



The Ontario Gazette

La Gazette de l'Ontario

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Toronto

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Ontario Highway Transport Board

NOTICE

Periodically, temporary applications are filed with the Board. Details of these applications can be made available at anytime to any interested parties by calling (416) 326-6732.

The following are applications for extra-provincial and public vehicle operating licenses filed under the *Motor Vehicle Transport Act, 1987*, and the *Public Vehicles Act*. All information pertaining to the applicant (*i.e.* business plan, supporting evidence, etc.) is on file at the Board and is available upon request.

Any interested person who has an economic interest in the outcome of these applications may serve and file an objection within 29 days of this publication. The objector shall:

1. complete a Notice of Objection Form,
2. serve the applicant with the objection,
3. file a copy of the objection and provide proof of service of the objection on the applicant with the Board,
4. pay the appropriate fee.

Serving and filing an objection may be effected by hand delivery, mail, courier or facsimile. Serving means the date received by a party and filing means the date received by the Board.

LES LIBELLÉS DES DEMANDES PUBLIÉES CI-DESSOUS SONT AUSSI DISPONIBLES EN FRANÇAIS SUR DEMANDE.

Badder Bus Service Limited 45883-B
R. R. # 1, 29014 Sharrow Rd., Thamesville, ON N0P 2K0

Applies for an extension to extra provincial operating licence X-151 as follows:

For the transportation of passengers on a chartered trip from points in:

1. the Counties of Essex, Elgin, Huron and Middlesex to the Ontario/Manitoba, Ontario/Quebec and Ontario/USA border crossings for fur-

therance to points as authorized by the relevant jurisdictions and for the return of the same passengers on the same chartered trip to point of origin;

2. the United States of America as authorized by the relevant jurisdiction from the Ontario/USA border crossings to points in Ontario and return of the same passengers on the same chartered trip to point of origin.

PROVIDED there be no pick up or discharge of passengers except at point of origin.

Applies for an extension to public vehicle operating licence PV-1603 as follows: **45883-C**

For the transportation of passengers on a chartered trip from points in the Counties of Essex, Elgin, Huron and Middlesex.

519807 Ontario Limited 46135-B
31 Henry St., Athens, ON K0E 1B0

Applies for an extra provincial operating licence as follows:

1. For the transportation of passengers on a chartered trip, not being a scheduled service or a special trip, for which a public vehicle is hired for the transportation exclusively of a group of persons from Kemptville and the Townships of Oxford-on-Rideau and South Gower to the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings for furtherance to points as authorized and the return of the same group of persons from the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings to Kemptville and the Townships of Oxford-on-Rideau and South Gower.

2. For the transportation of passengers and their baggage, over irregular routes, in charter operations, for one way or round trips, from points on the County Road in the Township of Elizabethtown and Highway 2 between Lyn and Brockville to the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings for furtherance to points as authorized and for the return of the said passengers and their baggage from the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings to points on the County Road in the Township of Elizabethtown and Highway 2 between Lyn and Brockville.

NOTE: Provided that licences PV-2486 and PV-1346 both currently in the name of 647807 Ontario Limited be cancelled. These terms are substantially the same as the terms of licences PV-2486 and PV-1346 cur-

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et aux entreprises

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rently in the name of 647807 Ontario Limited, a former subsidiary of the Applicant, presently dissolved.

Applies for a public vehicle operating licence as follows: **46135-C**

For the transportation of:

1. passengers from the Town of Kemptville, the Township of Oxford-on-Rideau and the Township of South Gower to points in Ontario, exclusively as a group of persons on a chartered trip being one specific trip for which a public vehicle is engaged or hired and one fare or charge only being collected for the trip, covering the said group of persons considered as a unit and from such points on the same chartered trip without pick up or discharge of passengers for return to point of origin.
2. workers from the Town of Kemptville and intermediate points on Highways 16 and 416 to the Separated Town of Prescott; and return via the same route.

PROVIDED that tickets for this operation be sold on either a weekly or monthly rate.

3. passengers between Lyn and Brockville via County Road and Highway 2.

PROVIDED that no local business is permitted on Highway 2.

4. passengers between points in the United Counties of Leeds and Grenville on the one hand and the Ottawa International Airport, in the City of Ottawa on the other hand with no pick up or discharge of passengers en route.

PROVIDED that:

- (a) the passengers will have had or will have a prior or subsequent movement by air;
- (b) chartered trips be prohibited.

NOTE: Provided that licences X-558 and X-159 both currently in the name of 647807 Ontario Limited be cancelled. These terms are substantially the same as the terms of licences X-558 and X-159 currently in the name of 647807 Ontario Limited, a former subsidiary of the Applicant, presently dissolved.

Felix D'Mello
Board Secretary/
Secrétaire de la Commission

02/03

Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

Certificates of Dissolution Certificats de dissolution

NOTICE IS HEREBY GIVEN that a certificate of dissolution under the *Business Corporations Act*, has been endorsed. The effective date of dissolution precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément à la *Loi sur les compagnies*, un certificat de dissolution a été inscrit pour les compagnies suivantes : la date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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2002-11-21

AMODEO & ASSOCIATES INDEPENDENT REHABILITATION CONSULTANTS INC.	1031087
DAMAJAK INVESTMENTS INC.	350583
ELNORAL HOTELS LIMITED	119801
FLAG CONSTRUCTION LIMITED	508284
TRAVEL DATA KEYPUNCH SERVICES LIMITED	295788
TWL ASSOCIATES INC. ASSOCIES TWL INC.	713811
498773 ONTARIO LIMITED	498773

2002-11-22

MISENER CAPITAL CORPORATION WASTE AUDIT SPECIALIST & TREATMENT EVALUATION INC.	375447 900872
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2002-11-24

1112663 ONTARIO INC.	1112663
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2002-11-25

COMMUNICATION REHABILITATION SERVICES INCORPORATED	751983
XCSI INC.	1224191
703628 ONTARIO INC.	703628

2002-11-26

BILL HOGG & ASSOCIATES INC.	1304654
C & C MARKETING INNOVATIONS INC.	940586
ELPIX TECHNOLOGIES INC.	1407203
TELECOM ONE TECHNOLOGIES INC.	1436833

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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WORLD IMPRESSIONS INC.	1230741
1369750 ONTARIO INC.	1369750
1475896 ONTARIO INC.	1475896
562138 ONTARIO LIMITED	562138

2002-11-27

BRIAN HICKS TRUCKING LTD.	1375590
CHINA CORNER RESTAURANT LIMITED	1398078
DENISON PHARMACY INC.	1348427
JAMES HOBAL VISUALS INC.	609592
JOSEPH LOREFICE CREDIT JEWELLERS LIMITED	725593
K & L HIGGINS LIMITED	126850
PENINSULA COMMUNICATIONS INC.	605000
TORONTO DRYWALL SERVICES LTD.	859424
TRIWHIT HOLDINGS LIMITED	1097987
WINIR CONSULTING SERVICES LTD.	1228162
YOUNES HOLDING LIMITED	391016
1248203 ONTARIO INC.	1248203
447924 ONTARIO LTD.	447924

2002-11-30

1053151 ONTARIO INC.	1053151
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2002-12-04

SPR SPIRITECH INC.	1170952
1352921 ONTARIO INC.	1352921

2002-12-06

YORKVILLE GARDEN CHINESE RESTAURANT INC.	1147671
1304951 ONTARIO LIMITED	1304951

2002-12-10

SCIENTECH CONSULTANTS LIMITED	227892
1198822 ONTARIO INC.	1198822
1499183 ONTARIO LTD.	1499183
992535 ONTARIO LIMITED	992535

2002-12-11

GLOBAL ENERGY SAVINGS SYSTEMS INC.	1378195
NORM CHESTERFIELD REAL ESTATE LTD.	552799
1186480 ONTARIO INC.	1186480

2002-12-12

MIKULCIC CONSTRUCTION LIMITED	201918
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Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
R. BEACH MANAGEMENT LTD.	665917
830216 ONTARIO INC.	830216
2002-12-15	
FRANK CARUSO CONSTRUCTION LIMITED.	888254
2002-12-20	
CHASE NETWORK SOLUTIONS LIMITED.	1258756
CMI SAFETY SUPPLY INC.	1500657
FRESH ADVERTISING INC.	1390448
J.F.J. HOLDINGS INC.	750263
QINGQI – EASNET INCORPORATED.	1250924
SMAKH VIDEO LTD.	621760
SUNTECH CEDAR HOMES LTD.	831997
SUSS-FIN MANAGEMENT LIMITED.	221364
TWOSING CORPORATION.	329782
1246895 ONTARIO INC.	1246895
1531289 ONTARIO LIMITED.	1531289
540627 ONTARIO LIMITED.	540627
750264 ONTARIO LIMITED.	750264
2002-12-23	
AZARSA CARPET CLEANING LTD.	1336199
J.J. BRUMMER MANAGEMENT INC.	653190
KIMBULL LTD.	424452
MAX KOROLNEK OPERATING LTD.	609427
ROUSE SERVICE (CANADA) LIMITED.	238753
TDR HOLDINGS INC.	937110
1027481 ONTARIO INC.	1027481
1336340 ONTARIO LIMITED.	1336340
1422602 ONTARIO INC.	1422602
1479508 ONTARIO INC.	1479508
2002-12-24	
AIMA ARTS & CRAFTS INC.	1475062
APEX OVERSEAS INC.	1404612
CARTER & CARTER PHOTOGRAPHY LIMITED.	380567
JLT COMPLETE HOME SERVICES LTD.	2007103
1444847 ONTARIO LIMITED.	1444847

B. G. HAWTON,
Director, Companies and Personal Property
Security Branch
Directrice, Direction des compagnies et des
sûretés mobilières

02/03

**Cancellation of Certificates of
Incorporation
(Business Corporations Act)
Annulation de certificats de constitution
en personne morale
(Loi sur les sociétés par actions)**

NOTICE IS HEREBY GIVEN that by orders under subsection 241 (4) of the *Business Corporations Act*, the certificates of incorporation set out hereunder have been cancelled and corporation(s) have been dissolved. The effective date of cancellation precedes the corporation listing.

AVIS EST DONNÉ PAR LES PRÉSENTE que, conformément au paragraphe 241 (4) de la *Loi sur les sociétés par actions*, les certificats présentés ci-dessous ont été annulés et les compagnies ont été annulés et les compagnies ont été dissoutes. La dénomination sociale des compagnies concernées est précédée de la date de prise d'effet de l'annulation.

