mr. Maissan in relation to this section have merit, but the Board does not accept the wording proposed by Mr. Maissan for this section because it is too prescriptive. Therefore, the Board directs the Utilities, in the compliance filing to this decision, to provide wording that meets the objective of the Utilities but also sufficiently addresses the concerns raised by Mr. Maissan. Further, the Utilities do not need approval from the Board or prescriptive sections in the T&Cs to communicate with customers as there is nothing in these T&Cs that prevent the Utilities or customers from talking to each other. It is the Board's view that the Utilities should record its efforts to communicate with customers as this would help identify common issues and provide valid documentation on what issues Utilities are reviewing or addressing. In addition, the Utilities have not provided any substantive evidence that EVs are currently an issue with respect to

Service Changes. In the compliance filing to this decision, the Utilities are directed to either delete references to EVs or provide evidence to support their claims regarding EVs.

85. The Utilities provided the following response:

The Utilities have updated Section 8.1. Please also refer to Board Direction #14 and proposed changes to Section 4.5.

The Utilities are not aware of any large-scale Canadian surveys detailing the distribution of residential or commercial Level 2 EV chargers by breaker size or kW rating. In the absence of such data, typical Connected Loads - ranging from 3.6 kW to 19.2 kW - are based on charger manufacturer specifications. Further, under the Government of Yukon's Good Energy Program, most rebated residential installations of Level 2 chargers are 7.2 kW or 9.6 kW. Past experience suggests 7.2 kW, 9.6 kW, and 12 kW are the most common residential configurations. Therefore, the introduction of a Level 2 charging station would represent an increase of Connected Load by approximately 27 percent to 46 percent, assuming a typical residential Connected Load of 26.2 kW.

Furthermore, the Utilities caution that, even when Connected Load is known, actual EV consumption varies by vehicle. Given these loads, a single EV can overload utility infrastructure - especially in neighborhoods where multiple homes share a transformer and charging occurs during evening peaks.

The purpose of working with Customers and better understanding changes in customer usage is to enhance system planning and ensure a safe and reliable grid. The intention of Sections 4.5 is not to hinder EV charger installation rather to gain awareness and best plan the system. This will require more interactions with customers and better understanding of present and future electricity demands, which the proposed Sections can be one avenue in achieving a better understanding.<sup>18</sup>

### 5.8.1 Intervener Comments

86. Mr. Maissan referred to his comments of Direction 14 regarding a more reasonable prior written notice period for Residential Customers and made the following recommendation with respect to Section 8.1:

A Residential Customer shall give to the Company a 30-day prior written notice, and other Customers shall give to the Utility a 90-day prior written notice, of a 20% or greater increase in Connected Load or any other change in Service Requirements to enable the Company to determine whether or not it

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<sup>18</sup> Utilities' Compliance Filing Application, PDF page 14.

can supply such revised Service without change to its Facilities. The Customer shall not change its Service requirements without the Company's written permission.<sup>19</sup>

### 5.8.2 Utilities Reply

87. The Utilities asked that their response to Board Direction 14 be considered and, for the same reasons given in response to Mr. Maissan's Board Direction 14 comments, the Utilities asked that the recommendation from Mr. Maissan for this direction (Direction 25) be dismissed.<sup>20</sup>

### 5.8.3 Board Findings

88. The Board is of the view that the issues with this Section (8.1) are similar to those identified for Section 4.5 (Board Direction 14).
89. Similar to Section 4.5, the Board recognizes two issues with this clause. First, the definition of a material change in connected load and, second, the required notice period to the Company.
90. With respect to the definition of a material change in connected load, the Board's view is that the 20 per cent threshold for a significant change in load should also apply for this clause and that, at times, extenuating circumstances may affect the practicality of the 20 per cent threshold to be categorized as a material change in connected load. In this regard, the Board is persuaded by the submission of the Utilities that installation of EV chargers can have a material effect on the system and can constrain the electric system.
91. Regarding the second issue of notice period, no evidence has been provided regarding the growth and installation of EV chargers on the system or the frequency of constraints that would require a 90-day notice period. Therefore, the Board directs the following wording to be used for Section 8.1 in the final version of the T&Cs for this application:

8.1:

It is the Company's intent to work with customers to meet their requirements and timelines for any change in Service requirements. However, if the company identifies a constraint (as identified in Section 4.5 or a constraint identified as a regional constraint) that may affect the customers requested significant change in load, the Company may require up to a 90-day notice period to effect such change. A material change in connected load, is recognized as a change in connected load which is equal to or greater than 20

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<sup>19</sup> Mr. Maissan's Comments, PDF page 5.

