

Newmarket-Tay Power Distribution Ltd.	Number: NT POWERCOS-120-00
Conditions of Service	Issue Date: July, 2007
Codes and Laws	Next Review Date: November, 2008

1. Preamble

The *Ontario Energy Board (OEB)* regulates the electricity distribution industry according to its mandate in the *Ontario Energy Board Act*. The *OEB* has instituted a number of Codes to provide details on how local distribution companies should operate.

2. Laws

The laws and statutes of the Town of Newmarket, the Township of Tay or the Town of East Gwillimbury, Province of Ontario and the Government of Canada govern Newmarket-Tay Power Distribution Ltd. (NT POWER).

Federal Laws

The primary federal law affecting NT POWER is the *Electricity and Gas Inspection Act*. This Act regulates the accuracy of metering and billing of *Consumers* by suppliers. Other federal Acts, which affect the operation, are the *Excise Tax Act*, the *Electricity Act*, and the *Canadian Environmental Protection Act*.

Provincial Laws

Provincially, three Acts have the largest impact on NT POWER: the *Electricity Act*, the *Ontario Energy Board Act*, and the *Occupational Health and Safety Act*. NT POWER is an Ontario Corporation established under the *Ontario Business Corporations Act*.

The purpose of the *Electricity Act*, inter alia, is to provide *generators, retailers and Consumers* with non-discriminatory access to *transmission and distribution systems*, and to promote efficiency in the generation, transmission and distribution of *energy*. The *Ontario Energy Board Act*, in addition to the items mentioned above from the *Electricity Act*, protects the interests of *Consumers* with respect to prices and the reliability and quality of *distribution services*, and facilitates the maintenance of a financially viable electricity industry, among other things. By setting out the duties of all parties in the workplace, the *Occupational Health and Safety Act* provides the framework and the tools to achieve safe and healthy workplaces.

Municipal By-Laws

The Town of Newmarket, the Township of Tay and the Town of East Gwillimbury have By-Laws that may affect the operation of NT POWER. One By-Law specifically deals with the use of public right-of-ways and the installation of *distribution services* overhead and underground on the right-of-ways.

3. Codes

The *OEB* has published a number of codes to regulate the electricity industry in the Province of Ontario. The *OEB* codes are:

Affiliate Relationships Code
Transmission System Code
Distribution System Code
Retail Settlement Code
Standard Supply Service Code
Electricity Retailers Code of Conduct

4. Priority

In the event of a conflict between these *Conditions of Service*, the *Distributor Licence*, *OEB* codes, municipal, provincial or federal laws, and a *Person's Distribution Services Agreement* the following priority shall prevail:

- Federal laws and regulations
- Provincial laws and regulations
- *Electricity Act, 1998*
- *Ontario Energy Board Act, 1998*
- *Distributor Licence*
- Municipal By-Laws
- *Affiliate Relationships Code*
- *Transmission System Code*
- *Distribution System Code*
- *Retail Settlement Code*
- *Standard Supply Service Code*
- *Electricity Retailer Code of Conduct*
- *Conditions of Service*
- *Distribution Services Agreement*

These *Conditions of Service* are mandated in the *OEB's Distribution System Code*.

When planning and designing for *distribution service*, *Applicants* and their agents must refer to all applicable provincial and federal electricity codes, and all other applicable federal, provincial, municipal laws, regulations, codes, and by-laws to also ensure compliance with their requirements. Without limiting the foregoing, the work shall be conducted in accordance with the latest edition of the Ontario Occupational Health and Safety Act, the Regulations for Construction Projects, and the Electrical & Utility Safety Association Rulebook entitled Electric Utility Operations, and their Safe Practice Guides.

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