Name of Corporation Dénomination sociale de la compagnie en	Ontario Corporation No. Numéro de la compagnie en Ontario
2002-06-03	
1527739 ONTARIO LIMITED.	1527739
2002-06-05	
1529608 ONTARIO LIMITED.	1529608

Name of Corporation Dénomination sociale de la compagnie en	Ontario Corporation No. Numéro de la compagnie en Ontario
2002-06-20	
CAP-ONE CONSTRUCTION LTD.	1531751
2002-06-21	
RYSAK HOLDINGS & MANAGEMENT INC.	1531694

B. G. HAWTON,
Director, Companies and Personal Property
Security Branch
Directrice, Direction des compagnies et des
sûretés mobilières

02/03

**Cancellation of Certificates of
Incorporation
(Corporations Tax Act Defaulters)
Annulation de certificats de constitution
en personne morale
(Non-respect de la Loi sur l'imposition
des personnes morales)**

NOTICE IS HEREBY GIVEN that, under subsection 241 (4) of the *Business Corporations Act*, the Certificates of Incorporation of the corporations named hereunder have been cancelled by an Order dated 16 December, 2002 for default in complying with the provisions of the *Corporations Tax Act*, and the said corporations have been dissolved on that date.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (4) de la *Loi sur les compagnies*, les certificats de constitution en personne morale des compagnies dont les noms apparaissent ci-dessous ont été annulés par décision datée du 16 décembre 2002 pour non-respect des dispositions de la *Loi sur l'imposition des personnes morales* et que la dissolution des compagnies concernées prend effet à la date sus-mentionnée.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
J-R WHITESHASHING LTD.	828591

B. G. HAWTON,
Director, Companies and Personal Property
Security Branch
Directrice, Direction des compagnies et des
sûretés mobilières

02/03

**Credit Unions and Caisses
Populaires Act, 1994
(Certificate of Amendment of
Articles Issued)
Loi de 1994 sur les caisses populaires
et les credit unions
(Certificat de modification des statuts)**

NOTICE IS HEREBY GIVEN that, under the *Credit Unions and Caisses Populaires Act, 1994* amendments to articles have been affected as follows:

AVIS EST PAR LES PRÉSENTES DONNÉ que, en vertu de la *Loi de 1994 sur les caisses populaires et les credit unions*, les modifications des statuts ont été apportées comme suit :

Date of Incorporation: Date de constitution :	Name of Corporation: Nom de la compagnie :	Effective Date Date d'entrée en vigueur
1961-05-31	Caisse populaire Roussel de Coniston limitée Changed its name to: Caisse populaire Coniston Inc.	2002-12-12

JOHN M. HARPER,
Director, Compliance Branch, Licensing and Compliance Division by delegated authority from the Superintendent of Financial Services
Directeur, Observation des lois et des règlements
Division de la délivrance des permis et de l'observation des lois et des règlements
en vertu des pouvoirs délégués par le surintendant des services financiers

02/03

**Credit Unions and Caisses Populaires Act
(Certificate of Amalgamation)
Loi sur les caisses populaires
et les credit unions
(Certificat de fusion)**

NOTICE IS HEREBY GIVEN that, a certificate of amalgamation under the *Credit Unions and Caisses Populaires Act*, has been endorsed: The effective date precedes the corporation listings.

AVIS EST DONNE PAR LES PRÉSENTES de l'inscription de certificats de fusion faite en vertu de la *Loi sur les caisses populaires et les credit unions*. La date d'entre en vigueur precede la liste de compagnies visees.

Name of Amalgamated Corporation Amalgamating Corporations Denomination sociale de la compagnie issue de fusion : Compagnies qui fusionnent	Ontario Corporation Number Numero matricule de l'Ontario
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2002-12-01

CAISSE POPULAIRE VISION INC. 1416242
(Caisse Populaire St-Charles d'Ottawa Ltée
and La Caisse Populaire Ste-Geneviève Limitée)

GRANT SWANSON,
Director/Directeur
Licensing and Compliance Division
Financial Services Commission of Ontario/
Division de la délivrance des permis et de
l'observation des lois et des règlements
Commission des services financiers de l'Ontario

02/03

**Applications to
Provincial Parliament — Private Bills
Demandes au Parlement
provincial — Projets de loi d'intérêt privé**

PUBLIC NOTICE

The rules of procedure and the fees and costs related to applications for Private Bills are set out in the Standing Orders of the Legislative Assembly. Copies of the Standing Orders, and the guide "Procedures for

Applying for Private Legislation", may be obtained from the Legislative Assembly's Internet site at <http://www.ontla.on.ca> or from:

Committees Branch
Room 1405, Whitney Block, Queen's Park
Toronto, Ontario M7A 1A2

Telephone: 416/325-3500 (Collect calls will be accepted.)

Applicants should note that consideration of applications for Private Bills that are received after the first day of September in any calendar year may be postponed until the first regular Session in the next following calendar year.

(8699) T.F.N.

CLAUDE L. DESROSIERS,
Clerk of the Legislative Assembly.

**Corporation Notices
Avis relatifs aux compagnies**

SECURITY LIFE INSURANCE COMPANY LIMITED

NOTICE IS HEREBY GIVEN that Security Life Insurance Company Limited ("Security Life") has commenced voluntary wind-up procedures pursuant to a resolution of the shareholders of Security Life effective the 13th day of December, 2002, appointing Karen Rust, General Manager, Security Life Insurance Company Limited, 1920 College Avenue, Regina, SK, S4P 1C4, as liquidator;

Security Life has not written any new business since 1995;

This Notice is being provided pursuant to subsection 217(3) of the *Corporations Act* (Ontario).

Dated this 13th day of December, 2002.

(4166) 01 to 02

KAREN RUST
General Manager

RPA CONSULTANTS LIMITED

TAKE NOTICE that the Shareholder of the Corporation passed a Special Resolution on July 19, 2002 requiring the said Corporation to be wound up voluntarily under the provisions of the *Business Corporations Act*, R.S.O. 1990.

Dated July 19, 2002.

(4170) 02

MICHAEL J. SLOCOMBE
Liquidator

RPA CONSULTANTS LIMITED

TAKE NOTICE that a final meeting of the Shareholder of the Corporation was held on December 31, 2002, at which time the Liquidator of the above Corporation presented his account and explanation of the voluntary winding up of the Corporation.

Dated December 31, 2002.

(4171) 02

MICHAEL J. SLOCOMBE
Liquidator

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2003—01—11

ONTARIO REGULATION 430/02

made under the

ELECTRICITY ACT, 1998

Made: December 20, 2002
Filed: December 23, 2002

**CERTIFICATE OF PASSING OF RESOLUTION —
SECTION 159.1 OF THE ACT****Certificate**

1. The certificate referred to in subsection 159.1 (4) of the Act shall be in the form approved by the Minister titled "Certificate of Passing of Resolution Under Section 159.1 of the *Electricity Act, 1998*", dated December 20, 2002 and available at the Ministry of Energy, 4th floor, Hearst Block, 900 Bay Street, Toronto, Ontario or at http://www.energy.gov.on.ca/english/pdf/resolution_certificate.pdf.

JOHN BAIRD
Minister of Energy

Dated on December 20, 2002.

RÈGLEMENT DE L'ONTARIO 430/02

pris en application de la

LOI DE 1998 SUR L'ÉLECTRICITÉ

pris le 20 décembre 2002
déposé le 23 décembre 2002

**ATTESTATION PORTANT ADOPTION
D'UNE RÉOLUTION —
ARTICLE 159.1 DE LA LOI****Attestation**

1. L'attestation visée au paragraphe 159.1 (4) de la Loi est rédigée selon la formule qu'approuve le ministre, intitulée «Attestation portant adoption d'une résolution en application de l'article 159.1 de la *Loi de 1998 sur l'électricité*». La formule est datée du 20 décembre 2002 et est disponible au ministère de l'Énergie, au 4^e étage, Édifice Hearst, 900, rue Bay, Toronto (Ontario), ou sur le site http://www.energy.gov.on.ca/french/pdf/resolution_certificate.pdf.

JOHN BAIRD
Ministre de l'Énergie

Fait le 20 décembre 2002.

2/03

ONTARIO REGULATION 431/02

made under the

MUNICIPAL ELECTIONS ACT, 1996

Made: December 23, 2002
Filed: December 23, 2002

Amending O. Reg. 101/97
(General)

Note: Since the end of 2001, Ontario Regulation 101/97 has been amended by Ontario Regulation 383/02. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. Form 1 of Ontario Regulation 101/97 is revoked and the following substituted:

Form 1

Municipal Elections Act, 1996

NOMINATION PAPER

FORM 1

NOMINATION PAPER

MUNICIPAL ELECTIONS ACT, 1996 (SECTIONS 33, 35)

**NOTE: A Nomination Paper may only be filed in person or by an agent; it may not be faxed or e-mailed.
It is the responsibility of the person being nominated to file a complete and accurate nomination paper.**

Nomination Paper of a person to be a candidate at an election to be held in the following municipality:

PLEASE PRINT OR TYPE INFORMATION – (EXCEPT FOR SIGNATURES)

Nominated for the Office of		Ward No. (if any)	Name as it is to appear on the ballot paper NOMINEE: (Subject to agreement of the municipal clerk)	
Nominee's full qualifying address within municipality			If nominated for school board, full address of residence within its jurisdiction	
Postal Code				
Mailing Address (if different)			Postal Code	
Postal Code			Postal Code	
Business Phone No.	Fax No.	E-Mail Address		Home Phone No.

FORM 1 (Continued)

DECLARATION OF QUALIFICATION

I....., the nominee mentioned in this nomination paper, declare that I am presently legally qualified, or would be presently legally qualified if I were not a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada, to be elected and to hold the office for which I am nominated and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me

at the
of.....
in the.....of.....
this.....day of.....
20.....

.....
(signature of nominee)

.....
(signature of clerk or commissioner, etc.)

Date Filed:

Time Filed:

Initial:
Nominee.....
or
Agent

.....
(signature of clerk)
or
(designate)

CERTIFICATE

I, the undersigned clerk of this municipality, do hereby certify that I have examined the nomination paper of the aforesaid nominee filed with me and am satisfied that the nominee is qualified to be nominated and that the nomination complies with the Act.

.....
(signature of clerk or designate)

.....
(date certified)

2. This Regulation comes into force on the later of the day it is filed and January 1, 2003.

CHRIS HODGSON
Minister of Municipal Affairs and Housing

Dated on December 23, 2002.

RÈGLEMENT DE L'ONTARIO 431/02

pris en application de la

LOI DE 1996 SUR LES ÉLECTIONS MUNICIPALES

pris le 23 décembre 2002
déposé le 23 décembre 2002

modifiant le Règl. de l'Ont. 101/97
(Dispositions générales)

Remarque : Depuis la fin de 2001, le Règlement de l'Ontario 101/97 a été modifié par le Règlement de l'Ontario 383/02. Les modifications antérieures sont indiquées dans la Table des règlements publiée dans la *Gazette de l'Ontario* du 19 janvier 2002.

1. La formule 1 du Règlement de l'Ontario 101/97 est abrogée et remplacée par ce qui suit :

Formule 1*Loi de 1996 sur les élections municipales***DÉCLARATION DE CANDIDATURE****FORMULE 1****DÉCLARATION DE CANDIDATURE**

Loi de 1996 sur les élections municipales (Articles 33, 35)

Remarque: Une déclaration de candidature ne peut être déposée qu'en personne ou par un représentant; elle ne peut être envoyée par télécopieur ni par courrier électronique. Il revient au candidat de s'assurer que la déclaration de candidature déposée est complète et exacte.

Déclaration de candidature pour une élection dans la municipalité suivante :

PRIÈRE D'ÉCRIRE EN LETTRES MOULÉES OU DE DACTYLOGRAPHIER – (SAUF SIGNATURES)

Candidat au poste de	Quartier n° (le cas échéant)	Nom qui doit figurer sur le bulletin de vote CANDIDAT: (sous réserve de l'approbation du secrétaire municipal)	
Adresse habitante complète du candidat dans la municipalité		S'il s'agit d'une candidature au conseil scolaire, adresse de la résidence dans le territoire relevant de sa compétence	
Code postal			
Adresse postale (si elle diffère de l'adresse ci-dessus)		Code postal	Code postal
N° de téléphone au travail	N° de télécopieur	Adresse électronique	N° de téléphone à la maison

FORMULE 1 (suite)

DÉCLARATION DE QUALITÉS REQUISES

Je,....., candidat mentionné dans la présente déclaration de candidature, déclare solennellement que j'ai actuellement les qualités requises par la loi pour être élu et occuper le poste auquel je suis candidat ou que j'aurais actuellement ces qualités si je n'étais pas député à l'Assemblée législative de l'Ontario ou à la Chambre des communes du Canada ou membre du Sénat canadien. Je fais cette déclaration solennelle croyant en conscience qu'elle est véridique et sachant qu'elle a la même force et les mêmes effets qu'une déclaration sous serment.