<sup>20</sup> Utilities Reply, PDF page 7.

percent of the Customer's existing Connect Load, or as otherwise communicated by the Company (examples include but are not limited to the installation of one or more of electric heating, an EV charger, hot tub or sauna, portable 240 V electric heater, air conditioner, stove, hot water heater, or industrial appliance that may increase a Customer's existing Connect Load by greater than 20 per cent).

## 5.9 Response to Board Direction 26

92. In paragraph 174 of Appendix A to Board Order 2025-13 the Board directed:

Based on the submissions of the Utilities and the evidence on the record, the Board finds that the circumstances for upgrades to Company facilities are unique, and the classification of a cost upgrade is best dealt with on a case-by-case basis.

However, Mr. Maissan brought forward a valid concern whereby additional clarity would be beneficial for both customers and the Utilities. The Board directs, where facilities are shared with multiple customers, that the Utilities provide additional wording regarding the considerations necessary for the costs to be treated as system costs.

93. The Utilities provided the following response:

Section 8.3 has been updated in the T&C with consideration to the fact that the of cost allocation should be determined on a case-by-case situation where flexibility is required.<sup>21</sup>

### 5.9.1 Intervener Comments

94. In Mr. Maissan's view, the Utilities' proposed wording for Section 8.3 is unclear. He made the following recommendation for this clause:

If the Company must modify its Facilities to accommodate a Customer Load or Service change, a change to a shared transformer will be considered a system cost, but the Customer shall pay for a change to a dedicated transformer, and for all other costs in connection with such a modification including the following costs: ...<sup>22</sup>

### 5.9.2 Utilities' Reply

95. The Utilities' position is that Mr. Maissan's recommendation on system versus customer costs does not account for the Board's acknowledgement which found that circumstances for upgrades to Company facilities are unique, and that the

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<sup>21</sup> Utilities' Compliance Filing Application, PDF pages 14-15.

<sup>22</sup> Mr. Maissan Comments, PDF page 7.

classification of cost upgrades are better dealt with on a case-by-case basis. Therefore, the Utilities asked that Mr. Maissan's recommendation be dismissed.<sup>23</sup>

### 5.9.3 Board Findings

96. Section 8.3 (Changes to Company Facilities) as proposed by the Utilities reads as follows:

If the Company must modify its Facilities to accommodate a Customer Load or Service change, with consideration to a dedicated or shared transformer at the time of the modification, the Customer shall pay for all costs in connection with such modification including the following costs:

(a) the actual cost of removing the existing Facilities, less the estimated salvage value, less

(b) any applicable adjustment required to the Company Investment as specified in Schedule B.

97. The Schedule B referred to is Schedule B: Maximum Company Investment.

98. In the Board's view, the Utilities did not adequately respond to the second part of Direction 26 which stated:

However, Mr. Maissan brought forward a valid concern whereby additional clarity would be beneficial for both customers and the Utilities. The Board directs, where facilities are shared with multiple customers, that the Utilities provide additional wording regarding the considerations necessary for the costs to be treated as system costs. (Underlining added)

99. The Utilities did not provide adequate wording regarding the considerations necessary for the costs to be treated as system costs.

100. As a result, the Board accepts the proposed wording from Mr. Maissan, and directs that Section 8.3 read as follows in the final version of the T&Cs for this application:

If the Company must modify its Facilities to accommodate a Customer Load or Service change, a change to a shared transformer will be considered a system cost, but the Customer shall pay for a change to a dedicated transformer, and for all other costs in connection with such a modification including the following costs:

(a) the actual cost of removing the existing Facilities, less the estimated salvage value, less

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<sup>23</sup> Utilities Reply, PDF page 8.

(b) any applicable adjustment required to the Company Investment as specified in Schedule B.