Déclaré devant moi

au
de.....
dans le/la.....de.....
le.....
(jour) (mois)
20.....

.....
(signature du secrétaire, commissaire, etc.)

.....
(signature du candidat)

Date du dépôt :

Heure du dépôt :

Initiales :

candidat.....
ou
représentant

.....
(signature du secrétaire)
ou
(mandataire)

CERTIFICAT

Je, soussigné(e), secrétaire de la municipalité, certifie que j'ai examiné la déclaration de candidature du candidat ci-dessus, déposée devant moi, et que je suis convaincu(e) que le candidat a les qualités requises pour être déclaré candidat et que sa déclaration de candidature est conforme à la Loi.

.....
(signature du secrétaire ou du mandataire)

.....
(date du certificat)

2. Le présent règlement entre en vigueur le dernier en date du jour de son dépôt et du 1^{er} janvier 2003.

CHRIS HODGSON
Ministre des Affaires municipales et du Logement

Fait le 23 décembre 2002.

2/03

ONTARIO REGULATION 432/02

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 23, 2002
Filed: December 24, 2002

Revoking O. Reg. 342/02
(Payments to the IMO)

1. Ontario Regulation 342/02 is revoked.

2/03

ONTARIO REGULATION 433/02

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 23, 2002
Filed: December 24, 2002

Amending O. Reg. 339/02
(Electricity Pricing)

Note: Ontario Regulation 339/02 has not previously been amended.

1. Ontario Regulation 339/02 is amended by adding the following section:

Definitions, this Regulation

1.1 In this Regulation,

“generation station service” has the same meaning as in the market rules;

“total losses” has the same meaning as in the Retail Settlement Code.

2. Paragraphs 3, 4 and 5 of section 2 of the Regulation are revoked and the following substituted:

3. McMichael Canadian Art Foundation.
4. Ontario Heritage Foundation.
5. The Centennial Centre of Science and Technology.

6. A consumer who has an account with a distributor, if the account relates only to one of the following:

- i. A hospital within the meaning of the *Community Psychiatric Hospitals Act*.
- ii. A psychiatric facility within the meaning of the *Mental Health Act*.
- iii. A cancer centre established by Cancer Care Ontario under the *Cancer Act*.
- iv. A commercially operated residence for seniors or retired persons, or any other similar commercially operated residence, where attainment of a mature age is a factor in being accepted for occupancy.
- v. A nursing station, health centre, clinic or other facility that receives funding through the Ministry of Health and Long-Term Care's Underserviced Area Program.
- vi. A facility owned or leased by a person who receives funding from the Ministry of Health and Long-Term Care for one or more of the following health care support services that are provided to or are available to residents of the facility:
 - A. A residential treatment services program.
 - B. A withdrawal management services program.
 - C. A dedicated supportive housing project.
- vii. An approved charitable institution within the meaning of the *Charitable Institutions Act*.
- viii. A home for special care within the meaning of the *Homes for Special Care Act*.
- ix. A community care access corporation within the meaning of the *Community Care Access Corporations Act, 2001*.
- x. Cancer Care Ontario.
- xi. A service provider within the meaning of the *Long-Term Care Act, 1994*.
- xii. A board of health within the meaning of the *Health Protection and Promotion Act*.
- xiii. A community health centre within the meaning of Ontario Regulation 396/93 under the *Pay Equity Act*.
- xiv. A comprehensive health organization within the meaning of Ontario Regulation 396/93 under the *Pay Equity Act*.
- xv. A district health council established under the *Ministry of Health and Long-Term Care Act*.
- xvi. A facility owned by Canadian Blood Services.
- xvii. An independent health facility operated under the authority of a licence issued under the *Independent Health Facilities Act*.
- xviii. An organization that receives funding under the *Ministry of Health and Long-Term Care Act*.
- xvix. A place where emergency hostel services are provided under the *Ontario Works Act, 1997*.
- xx. A domiciliary hostel that receives funding under the *Ministry of Community and Social Services Act*.

- xxi. A place where a resource centre program that receives funding under the *Day Nurseries Act* is provided.
- xxii. A place where a recreational program that receives funding under the *Day Nurseries Act* is provided.
- xxiii. A facility designated by the regulations under the *Developmental Services Act* as a facility to which that Act applies, other than a facility listed in Schedule 1 to Regulation 272 of the Revised Regulations of Ontario, 1990 made under that Act.
- xxiv. A residence licensed as a children's residence under the *Child and Family Services Act*.
- xxv. A facility where child development services, child treatment services, child welfare services, community support services or young offenders services, within the meaning of the *Child and Family Services Act*, are provided.
- xxvi. A facility where child and family intervention services, within the meaning of Regulation 70 of the Revised Regulations of Ontario, 1990 made under the *Child and Family Services Act*, are provided.
- xxvii. A place where an emergency shelter service or homelessness prevention program that receives funding under the *Ministry of Community and Social Services Act* is provided.
- xxviii. A day nursery as defined in the *Day Nurseries Act*.
- xxix. A sheltered workshop that receives funding under the *Developmental Services Act* or the *Ministry of Community and Social Services Act*.
- xxx. A place where a supported employment program that receives funding under the *Developmental Services Act* or the *Ministry of Community and Social Services Act* is provided.
- xxxi. A place where an adults' community support service that receives funding under the *Developmental Services Act* is provided.
- xxxii. A place where an employment preparation, training and job placement program that receives funding under the *Developmental Services Act* is provided.
- xxxiii. A place where a violence against women program that receives funding under the *Ministry of Community and Social Services Act* is provided.
- xxxiv. A place where an aboriginal healing and wellness program that receives funding under the Aboriginal Healing and Wellness Strategy is provided.
- xxxv. An Ontario Early Years Centre or a satellite program of an Ontario Early Years Centre that receives funding under the *Ministry of Community and Social Services Act*.
- xxxvi. A district social services administration board established under the *District Social Services Administration Boards Act*.
- xxxvii. A place where an employment supports program that receives funding under the *Ontario Disability Support Program Act, 1997* is provided.
- xxxviii. A place where Rehabilitation Services for the Disabled that receive funding under the *Ministry of Community and Social Services Act* are provided.
- xxxix. A place where interpreter services programs or intervenor services programs that receive funding under the

Ministry of Community and Social Services Act are provided.

- xl. A place where a discharge planning for ex-offenders program that receives funding under the *Ministry of Community and Social Services Act* is provided.

3. The Regulation is amended by adding the following sections:

Payments under subs. 79.1 (12), (14) or (15) of the Act

3.1 (1) Subject to subsection (5), the amount of a payment by a distributor or retailer to a consumer under subsection 79.1 (12), (14) or (15) of the Act shall be determined in accordance with the following formula:

$$(A + B + C) - (D + E + F)$$

where,

A = subject to subsection (2), the total amount that the consumer was charged, by the distributor or retailer, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002,

B = subject to subsections (2) and (3), the total amount that the consumer was charged, by other persons that were distributors or retailers that billed the consumer under retailer-consolidated billing, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002,

C = subject to subsections (2), (3) and (4), the total amount that the consumer was charged, by the IMO, in respect of the commodity price for electricity withdrawn from the IMO-controlled grid, as determined in accordance with the market rules, during the period from May 1, 2002 to November 30, 2002,

D = subject to subsection (2), the total amount that the consumer would have been charged, by the distributor or retailer, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period,

E = subject to subsections (2) and (3), the total amount that the consumer would have been charged, by other persons that were distributors or retailers that billed the consumer under retailer-consolidated billing, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period,

F = subject to subsections (2), (3) and (4), the total amount that the consumer would have been charged, by the IMO, in respect of the commodity price for electricity withdrawn from the IMO-controlled grid, as determined in accordance with the market rules, during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period.

(2) If May 1, 2002 falls within a billing period that includes any day before that day, or if November 30, 2002 falls within a billing period that includes any day after that day, a distributor or retailer may, for the purpose of subsection (1), estimate the amounts charged during that billing period that relate to electricity used during the period from May 1, 2002 to November 30, 2002.

(3) The amounts of "B", "C", "E" and "F" in subsection (1) shall be deemed to be zero unless, not later than March 31, 2003, the distributor or retailer receives, from the consumer or another person, the information necessary to determine those amounts.

(4) Despite subsection (3), the amounts of “C” and “F” in subsection (1) shall be deemed to be zero if the consumer is entitled to a payment from the IMO under subsection 79.2 (1) of the Act.

(5) The amount of a payment under subsection 79.1 (12) of the Act is the amount determined under subsection (1), reduced by \$75.

(6) A distributor or retailer is required to make a payment under subsection 79.1 (12) of the Act to a low-volume consumer, in the amount determined under subsection (5), if the amount determined under subsection (5) is greater than zero.

(7) The amount of the payment that a distributor or retailer is required to make under subsection 79.1 (14) or (15) of the Act to a designated consumer is the amount determined under subsection (1) or zero, whichever is greater.

(8) A person who is required to make a payment under subsection 79.1 (12), (14) or (15) of the Act shall do so,

- (a) by crediting the consumer’s account and showing the credit on an invoice issued to the consumer; or
- (b) by mailing or hand-delivering a cheque to the consumer at the most recent address known to the person.

Reductions to equal billing plan accounts under subs. 79.1 (13) of the Act

3.2 (1) The amount of a reduction made by a distributor to a low-volume consumer’s equal billing plan account under subsection 79.1 (13) of the Act shall be determined in accordance with the following formula:

$$(A + B + C) - (D + E + F) - G$$

where,

- A = subject to subsection (2), the total amount that the consumer was charged, by the distributor, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002,
- B = subject to subsections (2) and (3), the total amount that the consumer was charged, by other persons that were distributors or retailers that billed the consumer under retailer-consolidated billing, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002,
- C = subject to subsections (2), (3) and (4), the total amount that the consumer was charged, by the IMO, in respect of the commodity price for electricity withdrawn from the IMO-controlled grid, as determined in accordance with the market rules, during the period from May 1, 2002 to November 30, 2002,
- D = subject to subsection (2), the total amount that the consumer would have been charged, by the distributor, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period,
- E = subject to subsections (2) and (3), the total amount that the consumer would have been charged, by other persons that were distributors or retailers that billed the consumer under retailer-consolidated billing, in respect of the commodity price for electricity used, including total losses, during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period,
- F = subject to subsections (2), (3) and (4), the total amount that the consumer would have been charged, by the IMO, in respect of the commodity price for electricity withdrawn

from the IMO-controlled grid, as determined in accordance with the market rules, during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period,

G = the amount of the reduction made to the account under subsection 79.1 (9) of the Act.

(2) If May 1, 2002 falls within a billing period that includes any day before that day, or if November 30, 2002 falls within a billing period that includes any day after that day, a distributor may, for the purpose of subsection (1), estimate the amounts charged during that billing period that relate to electricity used during the period from May 1, 2002 to November 30, 2002.

(3) The amounts of “B”, “C”, “E” and “F” in subsection (1) shall be deemed to be zero unless, not later than March 31, 2003, the distributor receives, from the consumer or another person, the information necessary to determine those amounts.

(4) Despite subsection (3), the amounts of “C” and “F” in subsection (1) shall be deemed to be zero if the consumer is entitled to a payment from the IMO under subsection 79.2 (1) of the Act.