## 5.10 Response to Board Direction 27

101. In paragraph 181 of Appendix A to Board Order 2025-13 the Board directed:

The Board is of the view that the wording for Section 9.2 (c) can be improved. For example, the Board accepts the position from Mr. Maissan that many micro-generators may be without electricity if they are treated as a priority interruption. The Board agrees that the Utilities have the right to interrupt service for safety and reliability reasons. However, it is unclear, based on the record for this proceeding, if the Utilities can interrupt receiving generation from the micro-generators but also, when the micro-generators are not generating electricity, whether the Utilities provide electricity to those customers. If the premise of the last sentence is correct, then the Utilities are directed to change the wording for the last sentence of Section 9.2(c) to include the wording proposed by Mr. Maissan, but with the caveat that micro-generators, though interruptible, will not be a priority interruption during times when generation is not occurring (e.g. night time for solar generators). If the premise for that referenced sentence is incorrect, then, in the compliance filing to this decision, the Utilities are directed to explain why the premise is incorrect and propose wording that will meet the Utilities' needs yet not make micro-generators without a back-up power supply, a priority interruption.

102. The Utilities provided the following response:

The Utilities have altered the wording in Section 9.2, including specifying the first interruption of larger customers with their own generating capacity. The revised wording also reflects the situation where a micro-generating customer or a group of micro-generating customers is deemed to impact the safety and reliability of the system. In Direction #5, the Board directed Utilities to "provide reasons why micro-generation customers should be a priority service interruption in the Compliance filing to this decision." The impact of micro-generating customers on the grid stability is significant, as reviewed by studies and reviews conducted by Utilities and the Yukon Government, which led to the pause to the micro-generation program by the Yukon Government. For example, the Intermittent Renewable Integration Study concluded that currently installed distributed solar generation in the Yukon Integrated System is causing and worsening existing stability issues. Therefore, the Utilities strongly recommend that micro-generation customers should be a priority in service interruptions.

A copy of the executive summary of the Intermittent Renewable Integration Study is attached as Appendix 3 to this Compliance filing.<sup>24</sup>

### 5.10.1 Intervener Comments

103. Mr. Maissan expressed concern about Micro-Generation Customers being interrupted for long periods during an interruption event. He wanted to ensure that if it is the micro-generation supply of energy that is of concern to the Utilities, then the Utilities exercise their rights by locking out the supply part and allow the micro-generation customer to continue to receive power from the grid. Mr. Maissan stated that if this is a persistent concern to the Utilities, the Utilities could install technology that enables the Micro-Generation system to be locked out and reconnected remotely.

104. It was recommended by Mr. Maissan that the concluding paragraph of Section 9.2 of the T&Cs be rewritten as:

Depending on the system conditions and issues during an interruption event, the Company may first interrupt Major Industrial Customers and Generating Customers with higher demand before interrupting other Customers. The Company may, second, during an unscheduled interruption event only, interrupt Customers who have Micro-Generation systems that are deemed to have a negative impact on the reliability and safety of the system. In this circumstance the Company will interrupt the Micro-Generation systems of concern only, if possible, so that the Customer can continue to receive electrical power from the grid.

105. Mr. Maissan made two further recommendations:

1. That the Board order the Utilities to identify options to remotely disconnect (and reconnect) Micro-Generation systems from the grid without disconnecting the owning Customers and to report back to the Board within 6 months.

2. That the Board order the Utilities to update the quoted study with the now modified Micro-Generation grid-interactive inverter settings and after the much-delayed BESS is operational, and to report back to the Board on intermittent renewable energy related instabilities by December 31, 2026.<sup>25</sup>

### 5.10.2 Utilities' Reply

106. The Utilities stated that flexibility is required to manage [an interruption] event. Managing the event includes assessing all options to ensure safe and reliable service.

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<sup>24</sup> Utilities' Compliance Filing Application, PDF pages 15-16.

<sup>25</sup> Mr. Maissan Comments, PDF pages 6-7.

Each event is different and setting priorities such as escalating the treatment of Micro-Generation Customers hinders the Utilities from addressing the root cause of the interruption. Solutions vary from one event to another.

107. The Utilities added, the evidence on the record is that the impact of Micro-Generating customers is significant in terms of grid stability.
108. The Utilities requested that Mr. Maissan's recommendations that the Utilities review the reconnect/disconnect process and update the Intermittent Renewable Integration Study are outside the scope of this proceeding and should be denied.<sup>26</sup>

### 5.10.3 Board Findings

109. In Board Direction 27 the Utilities were asked to:

... propose wording that will meet the Utilities' needs yet not make micro-generators without a back-up power supply, a priority interruption.

110. Section 9.2 of the T&Cs now reads:

(c) due to any other reason related to dangerous or hazardous circumstances including emergencies, forced outages, potential overloading of the Company's Facilities, insufficient supply or Force Majeure.

Depending on the system conditions and issues during an interruption event, the Company may first interrupt major industrial customers and Generating Customers with higher demand before interrupting other customers. The Company may also first interrupt Micro-Generation Customers that are deemed to have an impact to the reliability and safety of the system.

111. In the Board's view, the Utilities have responded to Direction 27. The Board's reading of Section 9.2(c) is that major industrial and generating customers are interrupted first and micro-generation Customers are only in the first tranche if they are deemed to have an impact on system reliability and system safety.
112. Further, the Board is of the view that this clause is likely to change in the future as emerging technologies mature, Yukon Government policy on micro-generation evolves and more studies on the system impact of micro-generation are completed.
113. Therefore, the Board is satisfied with the Utilities' response to Direction 27 and no further action is required.

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<sup>26</sup> Utilities Reply, PDF pages 8-9.

## **Appendix 1 – Summary of Outstanding Board Directions from Board Order 2025-13**

### **Board Order 2025-13**

Direction 1 at paragraph 46:

Therefore, on a go-forward basis, for any future proposed changes to the T&Cs, MILs, or Schedule D Fees Schedule, the Utilities are directed to conduct stakeholder engagement on the proposed changes and provide documentation on the stakeholder engagement undertaken, including the feedback received from the stakeholders for each proposed change.

Directions 37 at paragraph 246:

However, the Board agrees with the Utilities that further analysis would be necessary in order for the middle-ground proposal to be fully vetted. Accordingly, at the time of the Utilities' next T&Cs application, the Board directs that an additional MIL and service connection type be investigated. The investigation would examine residential properties that allow for a smaller number of additional dwellings (such as a basement suite, garden suite, duplex, or row house) as opposed to additions that would typically be associated with a Residential Multi-Dwelling service connection.

### **Board Order 2025-XX**

Direction 1 at paragraph 30:

For the above reasons, Direction 2 from Appendix A to Board Order 2025-13 stands as written and the Utilities are directed to comply with that direction in all future GRAs.

Direction 2 at paragraph 41:

For the above reasons, Direction 3 from Appendix A to Board Order 2025-13 stands as written and the Utilities are directed to comply with that direction in all future GRAs.

Direction 3 at paragraph 52:

For the above reasons, the Board therefore directs the Utilities to adopt the definition as provided by Mr. Maissan, in the final version of the T&Cs for this application.

Direction 4 at paragraph 72:

Therefore, to resolve these issues, the Board directs the following wording to be used for Sections 4.5(a) and 4.5(b) in the final version of the T&Cs for this application:

4.5(a):

Notwithstanding the requirements of Section 8.1, it is the Company's intent to work with customers to meet their desired energization date. However, if the company identifies a regional constraint that may affect the customers requested significant change in load, the Company may require up to a 90-day notice period to effect such change. A significant change in load, is recognized as a change in load which is equal to or greater than 20 per cent of the Customer's existing Connect Load, or as otherwise communicated by the Company (examples, not limited to, include electric heating, EV charger, hot tub or sauna, portable 240 V electric heater, air conditioner, stove, hot water heater, and industrial appliances).

4.5(b)

Other than for a change in connected load covered in Section 4.5 (a) above, no Customer shall change their requirement for a service connection without the Company's written permission. A Customer shall be responsible for all damage caused to the Company's facilities as a result of that Customer changing its requirements for a service connection without the Company's written permission.

Direction 5 at paragraph 83:

Accordingly, the direction from Board Order 2025-13 stands that energy consumption for common areas for multiple residential dwellings shall be billed on the Residential rate. The Utilities are directed to comply with this direction and reflect such in Section 4.13 in the final version of the T&Cs for this application.

Direction 6 at paragraph 90:

With respect to the definition of a material change in connected load, the Board's view is that the 20 per cent threshold for a significant change in load should also apply for this clause and that, at times, extenuating circumstances may affect the practicality of the 20 per cent threshold to be categorized as a material change in connected load. In this regard, the Board is persuaded by the submission of the Utilities that installation of EV chargers can have a material effect on the system and can constrain the electric system.