(5) A distributor is required to make a reduction to a low-volume consumer’s equal billing plan account under subsection 79.1 (13) of the Act, in the amount determined under subsection (1), if the amount determined under subsection (1) is greater than zero.

Payments by IMO under subs. 79.2 (1) of the Act

3.3 (1) The amount of a payment by the IMO to a consumer under subsection 79.2 (1) of the Act shall be determined in accordance with the following formula:

$$(A - B) - (C - D)$$

where,

- A = subject to subsection (2), the total amount that the consumer was charged, by the IMO, in respect of the commodity price for electricity withdrawn from the IMO-controlled grid, as determined in accordance with the market rules, during the period from May 1, 2002 to November 30, 2002,
- B = subject to subsection (2), the total amount that the consumer was charged, by the IMO, in respect of the commodity price for electricity withdrawn from the IMO-controlled grid, as determined in accordance with the market rules, for generation station service during the period from May 1, 2002 to November 30, 2002,
- C = subject to subsection (2), the total amount that the consumer would have been charged, by the IMO, in respect of the commodity price for electricity withdrawn from the IMO-controlled grid, as determined in accordance with the market rules, during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period,
- D = subject to subsection (2), the total amount that the consumer would have been charged, by the IMO, in respect of the commodity price for electricity withdrawn from the IMO-controlled grid, as determined in accordance with the market rules, for generation station service during the period from May 1, 2002 to November 30, 2002, if the commodity price for electricity had been 4.3 cents per kilowatt hour during that period.

(2) If May 1, 2002 falls within a billing period that includes any day before that day, or if November 30, 2002 falls within a billing period that includes any day after that day, the IMO may, for the purpose of subsection (1), estimate the amounts charged during that billing period that relate to electricity used during the period from May 1, 2002 to November 30, 2002.

(3) The amount of the payment that the IMO is required to make under subsection 79.2 (1) of the Act to a consumer is the amount determined under subsection (1) or zero, whichever is greater.

(4) The IMO shall make a payment required under subsection 79.2 (1) of the Act,

- (a) by crediting the consumer's account and showing the credit on an invoice issued to the consumer; or
- (b) by mailing or hand-delivering a cheque to the consumer at the most recent address known to the IMO.

4. Section 4 of the Regulation is amended by adding the following subsection:

(3) Subsection 79.4 (1) of the Act does not apply to a consumer with respect to generation station service.

5. The Regulation is amended by adding the following sections:

Criterion for cl. 79.4 (2) (b) of the Act

5. For the purpose of clause 79.4 (2) (b) of the Act, the criterion that must be met is that the statement filed by the consumer under clause 79.4 (2) (a) of the Act must relate to a property for which an interval meter is used for billing purposes to measure the amount of all electricity used.

Regulatory assets

6. The following accounts are prescribed for the purpose of paragraph 4 of section 79.13 of the Act:

- 1. Accounts 1508, 1525, 1562, 1571, 1572, 1574 and 2425 established in accordance with the Accounting Procedures Handbook issued by the Board, as it read on the day section 79.13 of the Act came into force.
- 2. RCVA_{RETAIL} and RCVA_{STR} Accounts established in accordance with the Electricity Distribution Rate Handbook issued by the Board, as it read on the day section 79.13 of the Act came into force.

2/03

ONTARIO REGULATION 434/02

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 23, 2002
Filed: December 24, 2002

Amending O. Reg. 341/02
(Compensation and Set-Offs Under Part V of the Act)

Note: Ontario Regulation 341/02 has not previously been amended.

1. The title to Ontario Regulation 341/02 is revoked and the following substituted:

PAYMENTS RE SECTIONS 79.1 AND 79.2 OF THE ACT

2. The Regulation is amended by adding the following heading before section 1:

INTERPRETATION

3. The definition of "Financial Corporation" in section 1 of the Regulation is revoked.

4. The Regulation is amended by adding the following heading before section 2:

PAYMENTS RE SUBSECTIONS 79.1 (1) TO (9) OF THE ACT

5. Subsection 3 (6) of the Regulation is amended by striking out "to the Financial Corporation" in the portion before paragraph 1 and substituting "to the IMO and the Financial Corporation".

6. Subsection 4 (6) of the Regulation is amended by striking out "to the Financial Corporation" in the portion before paragraph 1 and substituting "to the IMO and the Financial Corporation".

7. Sections 8 and 9 of the Regulation are revoked and the following substituted:

Payments by the Financial Corporation to the IMO

8. (1) The Financial Corporation shall make a payment to the IMO equal to the amount, if any, that the IMO is required to make to a licensed distributor under sections 5, 6 and 7.

(2) The Financial Corporation shall make the payment after receiving from the IMO such information as the Financial Corporation may require concerning the licensed distributors, retailers and embedded distributors referred to in those sections and concerning the payments to be made by the IMO under those sections.

(3) The Financial Corporation shall make the payment even if the IMO has not yet made any payments to licensed distributors under those sections.

(4) The Financial Corporation may make the payment by paying the amount to the IMO or by way of set-off of the amount in the accounts maintained by the IMO, at the option of the Financial Corporation.

PAYMENTS RE SUBSECTIONS 79.1 (12) TO (15) OF THE ACT

Payments by licensed distributors to retailers

9. (1) Every licensed distributor shall make a payment to a retailer in accordance with this section in respect of any payments that the retailer is required to make under subsection 79.1 (12) or (15) of the Act to low-volume consumers or designated consumers located in the licensed distributor's service area.

(2) The amount of the payment is the aggregate of all amounts payable under subsections 79.1 (12) and (15) of the Act to the consumers described in subsection (1).

(3) The licensed distributor shall make payment to the retailer by paying the retailer the amount described in subsection (2) or by way of set-off of the amount against amounts payable by the retailer to the licensed distributor.

(4) The licensed distributor shall make the payment,

(a) after receipt from the retailer of a statement setting out,

(i) the number of the retailer's low-volume consumers to whom the retailer is required to make a payment under subsection 79.1 (12) of the Act that are located in the licensed distributor's service area and the total amount payable by the retailer to those consumers, and

(ii) the number of the retailer's designated consumers to whom the retailer is required to make a payment under subsection 79.1 (15) of the Act that are located in the licensed distributor's service area and the total amount payable by the retailer to those consumers; and

(b) after the IMO makes the payment to the licensed distributor required by section 12.

(5) The licensed distributor shall make the payment in accordance with subsection (4) even if the retailer has not yet made any payments to low-volume consumers under subsection 79.1 (12) of the Act or to designated consumers under subsection 79.1 (15) of the Act.

(6) Every retailer shall provide the following information to the licensed distributor, the IMO and the Financial Corporation forthwith after making the payments required under subsections 79.1 (12) and (15) of the Act:

1. The number of the retailer's low-volume consumers to whom the retailer made a payment under subsection 79.1 (12) of the Act and the total amount paid by the retailer to those consumers.
2. The number of the retailer's designated consumers to whom the retailer made a payment under subsection 79.1 (15) of the Act and the total amount paid by the retailer to those consumers.

Payments by licensed distributors to embedded distributors

10. (1) Every licensed distributor who is a market participant shall make a payment in accordance with this section to an embedded distributor in respect of any payments the embedded distributor is required to make,

- (a) under subsection 79.1 (12) of the Act to low-volume consumers located in the embedded distributor's service area;
- (b) under subsection 79.1 (14) of the Act to designated consumers located in the embedded distributor's service area; or
- (c) under section 9 to a retailer.

(2) The amount of the payment is the aggregate of all amounts payable under subsections 79.1 (12) and (14) to the consumers described in subsection (1) and under section 9 to retailers.

(3) The licensed distributor shall make the payment to the embedded distributor by paying the embedded distributor the amount required by subsection (2) or by way of set-off of the amount against amounts payable by the embedded distributor to the licensed distributor.

- (4) The licensed distributor shall make the payment,
- (a) after receipt from the embedded distributor of a statement setting out,
 - (i) the number of the embedded distributor's low-volume consumers to whom the embedded distributor is required to make a payment under subsection 79.1 (12) of the Act and the total amount payable by the embedded distributor to those consumers,
 - (ii) the number of the embedded distributor's designated consumers to whom the embedded distributor is required to make a payment under subsection 79.1 (14) of the Act and the total amount payable by the embedded distributor to those consumers, and
 - (iii) all of the information in statements provided to the embedded distributor by retailers under clause 9 (4) (a); and
 - (b) after the IMO makes the payment to the licensed distributor required by section 12.

(5) The licensed distributor shall make the payment in accordance with subsection (4) even if the embedded distributor has not yet made any payments to low-volume consumers under subsection

79.1 (12) of the Act, to designated consumers under subsection 79.1 (14) of the Act or to retailers under section 9.

(6) Every embedded distributor shall provide the following information to the IMO and the Financial Corporation forthwith after making the payments required under subsections 79.1 (12) and (14) of the Act:

1. The number of the embedded distributor's low-volume consumers to whom the embedded distributor made a payment under subsection 79.1 (12) of the Act and the total amount paid by the embedded distributor to those consumers.
2. The number of the embedded distributor's designated consumers to whom the embedded distributor made a payment under subsection 79.1 (14) of the Act and the total amount paid by the embedded distributor to those consumers.

Payments to embedded distributors re reductions to equal billing plan accounts

11. (1) Every licensed distributor who is a market participant shall make a payment to an embedded distributor who is required to make a reduction in an equal billing plan account under subsection 79.1 (13) of the Act.

(2) The amount payable to the embedded distributor is the total of all amounts determined under subsection 79.1 (13) of the Act in respect of the equal billing plan accounts maintained by the embedded distributor.

(3) The licensed distributor shall make the payment to the embedded distributor by paying the embedded distributor the amount required by subsection (2) or by way of set-off of the amount against amounts payable by the embedded distributor to the licensed distributor.

(4) The licensed distributor shall make the payment to the embedded distributor,

- (a) after receipt from the embedded distributor of a statement setting out,
 - (i) the number of equal billing plan accounts for which the embedded distributor is required to make reductions under subsection 79.1 (13) of the Act, and
 - (ii) the amount determined under subsection (2); and
- (b) after the IMO makes the payment to the licensed distributor required by section 13.

(5) The licensed distributor shall make the payment even if the embedded distributor has not yet made any reductions required under subsection 79.1 (13) of the Act to the equal billing plan accounts.

(6) Every embedded distributor shall provide the following information to the IMO and the Financial Corporation forthwith after making the reductions required under subsection 79.1 (13) of the Act to equal billing plan accounts:

1. The number of equal billing plan accounts to which reductions were made under subsection 79.1 (13) of the Act.
2. The total amount of the reductions to those accounts made by the embedded distributor under subsection 79.1 (13) of the Act.

Payments by the IMO to licensed distributors

12. (1) The IMO shall make a payment to every licensed distributor who is a market participant and is required to make a payment described in section 9 to a retailer, and the payment that the IMO is required by this subsection to make is equal to the payment, if any, that the licensed distributor is required to make under section 9 to the retailer.

(2) The IMO shall make the payment required by subsection (1) to a licensed distributor after receiving a statement from the licensed distributor setting out the information, if any, provided to the licensed distributor under clause 9 (4) (a).

(3) The IMO shall make a payment to every licensed distributor who is a market participant and who is required to make a payment described in section 10 to an embedded distributor, and the payment that the IMO is required by this subsection to make is equal to the payment, if any, that the licensed distributor is required to make under section 10 to the embedded distributor.

(4) The IMO shall make the payment required by subsection (3) to a licensed distributor after receiving a statement from the licensed distributor setting out the information, if any, provided to the licensed distributor under clause 10 (4) (a).