Direction 7 at paragraph 91:

Regarding the second issue of notice period, no evidence has been provided regarding the growth and installation of EV chargers on the system or the frequency of constraints that would require a 90-day notice period. Therefore, the Board directs the following wording to be used for Section 8.1 in the final version of the T&Cs for this application:

8.1:

It is the Company's intent to work with customers to meet their requirements and timelines for any change in Service requirements. However, if the company identifies a constraint (as identified in Section 4.5 or a constraint identified as a regional constraint) that may affect the customers requested significant change in load, the Company may require up to a 90-day notice period to effect such change. A material change in connected load, is recognized as a change in connected load which is equal to or greater than 20 percent of the Customer's existing Connect Load, or as otherwise communicated by the Company (examples include but are not limited to the installation of one or more of electric heating, an EV charger, hot tub or sauna, portable 240 V electric heater, air conditioner, stove, hot water heater, or industrial appliance that may increase a Customer's existing Connect Load by greater than 20 per cent).

Direction 8 at paragraph 100:

As a result, the Board accepts the proposed wording from Mr. Maissan, and directs that Section 8.3 read as follows in the final version of the T&Cs for this application:

If the Company must modify its Facilities to accommodate a Customer Load or Service change, a change to a shared transformer will be considered a system cost, but the Customer shall pay for a change to a dedicated transformer, and for all other costs in connection with such a modification including the following costs:

- (a) the actual cost of removing the existing Facilities, less the estimated salvage value, less
- (b) any applicable adjustment required to the Company Investment as specified in Schedule B.

Direction 9 at paragraph 112:

Therefore, the Board is satisfied with the Utilities' response to Direction 27 and no further action is required.

## Appendix 2 – Summary of Directions from Appendix A to Board Order 2025-13

#	Paragraph	Direction
1	46	Therefore, on a go-forward basis, for any future proposed changes to the T&Cs, MILs, or Schedule D Fees Schedule, the Utilities are directed to conduct stakeholder engagement on the proposed changes and provide documentation on the stakeholder engagement undertaken, including the feedback received from the stakeholders for each proposed change.
2	55	However, to partially address some of the concerns expressed by the UCG, the Board directs that for all future changes to the T&Cs, including changes to MILs and the Schedule D Fees Schedule, those changes must be included within and approved as part of a GRA. Furthermore, in any GRA proceeding, any party can make inquiries, submissions, or provide any evidence with respect T&Cs issues regardless whether the Utilities have incorporated any changes to the T&Cs in that application.
3	58	The Board maintains this view and rules that issues regarding bill presentation are outside the scope of this proceeding. However, at the time of AEY’s next GRA, the Board directs that bill presentation issues be put forward in the application.
4	61	The Board directs that the term Electricity Purchase Agreement be removed from Section 2.1 of the T&Cs.
5	66	Therefore, the Board directs the Utilities to develop a separate definition for micro-generation customer and either eliminate the need for a micro-generation customer to be a priority for service interruption or provide reasons why micro-generation customers should be a priority service interruption in the compliance filing to this decision. The issue of interruption of service for micro-generating customers will be further discussed in Section 9.2.
6	70	The Board finds Mr. Maissan’s recommendation for this definition reasonable and therefore directs the Utilities to restate the term as recommended.
7	73	The Board directs the Utilities to remove the definition of “Electric Service Regulations” from the T&Cs.
8	77	<p>It is the Board’s view that the definition of a standard meter requires further clarification. The applicability of fees regarding standard and non-standard meters will be discussed in a subsequent section of this decision. The Board approves the following definition for Standard Meters:</p> <p>Standard Meter means a meter that has the capability of remotely communicating with the Company’s metering network, or any meter the Company deems appropriate in its sole discretion. However, the meter must meet Canadian Standards Association (CSA) guidelines and Measurement Canada standards. Non-standard meters must also meet CSA guidelines and Measurement Canada standards.</p>
9	79	The Board directs the Utilities to remove section 3.2(c) from the T&Cs.

#	Paragraph	Direction
10	82	The Utilities are directed to make the change to Section 3.5 as recommended by Mr. Maissan.
11	85	<p>The Board finds the wording proposed by the Utilities for Section 3.6(e) is overly broad. For this reason, the Board directs that this Section to be amended by deleting the words after “service reliability.” However, the Board will reconsider Section 3.6(e) as proposed by the Utilities if, in the compliance filing, the Utilities are able to explain why the deleted words are necessary. The Board approves the following wording for Section 3.6(e):</p> <p>The Company has the right to refuse the connection of Generating Customers due to safety concerns or potential impacts on the grid and service reliability.</p>
12	89	The Board agrees in principle, with the suggestion from the UCG on this item as it is reasonable and provides clarity to customers. The Board directs the Utilities to add wording to the effect that other services not defined in the T&Cs but supplied to specific customers will be recovered from those customers on a flow-through cost recovery basis, such as those costs, for example, related to NSF charges.
13	91	The Board directs the Utilities make the change to Section 4.4(b) of the T&Cs as recommended
14	101	In the Board’s view, Section 4.5 needs clarification as to what is reasonable prior notice and on the types of changes in service requirements that are contemplated in the section, including what is a significant change in load. The Board finds that the issues raised by Mr. Maissan in relation to this this section have merit, but the Board does not accept the wording proposed by Mr. Maissan for Section 4.5 because it is too prescriptive. Therefore, the Board directs the Utilities, in the compliance filing to this decision, to provide wording that meets the objective of the Utilities but also sufficiently addresses the concerns raised by Mr. Maissan. This direction also applies to Section 8.1, which is discussed in a later section.
15	109-110	<p>The Board does not accept the changes as submitted by the Utilities for the following reasons. Given the low number of incidents of cost sharing since 2011, the Board finds that the cost sharing agreements do not result in an administrative burden on the Utilities and do not warrant the provisions set out in the proposed section. As such, the Board finds that a threshold for large projects should be increased to \$20,000 and that a reasonable cost sharing period for large projects should be 10 years and there should be no limit on the number of cost shares in that period.</p> <p>The Board does not find that the low-end threshold of \$15,000, as recommended by Mr. Maissan, creates a broad enough range for smaller projects. Therefore, the Board directs that cost shares for projects greater than \$10,000 but less than \$20,000 have a cost share period of five years and have a maximum number of three shares because for projects less than \$20,000 the probability of cost sharing for projects of that size is limited.</p>

#	Paragraph	Direction
16	114	The Board finds Mr. Maissan’s recommendation on Section 4.10 to be reasonable as further clarity for customers is needed. The Utilities are directed to revise the wording to Section 4.10 to remove the ambiguity to both new customers and existing customers with existing overhead service and what costs, if any, the Utilities will bear in installing a requested underground service.
17	125	The Board is of the view that each unit in multiple dwelling should be metered separately as it is a better identifier of costs for cost causation purposes, appropriately makes customers responsible for electrical energy consumption, and enables each customer to individually reap the rewards and benefits from DSM initiatives. The Board directs that Section 4.13 provide that each dwelling in a multiple dwelling be metered separately without exception.
18	126-128	<p>Regarding the second point, in response to YUB-AEY/YEC-2-015, the Board notes the Hydro Quebec statement that “On condition that the electricity is exclusively used for habitation purposes, including the common areas...” it charges a residential rate. The Board prefers this definition as all aspects included in the multiple dwelling are used for residential purposes and would be fair to include in the residential rate. The Board’s finds that such a definition is a more consistent application of what entails a residential rate. Such an application of the definition of a residential customer and residential rate will not impede residents of multiple dwelling buildings from seeking efficient energy solutions versus residential customers in single dwelling units.</p> <p>Therefore, in the compliance filing to this decision, the Board directs the Utilities to redraft the wording of Section 4.13 to implement the findings and directions outlined above. In addition, the Utilities are to identify any obstacles to the implementation of these directions and identify how the Utilities will overcome those obstacles.</p> <p>If Section 4.13 is approved in a decision on the compliance filing, it will apply on a go forward basis for metering. Existing metering configurations will be grandfathered. That is, residential rates will be applied to all individual units and common areas, but existing customer meters do not have to be re-configured to comply with this direction. (footnote removed)</p>
19	137	The Board accepts the change and recognition of Standard Meters as the current and future direction for meters. However, The Board directs the Utilities to amend the wording to Section 6.1(c) to clarify that, for what is considered non-standard meters, meter reading charges for non-standard meters will not apply until the transition period to the new standard meters is complete. The transition period is from the time that a customer is offered the newly defined standard meter to be installed on a certain date until that customer rejects the installation of the standard meter on or before the expected installation date.
20	146	The Board has received complaints regarding customer bills and the frequency of meter reads and, therefore, directs the Utilities to propose a resolution to this problem in the compliance filing to this decision, including when a customer receives a large bill when the meter has not been read for more than two successive months, and that the customer will have the option to pay for