(5) The IMO shall make a payment to every licensed distributor who is a market participant and who is required to make a payment under subsection 79.1 (12) or (14) of the Act, and the payment that the IMO is required by this subsection to make is equal to the aggregate of all amounts that the licensed distributor is required to pay under those subsections of the Act.

(6) The IMO shall make the payment required by subsection (5) to a licensed distributor after receiving a statement from the licensed distributor setting out,

- (a) the number of the licensed distributor's low-volume consumers to whom the licensed distributor is required to make a payment under subsection 79.1 (12) of the Act and the total amount payable by the licensed distributor to those consumers; and
- (b) the number of the licensed distributor's designated consumers to whom the licensed distributor is required to make a payment under subsection 79.1 (14) of the Act and the total amount payable by the licensed distributor to those consumers.

(7) The IMO shall make a payment required by this section to a licensed distributor by paying the licensed distributor an amount payable to the licensed distributor under this section or by way of set-off of the amount against amounts payable by the licensed distributor to the IMO.

(8) The IMO shall make the payments required by this section even if the licensed distributor has not yet made any payments to low-volume consumers under subsection 79.1 (12) of the Act, to designated consumers under subsection 79.1 (14) of the Act, to retailers under section 9 or to embedded distributors under section 10.

(9) Every licensed distributor who is a market participant shall provide the following information to the IMO and the Financial Corporation forthwith after making the payments required under subsections 79.1 (12) and (14) of the Act:

- 1. The number of the licensed distributor's low-volume consumers to whom the licensed distributor made a payment under subsection 79.1 (12) of the Act and the total amount paid by the licensed distributor to those consumers.
- 2. The number of the licensed distributor's designated consumers to whom the licensed distributor made a payment under subsection 79.1 (14) of the Act and the total amount paid by the licensed distributor to those consumers.

Payments to licensed distributors re reductions to equal billing plan accounts

13. (1) The IMO shall make a payment to every licensed distributor who is a market participant and who is required to make a reduction to an equal billing plan account under subsection 79.1 (13) of the Act or to make a payment to an embedded distributor

of the Act or to make a payment to an embedded distributor under section 11.

- (2) The amount payable to the licensed distributor is the total of,
 - (a) all amounts determined under subsection 79.1 (13) of the Act in respect of the equal billing plan accounts maintained by the licensed distributor; and
 - (b) all amounts the licensed distributor is required to pay embedded distributors under section 11.

(3) The IMO shall make the payment to the licensed distributor by paying the licensed distributor the amount determined under subsection (2) or by way of set-off of that amount against amounts payable by the licensed distributor to the IMO.

(4) The IMO shall make the payment after receiving from the licensed distributor a statement setting out,

- (a) the number of equal billing plan accounts for which the licensed distributor is required to make reductions under subsection 79.1 (13) of the Act;
- (b) the amount determined under subsection (2); and
- (c) the information provided to the licensed distributor by embedded distributors under clause 11 (4) (a).

(5) The IMO shall make the payment in accordance with subsection (4) even if the licensed distributor has not yet made any reductions required under subsection 79.1 (13) of the Act to the equal billing plan accounts or made any payments to embedded distributors under section 11.

(6) Every licensed distributor who is a market participant shall provide the following information to the IMO and the Financial Corporation forthwith after making the reductions required under subsection 79.1 (13) of the Act to equal billing plan accounts:

- 1. The number of equal billing plan accounts to which reductions were made under subsection 79.1 (13) of the Act by the licensed distributor.
- 2. The total amount of the reductions to those accounts made by the licensed distributor under subsection 79.1 (13) of the Act.

Payments by the Financial Corporation to the IMO

14. (1) The Financial Corporation shall make a payment to the IMO equal to the amount, if any, that the IMO is required to make to a licensed distributor under sections 12 and 13.

(2) The Financial Corporation shall make the payment after receiving from the IMO such information as the Financial Corporation may require concerning the licensed distributors, retailers and embedded distributors referred to in those sections and concerning the payments to be made by the IMO under those sections.

(3) The Financial Corporation shall make the payment even if the IMO has not yet made any payments to licensed distributors under those sections.

(4) The Financial Corporation may make the payment by paying the amount to the IMO or by way of set-off of the amount in the accounts maintained by the IMO, at the option of the Financial Corporation.

PAYMENTS RE SECTION 79.2 OF THE ACT

Payments by the Financial Corporation to the IMO

15. (1) The Financial Corporation shall make a payment to the IMO equal to the aggregate of all amounts the IMO is required to pay low-volume consumers and designated consumers under subsection 79.2 (1) of the Act.

(2) The Financial Corporation shall make the payment after receiving from the IMO a statement setting out,

- (a) the number of low-volume consumers to whom the IMO is required to make a payment under subsection 79.2 (1) of the Act and the total amount payable by the IMO to those consumers; and
- (b) the number of designated consumers to whom the IMO is required to make a payment under subsection 79.2 (1) of the Act and the total amount payable by the IMO to those consumers.

(3) The Financial Corporation shall make the payment even if the IMO has not yet made any payments under subsection 79.2 (1) of the Act.

(4) The Financial Corporation may make the payment by paying the amount to the IMO or by way of set-off of the amount in the accounts maintained by the IMO, at the option of the Financial Corporation.

(5) The IMO shall provide the following information to the Financial Corporation forthwith after making the payments under subsections 79.2 (1) of the Act:

- 1. The number of low-volume consumers to whom the IMO made a payment under subsection 79.2 (1) of the Act and the total amount paid by the IMO to those consumers.
- 2. The number of designated consumers to whom the IMO made a payment under subsection 79.2 (1) of the Act and the total amount paid by the IMO to those consumers.

GENERAL

Reporting requirements

16. All statements and other information that a retailer, embedded distributor, licensed distributor or the IMO is required by this Regulation to provide shall be provided in such form and manner as the Financial Corporation may require.

Reliance on certain information

17. (1) For the purposes of the payments that the IMO is required by this Regulation to make, the IMO shall rely upon the information provided to it by the licensed distributor.

(2) For the purposes of the payments that a licensed distributor is required by section 2 or 9 to make, the licensed distributor shall rely upon the information provided to it by the retailer.

(3) For the purposes of the payments that a licensed distributor is required by section 3, 4, 10 or 11 to make, the licensed distributor shall rely upon the information provided to it by the embedded distributor.

2/03

ONTARIO REGULATION 435/02

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 23, 2002
Filed: December 24, 2002

PAYMENTS RE SECTION 79.4 OF THE ACT

INTERPRETATION

Interpretation

1. (1) Expressions used in this Regulation have the same meaning as in Part V of the Act, except where otherwise indicated.

(2) In this Regulation,

“contract price” means, with reference to a designated contract, the amount that would be payable for electricity by the consumer under the contract, but for the operation of section 79.4 of the Act;

“designated contract” means a contract entered into on or before November 11, 2002 between a low-volume or designated consumer and a retailer with respect to which a service transaction request as defined in the Retail Settlement Code is or has been implemented to enable the consumer to purchase electricity from a competitive retailer as defined in the Retail Settlement Code, but does not include a contract renewed after December 9, 2002;

“distributor” means a distributor who is licensed under Part V of the Act;

“embedded distributor” means a distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a distributor who is a market participant and who distributes electricity to another distributor who is not a market participant;

“low-volume and designated consumers” means those low-volume consumers and designated consumers to whom subsection 79.4 (1) of the Act applies;

“participating retailer” means a retailer who has entered into one or more designated contracts;

“statutory price” means the commodity price for electricity described in subsection 79.4 (1) of the Act.

(3) In this Regulation, a reference to a volume of electricity distributed by a distributor includes the volume attributed to the distributor’s consumers or to an embedded distributor for total losses as defined in the Retail Settlement Code.

(4) Payments required by this Regulation are in addition to any payments that may be required by the Retail Settlement Code.

Application

2. This Regulation applies with respect to electricity used on or after December 1, 2002 by low-volume and designated consumers.

DETAILS OF REQUIRED PAYMENTS

Payments re IMO sales directly to consumers

3. (1) In this section,

“A” is the amount payable by low-volume and designated consumers to the IMO for electricity for a month, calculated at the statutory price, for the net volume of electricity withdrawn from the IMO-controlled grid by those consumers, other than the volume of electricity, if any, purchased during the month by those consumers pursuant to physical bilateral contracts submitted to the IMO in accordance with the market rules,

“B” is the amount that would be payable by the same consumers to the IMO for electricity for the same month, calculated under the market rules, for the same volume of electricity in the same circumstances.

(2) If there is a difference between “A” and “B”, the IMO shall give the Financial Corporation such information as it may specify with respect to the payment required by this section, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If “A” is greater than “B”, the IMO shall pay an amount equal to the difference between “A” and “B” to the Financial Corporation and shall do so before the expiry of the period specified by the Financial Corporation.

(4) If “B” is greater than “A”, the Financial Corporation shall pay an amount equal to the difference between “A” and “B” to the IMO after receiving the information required by subsection (2) from the IMO.

(5) If, under section 12, the Financial Corporation establishes requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for “A” and “B”.

Payments re distributors

4. (1) In this section,

“C” is the amount payable for electricity for a month by a distributor who is a market participant, calculated at the statutory price, for the net volume of electricity withdrawn by the distributor from the IMO-controlled grid during the month and distributed by the distributor to low-volume and designated consumers in the distributor’s service area, other than to those low-volume and designated consumers, if any, who have designated contracts with a participating retailer who is using retailer-consolidated billing,

“D” is the amount that would be payable by the distributor for electricity for the same month, calculated under the market rules, for the same volume of electricity distributed by the distributor to the same persons in the same circumstances.

(2) If there is a difference between a distributor’s “C” and “D”,

(a) the distributor shall give the IMO such information as it may specify with respect to the payments required by this section, in the form specified by the IMO and before the expiry of the period specified by the IMO; and

(b) the IMO shall give the Financial Corporation such information as it may specify with respect to those payments, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If a distributor’s “C” is greater than “D”, an amount equal to the difference between “C” and “D” is payable as follows:

1. The distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO.

2. The IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (2) (a) from the distributor and before the expiry of the period specified by the Financial Corporation.

(4) If a distributor’s “C” is less than “D”, an amount equal to the difference between “C” and “D” is payable as follows:

1. The Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (2) (b) from the IMO.

2. The IMO shall pay that amount to the distributor after receiving the information required by clause (2) (a) from the distributor.

(5) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for “C” and “D”.

(6) This section does not apply with respect to PUC Distribution Inc. or Fort Frances Power Corporation Distribution Inc.

Payments re embedded generators

5. (1) In this section,

“E” is the amount that would be payable by a distributor who is a market participant to an embedded generator for electricity for a month, calculated at the statutory price, for the volume of electricity supplied by the embedded generator to the distributor during the month, adjusted for total losses as required by the Retail Settlement Code, and then distributed by the distributor to low-volume and designated consumers, other than to those low-volume and designated consumers, if any, who have designated contracts with a participating retailer who is using retailer-consolidated billing,

“F” is the amount payable by the distributor to the embedded generator for electricity for the same month, calculated under the Retail Settlement Code, for the same volume of electricity distributed by the distributor to the same persons in the same circumstances.

(2) If there is a difference between an embedded generator’s “E” in relation to a distributor and “F”,

(a) the distributor shall give the IMO such information as it may specify with respect to those payments, in the form specified by the IMO and before the expiry of the period specified by the IMO; and

(b) the IMO shall give the Financial Corporation such information as it may specify with respect to those payments, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If an embedded generator’s “E” in relation to a distributor is greater than “F”, an amount equal to the difference between “E” and “F” is payable as follows:

1. The distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO.

2. The IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (2) (b) from the distributor and before the expiry of the period specified by the Financial Corporation.

(4) If an embedded generator’s “E” in relation to a distributor is less than “F”, an amount equal to the difference between “E” and “F” is payable as follows:

1. The Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (2) (b) from the IMO.

2. The IMO shall pay that amount to the distributor after receiving the information required by clause (2) (a) from the distributor.

(5) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for “E” and “F”.

(6) This section does not apply with respect to PUC Distribution Inc. or Fort Frances Power Corporation Distribution Inc.

Payments re embedded distributors

6. (1) In this section,

“G” is the amount payable by an embedded distributor for electricity for a month, calculated at the statutory price, for the volume of electricity distributed during the month by an

embedded distributor's host distributor to the embedded distributor, and then by the embedded distributor to low-volume and designated consumers in the embedded distributor's service area, other than to those low-volume and designated consumers, if any, who have designated contracts with a participating retailer who is using retailer-consolidated billing.

"H" is the amount that would be payable by the embedded distributor for electricity for the same month, calculated under the Retail Settlement Code, for the same volume of electricity distributed by and to the same persons in the same circumstances.

(2) If there is a difference between an embedded distributor's "G" in relation to a host distributor and "H",

- (a) the embedded distributor shall give its host distributor such information as the IMO may specify with respect to the payments required by this section and shall do so before the expiry of the period specified by the host distributor;
- (b) the host distributor shall give the IMO such information as the IMO may specify with respect to those payments, in the form specified by the IMO and before the expiry of the period specified by the IMO; and
- (c) the IMO shall give the Financial Corporation such information as it may specify with respect to those payments, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If an embedded distributor's "G" in relation to a host distributor is greater than "H", an amount equal to the difference between "G" and "H" is payable as follows:

1. The embedded distributor shall pay that amount to the host distributor before the expiry of the period specified by the Board.
2. The host distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO.
3. The IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (2) (b) from the host distributor and before the expiry of the period specified by the Financial Corporation.

(4) If an embedded distributor's "G" in relation to a host distributor is less than "H", an amount equal to the difference between "G" and "H" is payable as follows:

1. The Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (2) (c) from the IMO.
2. The IMO shall pay that amount to the host distributor after receiving the information required by clause (2) (b) from the host distributor.
3. The host distributor shall pay that amount to the embedded distributor before the expiry of the period specified by the Board.

(5) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for "G" and "H".

Payments re embedded generator within an embedded distributor

7. (1) In this section,

"J" is the amount that would be payable by an embedded distributor to an embedded generator for electricity for a month, calculated at the statutory price, for the volume of electricity supplied by the embedded generator to the embedded distributor during the month, adjusted for total losses as required by the Retail Settlement Code, and then distributed by the embedded distributor to low-volume and designated consumers, other than to those low-volume and designated consumers, if any, who have designated contracts with a participating retailer who is using retailer-consolidated billing.

"K" is the amount payable by the embedded distributor to the embedded generator for electricity for the same month, calculated under the Retail Settlement Code, for the same volume of electricity distributed by the embedded distributor to the same persons in the same circumstances.

(2) If there is a difference between an embedded distributor's "J" in relation to an embedded generator and "K",

- (a) the embedded distributor shall give its host distributor such information as the IMO may specify with respect to the payments required by this section and shall do so before the expiry of the period specified by the host distributor;
- (b) the host distributor shall give the IMO such information as it may specify with respect to those payments, in the form specified by the IMO and before the expiry of the period specified by the IMO; and
- (c) the IMO shall give the Financial Corporation such information as it may specify with respect to those payments, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If an embedded distributor's "J" in relation to an embedded generator is greater than "K", an amount equal to the difference between "J" and "K" is payable as follows:

1. The embedded distributor shall pay that amount to its host distributor before the expiry of the period specified by the Board.
2. The host distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO.
3. The IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (2) (b) from the host distributor and before the expiry of the period specified by the Financial Corporation.

(4) If an embedded distributor's "K" in relation to an embedded generator is greater than "J", an amount equal to the difference between "J" and "K" is payable as follows:

1. The Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (2) (c) from the IMO.
2. The IMO shall pay that amount to the embedded distributor's host distributor after receiving the information required by clause (2) (b) from the host distributor.
3. The host distributor shall pay that amount to the embedded distributor before the expiry of the period specified by the Board.

(5) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for "J" and "K".

Payments re retailers using distributor-consolidated billing

8. (1) If a distributor is required by the Retail Settlement Code to pay an amount for electricity with respect to a designated contract to a retailer who is using distributor-consolidated billing for the contract,

- (a) the distributor shall give the IMO such information as it may specify with respect to the payment, in the form specified by the IMO and before the expiry of the period specified by the IMO;
- (b) the IMO shall give the Financial Corporation such information as it may specify with respect to the payment, in the form specified by the IMO and before the expiry of the period specified by the Financial Corporation;
- (c) the Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (b) from the IMO; and
- (d) the IMO shall pay that amount to the distributor after receiving the information required by clause (a) from the distributor.

(2) If a retailer who is using distributor-consolidated billing for a designated contract is required by the Retail Settlement Code to pay an amount for electricity to a distributor with respect to the contract,

- (a) the distributor shall give the IMO such information as it may specify with respect to the payment, in the form specified by the IMO and before the expiry of the period specified by the IMO;
- (b) the IMO shall give the Financial Corporation such information as it may specify with respect to the payment, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation;
- (c) the distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO; and
- (d) the IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (a) from the distributor and before the expiry of the period specified by the Financial Corporation.

(3) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1) and (2) apply with necessary modifications with respect to the estimated amounts.

Payments re retailers using distributor-consolidated billing, embedded distributor

9. (1) If an embedded distributor is required by the Retail Settlement Code to pay an amount for electricity with respect to a designated contract to a retailer who is using distributor-consolidated billing for the contract,

- (a) the embedded distributor shall give its host distributor such information as the IMO may specify with respect to the payment and shall do so before the expiry of the period specified by the host distributor;
- (b) the host distributor shall give the IMO such information as it may specify with respect to the payment, in the form specified by the IMO and before the expiry of the period specified by the IMO;
- (c) the IMO shall give the Financial Corporation such information as it may specify with respect to the payment, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation;

(d) the Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (c) from the IMO;

(e) the IMO shall pay that amount to the host distributor after receiving the information required by clause (b) from the host distributor; and

(f) the host distributor shall pay that amount to the embedded distributor before the expiry of the period specified by the Board.

(2) If a retailer who is using distributor-consolidated billing for a designated contract is required by the Retail Settlement Code to pay an amount for electricity to an embedded distributor with respect to the contract,

(a) the embedded distributor shall give its host distributor such information as the IMO may specify with respect to the payment and shall do so before the expiry of the period specified by the host distributor;

(b) the host distributor shall give the IMO such information as it may specify with respect to the payment, in the form specified by the IMO and before the expiry of the period specified by the IMO;

(c) the IMO shall give the Financial Corporation such information as it may specify with respect to the payment, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation;

(d) the embedded distributor shall pay that amount to the host distributor before the expiry of the period specified by the Board;

(e) the host distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO; and

(f) the IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (b) from the host distributor and before the expiry of the period specified by the Financial Corporation.

(3) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1) and (2) apply with necessary modifications with respect to the estimated amounts.

Payments re retailers using retailer-consolidated billing

10. (1) In this section,

“L” is the amount, calculated at the statutory price, that is payable for electricity under a designated contract by a consumer in a distributor’s service area to a participating retailer who is using retailer-consolidated billing, for the volume of electricity supplied under the contract,

“M” is the contract price for the same electricity.

(2) If there is a difference between a participating retailer’s “L” in respect of a designated contract and “M”,

(a) the retailer shall give the distributor such information as the IMO may specify with respect to the payment and shall do so before the expiry of the period specified by the distributor;

(b) the distributor shall give the IMO such information as it may specify with respect to the payment, in the form specified by the IMO and before the expiry of the period specified by the IMO; and

(c) the IMO shall give the Financial Corporation such information as it may specify with respect to the payment, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If a participating retailer's "L" in respect of a designated contract is greater than "M", an amount equal to the difference between "L" and "M" is payable as follows:

1. The retailer shall pay that amount to the distributor before the expiry of the period specified by the Board.
2. The distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO.
3. The IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (2) (b) from the distributor and before the expiry of the period specified by the Financial Corporation.

(4) If a participating retailer's "L" in respect of a designated contract is less than "M", an amount equal to the difference between "L" and "M" is payable as follows:

1. The Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (2) (c) from the IMO.
2. The IMO shall pay that amount to the distributor after receiving the information required by clause (2) (b) from the distributor.
3. The distributor shall pay that amount to the retailer before the expiry of the period specified by the Board.

(5) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for "L" and "M".

Payments re retailers using retailer-consolidated billing, embedded distributor

11. (1) In this section,

"N" is the amount, calculated at the statutory price, that is payable for electricity under a designated contract by a consumer in an embedded distributor's service area to a participating retailer who is using retailer-consolidated billing, for the volume of electricity supplied under the contract,

"P" is the contract price for the same electricity.

(2) If there is a difference between a participating retailer's "N" in respect of a designated contract and "P",

- (a) the retailer shall give the embedded distributor such information as the IMO may specify with respect to the payments required by this section and shall do so before the expiry of the period specified by the embedded distributor;
- (b) the embedded distributor shall give its host distributor such information as the IMO may specify with respect to those payments and shall do so before the expiry of the period specified by the host distributor;
- (c) the host distributor shall give the IMO such information as it may specify with respect to those payments, in the form specified by the IMO and before the expiry of the period specified by the IMO;

(d) the IMO shall give the Financial Corporation such information as it may specify with respect to those payments, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If a participating retailer's "N" in respect of a designated contract is greater than "P", an amount equal to the difference between "N" and "P" is payable as follows:

1. The retailer shall pay that amount to the embedded distributor before the expiry of the period specified by the Board.
2. The embedded distributor shall pay that amount to its host distributor before the expiry of the period specified by the Board.
3. The host distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO.
4. The IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (2) (c) from the host distributor and before the expiry of the period specified by the Financial Corporation.

(4) If the participating retailer's "N" in respect of a designated contract is less than "P", an amount equal to the difference between "N" and "P" is payable as follows:

1. The Financial Corporation shall pay that amount to the IMO after receiving the information required by clause (2) (d) from the IMO.
2. The IMO shall pay that amount to the host distributor after receiving the information required by clause (2) (c) from the host distributor.
3. The host distributor shall pay that amount to the embedded distributor before the expiry of the period specified by the Board.
4. The embedded distributor shall pay that amount to the retailer before the expiry of the period specified by the Board.

(5) If, under section 12, the Financial Corporation and the IMO establish requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for "N" and "P".

PAYMENT AND REPORTING REQUIREMENTS

Interim payments based on estimates

12. (1) The Financial Corporation may establish requirements that provide for interim payments based on estimates and for subsequent adjustments under any of the following provisions:

1. Subsections 3 (3) and (4).
2. Paragraph 2 of subsection 4 (3) and paragraph 1 of subsection 4 (4).
3. Paragraph 2 of subsection 5 (3) and paragraph 1 of subsection 5 (4).
4. Paragraph 3 of subsection 6 (3) and paragraph 1 of subsection 6 (4).
5. Paragraph 3 of subsection 7 (3) and paragraph 1 of subsection 7 (4).
6. Clauses 8 (1) (c) and (2) (d).
7. Clauses 9 (1) (d) and (2) (f).