#	Paragraph	Direction
		variances greater than \$400.00 between the estimated bill and actual bills over a three-month period without incurring late-payment fees or interest charges.
21	150	<p>The Utilities are directed to amend the T&amp;Cs for Section 7.2(c) with the proposed wording noted above, but will add, for clarification, the following to Section 7.2(c)</p> <p>However, where the company has elected to not issue a bill to a customer, those charges will be reflected in the next bill to the customer.</p>
22	153	The Board directs the Utilities to update Section 7.3(d) to include cheques.
23	157	The Board accepts Section 7.4 Late Payment Charges as submitted by the Utilities. The wording is reasonable and clear. The Board declines to adopt the UCG suggestion as the suggestion is not necessary.
24	163	The Utilities are directed to include a clause, in the compliance filing to this application, which does the following: outlines that written documentation of payment arrangement terms with a customer is required; indicates in the written documentation the consequences of non-payment; and acknowledges that a copy of the written documentation is to be provided to the customer.
25	170	<p>In the Board's view, Section 8.1, like Section 4.5, needs clarification as to what is reasonable prior notice and the types of changes in service requirements that are contemplated in the section, including what is a significant change in load. The Board finds that the issues raised by Mr. Maissan in relation to this section have merit, but the Board does not accept the wording proposed by Mr. Maissan for this section because it is too prescriptive. Therefore, the Board directs the Utilities, in the compliance filing to this decision, to provide wording that meets the objective of the Utilities but also sufficiently addresses the concerns raised by Mr. Maissan. Further, the Utilities do not need approval from the Board or prescriptive sections in the T&amp;Cs to communicate with customers as there is nothing in these T&amp;Cs that prevent the Utilities or customers from talking to each other. It is the Board's view that the Utilities should record its efforts to communicate with customers as this would help identify common issues and provide valid documentation on what issues Utilities are reviewing or addressing. In addition, the Utilities have not provided any substantive evidence that EVs are currently an issue with respect to Service Changes. In the compliance filing to this decision, the Utilities are directed to either delete references to EVs or provide evidence to support their claims regarding EVs.</p>
26	174	<p>Based on the submissions of the Utilities and the evidence on the record, the Board finds that the circumstances for upgrades to Company facilities are unique, and the classification of a cost upgrade is best dealt with on a case-by-case basis.</p> <p>However, Mr. Maissan brought forward a valid concern whereby additional clarity would be beneficial for both customers and the Utilities. The Board directs, where facilities are shared with multiple customers, that the Utilities provide</p>