8. Paragraph 3 of subsection 10 (3) and paragraph 1 of subsection 10 (4).
9. Paragraph 4 of subsection 11 (3) and paragraph 1 of subsection 11 (4).

(2) The IMO may establish requirements that provide for interim payments based on estimates and for subsequent adjustments under any of the following provisions:

1. Paragraph 1 of subsection 4 (3) and paragraph 2 of subsection 4 (4).
2. Paragraph 1 of subsection 5 (3) and paragraph 2 of subsection 5 (4).
3. Paragraph 2 of subsection 6 (3) and paragraph 2 of subsection 6 (4).
4. Paragraph 2 of subsection 7 (3) and paragraph 2 of subsection 7 (4).
5. Clauses 8 (1) (d) and (2) (c).
6. Clauses 9 (1) (e) and (2) (e).
7. Paragraph 2 of subsection 10 (3) and paragraph 2 of subsection 10 (4).
8. Paragraph 3 of subsection 11 (3) and paragraph 2 of subsection 11 (4).

(3) If the IMO establishes requirements that provide for interim payments and subsequent adjustments under section 6, 7, 9, 10 or 11, the Board may specify different periods for the interim payments and subsequent adjustments under any of the following corresponding provisions:

1. Paragraph 1 of subsection 6 (3) and paragraph 3 of subsection 6 (4).
2. Paragraph 1 of subsection 7 (3) and paragraph 3 of subsection 7 (4).
3. Clauses 9 (1) (f) and (2) (d).
4. Paragraph 1 of subsection 10 (3) and paragraph 3 of subsection 10 (4).
5. Paragraphs 1 and 2 of subsection 11 (3) and paragraphs 3 and 4 of subsection 11 (4).

Rules re calculations

13. (1) Any calculations required for the purposes of this Regulation shall be made in accordance with such rules as may be established by the Minister.

(2) If, in a month,

- (a) a distributor withdraws electricity from the IMO-controlled grid; and
- (b) an embedded generator also supplies electricity to the distributor,

the volume of electricity that was distributed during that month by the distributor to low-volume and designated consumers within the distributor's service area shall be deemed to consist of electricity withdrawn by the distributor from the IMO-controlled grid or supplied to the distributor by an embedded generator, as the case may be, in the same proportion as the total volume of electricity withdrawn from the IMO-controlled grid by the distributor during the month bears to the total volume of electricity supplied to the distributor by embedded generators during the month.

(3) Subsection (2) applies, with necessary modifications, with respect to embedded distributors.

Reporting to the Financial Corporation

14. Upon request, the IMO, a distributor, embedded generator, embedded distributor or retailer shall give the Financial Corporation such information relating to payments required by this Regulation as the Financial Corporation may require, in the form and within the period specified by the Financial Corporation.

Method of payment

15. (1) Payments between the IMO and the Financial Corporation that are required by this Regulation may be made by way of set-off in the accounts maintained by the IMO, at the option of the Financial Corporation.

(2) Payments between distributors and the IMO that are required by this Regulation may be made by way of set-off in the accounts maintained by the IMO, at the option of the IMO.

(3) Payments between an embedded distributor and its host distributor that are required by this Regulation may be made by way of set-off in the accounts maintained by the host distributor, at the option of the host distributor.

(4) Payments between a participating retailer and a distributor who is a market participant that are required by this Regulation may be made by way of set-off in the accounts maintained by the distributor, at the option of the distributor.

(5) Payments between a participating retailer and an embedded distributor that are required by this Regulation may be made by way of set-off in the accounts maintained by the embedded distributor, at the option of the embedded distributor.

Timing of payment by the IMO

16. The IMO shall make each payment to a distributor that is required by this Regulation after the IMO receives the required information from the distributor in accordance with this Regulation, and the payment shall be reflected in the first invoice sent to the distributor after the IMO receives that information from the distributor.

Reliance on certain information

17. (1) For the purposes of the payments required by this Regulation between the IMO and the Financial Corporation or distributors, the IMO shall rely upon the information provided to it by the distributors.

(2) For the purposes of payments required by this Regulation between host distributors and embedded distributors, host distributors shall rely upon the information provided to them by the embedded distributors.

(3) For the purposes of the payments required by section 8 or 10 between distributors and the IMO or participating retailers, distributors shall rely upon the information provided to them by the retailers.

(4) For the purposes of payments required by section 9 or 11 between embedded distributors and host distributors or participating retailers, embedded distributors shall rely upon the information provided to them by the retailers.

2/03

ONTARIO REGULATION 436/02

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 23, 2002

Filed: December 24, 2002

PAYMENTS RE VARIOUS ELECTRICITY-RELATED CHARGES**Interpretation**

1. (1) Expressions used in this Regulation have the same meaning as in Part V of the Act, except where otherwise indicated.

(2) In this Regulation,

“authorized charge” means 0.62 cents per kilowatt hour;

“distributor” means a distributor who is licensed under Part V of the Act;

“embedded distributor” means a distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a distributor who is a market participant and who distributes electricity to another distributor who is not a market participant;

“low-volume and designated consumers” means the low-volume consumers and designated consumers to whom subsection 79.4 (1) of the Act applies and who are market participants.

(3) Payments required by this Regulation are in addition to any payments required by the Retail Settlement Code.

Restriction on charges

2. (1) The IMO shall not require low-volume and designated consumers to pay a charge other than the authorized charge for the operation of the IMO-administered markets, the operation of the IMO-controlled grid and the rate protection provided under section 79 of the Act for rural and remote consumers.

(2) The IMO shall not require distributors to pay a charge other than the authorized charge for the operation of the IMO-administered markets, the operation of the IMO-controlled grid and the rate protection provided under section 79 of the Act for rural and remote consumers.

(3) The authorized charge does not include any amount that may be payable in respect of,

- (a) a charge that, in the opinion of the Board, is a non-recurring wholesale market service charge;
- (b) a charge that is a commodity price for electricity;
- (c) a charge that is a transmission services charge as defined in the market rules; or
- (d) a charge that is a debt retirement charge levied under subsection 85 (5) of the *Electricity Act, 1998*.

Payments between the IMO and the Financial Corporation

3. (1) In this section,

“A” is the authorized charge,

“B” is the rate that would be payable for the operation of the IMO-administered markets, the operation of the IMO-controlled grid and the rate protection provided under section 79 of the Act for rural or remote consumers, if charges for these items were to be determined in accordance with the market rules, excluding the charges described in clauses 2 (3) (a) to (d),

“C” is the volume of electricity withdrawn from the IMO-controlled grid during a month by a low-volume or designated consumer, as determined under the market rules,

“D” is the volume of electricity withdrawn from the IMO-controlled grid during a month by a distributor, as determined under the market rules.

(2) If there is a difference between “A” and “B” in respect of a month the IMO shall give the Financial Corporation such information as it may specify with respect to the payments required by this section, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation.

(3) If “A” is greater than “B” in respect of a month, the following payments are required:

1. For each low-volume and designated consumer, the IMO shall pay the Financial Corporation the amount calculated using the formula $(A - B) \times C$ and shall do so before the expiry of the period specified by the Financial Corporation.
2. For each distributor, the IMO shall pay the Financial Corporation the amount calculated using the formula $(A - B) \times D$ and shall do so before the expiry of the period specified by the Financial Corporation.

(4) If “A” is less than “B” in respect of a month, the following payments are required:

1. For each low-volume and designated consumer, the Financial Corporation shall pay the IMO the amount calculated using the formula $(B - A) \times C$.
2. For each distributor, the Financial Corporation shall pay the IMO the amount calculated using the formula $(B - A) \times D$.

(5) If, under subsection 5 (1), the Financial Corporation establishes requirements that provide for interim payments based on estimates and for subsequent adjustments, subsections (2), (3) and (4) apply with necessary modifications with respect to the estimated amounts for “B”, “C” and “D” and the subsequent adjustments to those amounts.

Payments re embedded generators

4. (1) In this section,

“A” is the authorized charge,

“E” is the volume of electricity purchased by a distributor who is a market participant from an embedded generator during a month, adjusted for total losses as required by the Retail Settlement Code,

“F” is the volume of electricity purchased by an embedded distributor from an embedded generator during a month, adjusted for total losses as required by the Retail Settlement Code.

(2) If a distributor who is a market participant purchases electricity during a month from an embedded generator,

- (a) the distributor shall give the IMO such information as it may specify with respect to the payments required by this section, in the form specified by the IMO and before the expiry of the period specified by the IMO;

- (b) the IMO shall give the Financial Corporation such information as it may specify with respect to those payments, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation;
- (c) the distributor shall pay the amount calculated using the formula “A × E” to the IMO before the expiry of the period specified by the IMO; and
- (d) the IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (a) from the distributor and before the expiry of the period specified by the Financial Corporation.
- (3) If an embedded distributor purchases electricity during a month from an embedded generator,
- (a) the embedded distributor shall give its host distributor such information as the IMO may specify with respect to the payments required by this section and shall do so before the expiry of the period specified by the host distributor;
- (b) the host distributor shall give the IMO such information as it may specify with respect to those payments, in the form specified by the IMO and before the expiry of the period specified by the IMO; and
- (c) the IMO shall give the Financial Corporation such information as it may specify with respect to those payments, in the form specified by the Financial Corporation and before the expiry of the period specified by the Financial Corporation;
- (d) the embedded distributor shall pay the amount calculated using the formula “A × F” to the host distributor and shall do so before the expiry of the period specified by the Board;
- (e) the host distributor shall pay that amount to the IMO before the expiry of the period specified by the IMO; and
- (f) the IMO shall pay that amount to the Financial Corporation after receiving the information required by clause (b) from the host distributor and before the expiry of the period specified by the Financial Corporation.

(4) If, under subsection 5 (1), the Financial Corporation establishes requirements that provide for interim payments based on estimates and for subsequent adjustments, clauses (2) (b) and (d) and (3) (c) and (f) apply with necessary modifications with respect to the estimated amounts for “E” and “F” and the subsequent adjustments to those amounts.

(5) If, under subsection 5 (2), the IMO establishes requirements that provide for interim payments based on estimates and for subsequent adjustments, clauses (2) (a) and (c) and (3) (a), (b), (d) and (e) apply with necessary modifications with respect to the estimated amounts for “E” and “F” and the subsequent adjustments to those amounts.

Interim payments based on estimates

5. (1) The Financial Corporation may establish requirements that provide for interim payments under subsections 3 (3) and (4) or under clauses 4 (2) (d) and (3) (f) based on estimates and for subsequent adjustments.

(2) The IMO may establish requirements that provide for interim payments under clauses 4 (2) (c) and (3) (d) and (e) based on estimates and for subsequent adjustments.

(3) If the IMO establishes requirements that provide for interim payments under clauses 4 (3) (d) and subsequent adjustments, the Board may specify different periods for the interim payments and subsequent adjustments.

Rules for calculations

6. Any calculations required for the purposes of this Regulations shall be made in accordance with such rules as may be established by the Minister.

Reporting to the Financial Corporation

7. Upon request, the IMO, a distributor, embedded generator or embedded distributor shall give the Financial Corporation such information relating to payments required by this Regulation as the Financial Corporation may require, in the form and within the period specified by the Financial Corporation.

Method of payment

8. (1) Payments between the IMO and the Financial Corporation that are required by this Regulation may be made by way of set-off in the accounts maintained by the IMO, at the option of the Financial Corporation.

(2) Payments between distributors and the IMO that are required by this Regulation may be made by way of set-off in the accounts maintained by the IMO, at the option of the IMO.

(3) Payments between embedded distributors and host distributors that are required by section 5 may be made by way of set-off in the accounts maintained by the host distributor, at the option of the host distributor.

Reliance on certain information

9. (1) For the purposes of payments between the IMO and the Financial Corporation or between the IMO and distributors that are required by this Regulation, the IMO shall rely upon the information provided to it by the distributors.

(2) For the purposes of payments between host distributors and embedded distributors that are required by section 4, host distributors shall rely upon the information provided to them by the embedded distributors.

2/03

ONTARIO REGULATION 437/02

made under the

MUNICIPAL ACT, 2001

Made: December 23, 2002

Filed: December 24, 2002

Amending O. Reg. 311/01

(Tax Ratios — City of Owen Sound)

Note: Ontario Regulation 311/01 has not previously been amended.

1. The definition of “single-tier municipality” in section 1 of Ontario Regulation 311/01 is revoked.

2. (1) Subsections 2 (1), (2), (3) and (4) of the Regulation are revoked and the following substituted:

Tax ratios

(1) The City shall establish tax ratios for the City under subsection 308 (4) of the Act that may be different from the tax ratios established by the County under subsection 308 (5) of the Act and, for the purposes of section 308 of the Act, the City shall be deemed to be a single-tier municipality.

(2) The City shall establish its tax ratios on or before April 30 of the year or such later date as the Minister of Finance may prescribe under subsection 308 (19) of the Act.

(3) The City shall use the tax ratios established by the City under subsection 308 (4) of the Act to calculate with respect to each local municipality levy of the City under section 312 of the Act a separate tax rate on the assessment in each property class in the City rateable for purposes of the local municipality levy.

(4) The City shall establish and levy, with respect to each upper-tier levy of the County under section 311 of the Act, a separate tax rate on the assessment in each property class in the City rateable for purposes of the upper-tier levy sufficient to raise the City's portion of the upper-tier levy calculated under section 3 of this Regulation.

(2) Subsection 2 (5) of the Regulation is amended by striking out "subsection 363 (3)" and substituting "subsection 308 (4)".

(3) Subsection 2 (6) of the Regulation is revoked and the following substituted:

(6) Subsections 311 (7) to (9) and (22) to (25) of the Act apply with necessary modifications to the tax rates established by the City for its purposes under subsection (4) and by the County for the purposes of the rest of the County under section 311 of the Act as if the City and rest of the County were two separate upper-tier municipalities.

(4) Subsection 2 (7) of the Regulation is amended by striking out "section 366" and substituting "section 311".

(5) Section 2 of the Regulation is amended by adding the following subsection:

(8) In 2006, the City and the County shall prepare and forward a joint report to the Minister of Finance highlighting the extent to which the tax ratios adopted by the City under subsection (1) over the period 2001 to 2006 are gradually becoming more consistent with the tax ratios adopted by the County under subsection 308 (5) of the Act, and under the predecessor of that subsection, over the same period.

3. (1) Subsection 3 (1) of the Regulation is amended by striking out "section 366" in the portion before the formula and substituting "section 311".

(2) The definition of "weighted assessment" in subsection 3 (2) of the Regulation is amended by striking out "subsection 363 (4)" and substituting "subsection 308 (5)".

4. (1) Subsection 4 (1) of the Regulation is revoked and the following is substituted:

Different treatment for City

(1) The County may treat the City differently from the rest of the County under the following provisions:

1. Subsection 2 (3.1) of the *Assessment Act* (optional property classes).
2. Section 314 of the Act (graduated tax rates).
3. Sections 372, 372.1 and 372.2 of the *Municipal Act*, as it read on December 31, 2002 and section 318 of the Act (tax phase-in).
4. Section 319 of the Act (tax relief for seniors and persons with disabilities).
5. Section 330 of the Act (recovery of revenues for 2003 and subsequent years).

6. Section 361 of the Act (rebates for charities).

7. Section 362 of the Act (tax reductions).

(2) Subsection 4 (4) of the Regulation is revoked.

5. This Regulation comes into force on the later of the day it is filed and January 1, 2003.

CHRIS HODGSON

Minister of Municipal Affairs and Housing

Dated on December 23, 2002.

2/03

ONTARIO REGULATION 438/02

made under the

CITY OF TORONTO ACT, 1997

Made: December 23, 2002

Filed: December 24, 2002

Amending O. Reg. 191/00

(Ward Descriptions)

Note: Ontario Regulation 191/00 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. Subsection 1 (1) of Ontario Regulation 191/00 is amended by striking out the headings and descriptions of "Ward 27 — Toronto Centre-Rosedale" and "Ward 28 — Toronto Centre-Rosedale" and substituting the following:

WARD 27 — TORONTO CENTRE-ROSEDALE

Ward 27 — Toronto Centre-Rosedale, consisting of that part of the City of Toronto described as follows:

Beginning at the intersection of the centre line of Avenue Road with the centre line of the Canadian Pacific Railway;

Thence easterly along the centre line of said Railway to the centre line of Yonge Street;

Thence northerly along the centre line of Yonge Street to the centre line of Woodlawn Avenue East;

Thence easterly along the centre line of Woodlawn Avenue East to the westerly limit of Rosehill Reservoir;

Thence northerly along the westerly limit of the said Reservoir to Rosehill Avenue;

Thence easterly along Rosehill Avenue and its easterly production to the centre line of the Vale of Avoca Ravine;

Thence northerly along the centre line of the said ravine to the southerly limit of the Mount Pleasant Cemetery;

Thence in an easterly direction along the southerly limit of Mount Pleasant Cemetery to the intersection with the northerly production of the easterly limit of the former City of Toronto;

Thence southerly, southeasterly and easterly along the easterly limit of said former City to the centre line of the Don River;

Thence generally southerly along the centre line of the Don River to the southeasterly production of the centre line of Rose-dale Valley Road;

Thence northwesterly along the southeasterly production of the centre line of Rosedale Valley Road and the centre line of Rosedale Valley Road to the centre line of Bloor Street East;

Thence westerly along the centre line of Bloor Street East to the centre line of Sherbourne Street;

Thence southerly along the centre line of Sherbourne Street to the centre line of Queen Street East;

Thence westerly along the centre lines of Queen Street East and Queen Street West to the centre line of University Avenue;

Thence northerly along the centre lines of University Avenue, Queen's Park Crescent West, Queen's Park and Avenue Road to the point of beginning.

WARD 28 — TORONTO CENTRE-ROSEDALE

Ward 28 — Toronto Centre-Rosedale consisting of that part of the City of Toronto described as follows:

Beginning at the intersection of the centre lines of University Avenue and Queen Street West;

Thence easterly along the centre lines of Queen Street West and Queen Street East to the centre line of Sherbourne Street;

Thence northerly along the centre line of Sherbourne Street to the centre line of Bloor Street East;

Thence easterly along the centre line of Bloor Street East to the centre line of Rosedale Valley Road;

Thence southeasterly along the centre line of Rosedale Valley Road and its southeasterly production to the centre line of the Don River;

Thence generally southerly along the centre line of the Don River to the centre line of the Keating Channel;

Thence westerly along the centre line of the Keating Channel to the southerly production of the centre line of Parliament Street;

Thence southerly in a straight line to the southerly extremity of the centre line of the Eastern Channel of Toronto Harbour;

Thence south 5° 00' west to the southerly limit of the City of Toronto;

Thence generally northwesterly along the southerly limit of the said City to the southwesterly production of the centre line of the Western Channel of Toronto Harbour;

Thence northeasterly along the southwesterly production of the centre line of the Western Channel of Toronto Harbour to the easterly extremity thereof;

Thence due east to the southerly production of the centre line of York Street;

Thence northerly to and along the centre line of York Street to the centre line of Front Street West;

Thence westerly along the centre line of Front Street West to the centre line of University Avenue;

Thence northerly along the centre line of University Avenue to the point of beginning.

2. The Regulation is amended by adding the following section:

2. Despite subsection 3 (2) of Ontario Regulation 438/02, the regular election in 2003 in the City of Toronto shall be conducted as if section 1 of that Regulation (remaking the descriptions of Wards 27 and 28) were in force.

3. (1) Subject to subsection (2), this Regulation comes into force on January 1, 2003.

(2) Section 1 comes into force on December 1, 2003.

CHRIS HODGSON
Minister of Municipal Affairs and Housing

Dated on December 23, 2002.

2/03

ONTARIO REGULATION 439/02

made under the

INTERPRETATION ACT

Made: December 18, 2002

Filed: December 24, 2002

Amending Reg. 678 of R.R.O. 1990
(Fees Payable Under Various Acts)

Note: Since the end of 2001, Regulation 678 has been amended by Ontario Regulations 360/02 and 367/02. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 19, 2002.

1. Section 5.1 of Regulation 678 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

MUNICIPAL ACT, 2001

5.1 The following fees are payable in respect of the following proceedings brought before the Assessment Review Board under section 356, 357, 358 or 359 of the *Municipal Act, 2001*:

Section of <i>Municipal Act, 2001</i>	Proceeding	Fee
356	Application or appeal re apportionment among parcels	\$25 for each assessment roll number to which the proceeding relates
357	Application or appeal re cancellation, reduction, refund of taxes	\$25 for each assessment roll number to which the proceeding relates
358	Application re overcharges	\$25 for each assessment roll number to which the proceeding relates
359	Application or appeal re tax increase	\$25 for each assessment roll number to which the proceeding relates

2. This Regulation comes into force on the later of,

(a) the date it is filed; and

(b) January 1, 2003.

2/03

ONTARIO REGULATION 440/02

made under the

MUNICIPAL ACT, 2001

Made: December 23, 2002

Filed: December 24, 2002

**PUBLIC UTILITY CHARGES — PRIORITY LIEN
STATUS****Priority lien status for certain public utility charges**

1. Fees or charges imposed by a municipality or local board under Part XII of the Act for the following services and added to the tax roll under subsection 398 (2) of the Act have priority lien status as described in section 1 of the Act:

1. For the supply of water.
2. For the supply of artificial or natural gas.
3. For the supply of steam or hot water.
4. For the use of a sewage system.

Commencement

2. **This Regulation comes into force on the later of the day it is filed and January 1, 2003.**

CHRIS HODGSON

Minister of Municipal Affairs and Housing

Dated on December 23, 2002.

2/03

ONTARIO REGULATION 441/02

made under the

BUSINESS CORPORATIONS ACT

Made: December 20, 2002

Filed: December 30, 2002

Amending O. Reg. 289/00

(Forms)

Note: Ontario Regulation 289/00 has not previously been amended.

1. The English version of Ontario Regulation 289/00 is amended by adding the following section:

5. Articles of dissolution under subsection 238 (1) or (2) of the Act shall be accompanied by a consent to the dissolution of the corporation, issued by the Corporations Tax Branch of the Ministry of Finance.

TIMOTHY HUDAK

*Minister of Consumer and Business Services**Ministre des Services aux consommateurs et aux entreprises*

Dated on December 20, 2002.

Fait le 20 décembre 2002.

2/03

RÈGLEMENT DE L'ONTARIO 441/02

pris en application de la

LOI SUR LES SOCIÉTÉS PAR ACTIONS

pris le 20 décembre 2002

déposé le 30 décembre 2002

modifiant le Règl. de l'Ont. 289/00

(Formules)

Remarque : Le Règlement de l'Ontario 289/00 n'a pas été modifié antérieurement.

1. La version anglaise du Règlement de l'Ontario 289/00 est modifiée par adjonction de l'article suivant :

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