#	Paragraph	Direction
		additional wording regarding the considerations necessary for the costs to be treated as system costs.
27	181	The Board is of the view that the wording for Section 9.2 (c) can be improved. For example, the Board accepts the position from Mr. Maissan that many micro-generators may be without electricity if they are treated as a priority interruption. The Board agrees that the Utilities have the right to interrupt service for safety and reliability reasons. However, it is unclear, based on the record for this proceeding, if the Utilities can interrupt receiving generation from the micro-generators but also, when the micro-generators are not generating electricity, whether the Utilities provide electricity to those customers. If the premise of the last sentence is correct, then the Utilities are directed to change the wording for the last sentence of Section 9.2(c) to include the wording proposed by Mr. Maissan, but with the caveat that micro-generators, though interruptible, will not be a priority interruption during times when generation is not occurring (e.g. night time for solar generators). If the premise for that referenced sentence is incorrect, then, in the compliance filing to this decision, the Utilities are directed to explain why the premise is incorrect and propose wording that will meet the Utilities' needs yet not make micro-generators without a back-up power supply, a priority interruption.
28	186	The Board finds the wording proposed by the Utilities to be reasonable and accepts the changes as submitted for this Section. The UCG comments regarding noise on the sine waves are disregarded as the assertion is unsupported by evidence.
29	204	The Board considers the Utilities' update for connection and reconnection fees to be high. First, with the implementation of AMI technology and the ability to connect and reconnect remotely, the Board directs that Schedule D Fees Schedule contain an amendment that will show the rate for supplementary reads for standard meter reads as the rate for connection and reconnection fees for those customers with functional standard meters. Secondly, with respect to non-standard meters, in reference to YUB-AEY/YEC-2-4(a), the connection and reconnection fees exceed inflation. The Board approves connection fees of \$66.00 and approves reconnection fees of \$79.00.
30	205	The Board denies the request for a fee or service charge for customer usage information requests. As the Utilities did not provide any information in terms of quantities of complex customer usage requests, the Board is of the view that such requests are already built into the rates of customers through the Utilities' last GRA. Furthermore, the Utilities can promote the usage of the MyAccount system to enable customers to obtain the information they require.
31	206	The Board approves the request of the Utilities for its supplementary meter reads but, as noted in Section 6 of this decision, the Utilities are directed to include a statement on Schedule D Fees Schedule that non-standard meter reading fees are not effective until the transition to standard meters is complete. Further, the Utilities are to inform the Board in writing within 30 days of the completion of the transition to standard meters.

#	Paragraph	Direction
32	207	The Board directs the Utilities to amend the term in Schedule D Fees Schedule for Late Payment and Disconnection. Under this term the Utilities are to implement wording that dishonoured payments fees are on a cost recovery basis and may include the charges the Utilities incur for the dishonoured payment, the payment amount owing, and the applicable fees in Schedule D Fees Schedule for dishonoured payment and collection. The proposed fees for collection and dishonoured payments exceed inflation and therefore are not approved. The Board approves a collection fee of \$40.00 and a dishonored payment fee of \$33.00.
33	208	Regarding meter disputes, the Board does not accept the revision to such fees as proposed by the Utilities. The increases proposed by the Utilities significantly exceed the inflation numbers demonstrated in response to YUB-AEY/YEC-2-5 (a). The Board approves a rate of \$135 for meter accuracy test handling fee for a self-contained meter. The approved rate, for a meter accuracy test handling fee for an Instrument meter is \$265.
34	210	The Board finds that the Utilities did not provide any evidence that meter testing is a frequent event or a costly item to other ratepayers. It seems unusual to the Board that a customer must pay an up-front fee to determine whether the asset of the Utilities is working properly. The Board does agree that if the meter testing is at request of a customer, and a meter is found to be operating within its specifications, then the customer should pay the meter testing fee. However, the customer's responsibility for the meter testing fee should arise after it is found that the meter has tested within its operational specifications. Therefore, the Board directs the Utilities to amend Section 6.3 such that the customer is responsible for the meter test fee if the meter testing is at the request of the customer and the meter is tested and found to be accurate. The fee from the customer is to be assessed after the meter test and will appear on the customer's next billing following the meter test results. Further, the Utilities are to insert language in Section 6.3 that meter testing at the request of the customer can only occur after completing the meter dispute process.
35	212	The Utilities are directed to provide a statement on the Schedule D Fees Schedule that not all additional or supplementary services are listed in the Schedule. Customers will be advised of the fees for those additional or supplementary services in advance, and that the fees are for cost recovery purposes.
36	243	The Utilities are directed to implement MILs as follows: Residential Single-Family MIL \$3,210 per connection Residential Multi Dwelling MIL \$900 per connection General Service MIL (per kW) \$1,870 per kW Street Lighting MIL \$1,675 per fixture.
37	246	However, the Board agrees with the Utilities that further analysis would be necessary in order for the middle-ground proposal to be fully vetted. Accordingly, at the time of the Utilities' next T&Cs application, the Board directs that an additional MIL and service connection type be investigated. The investigation would examine residential properties that allow for a smaller number of

#	Paragraph	Direction
		additional dwellings (such as a basement suite, garden suite, duplex, or row house) as opposed to additions that would typically be associated with a Residential Multi-Dwelling service connection.
38	255	The Board considers the request for an automatic CPI-based annual inflation adjustment to both MILs and Schedule D Fees Schedule to be unwarranted in the circumstances of these Utilities, and is denied.