
October 14, 2021**9:30 a.m. to 2:00 p.m.****Meeting via Video-conference**

Present:	Dave Ackison, OEL (Chair)	Ron Bergeron, OEL
	Shawn Blacklock, OEL	Stephen Green, ECAO
	Mark Hopkins, ECAO	Joe Kurpe, ECAO
	Doug McGinley, OEL	James McKellar, ECAO
	Robert Smith, ECAO	
Regrets:	Ryan Delisle	Chris Ruber
	Dan Williams	Scott Yemen
Guests:	Alexander Furneaux, LURA	Alexander Janack, MGCS
	Sharmila Uruthiranandasivam, MGCS	
ESA Staff:	Will Barrett	Borjana Bulajic
	Sean Burger	Earl Davison
	Scott Eason	Patrick Falzon
	Esau Habibulla	Nansy Hanna
	Soussanna Karas	Emily Larose
	Claire Loucks	David McConnell

PRELIMINARIES

Chair welcomed everyone to the meeting.

1. APPROVAL OF AGENDA AND MINUTES

Motion to Approve Agenda

1st: Mark Hopkins

Seconded by Ron Bergeron

Carried

Motion to Approve Minutes

MOTION to approve June 16, 2021 deferred to next meeting to discuss format of minutes.

1st:

Seconded by

Carried

- VP of Operations asked what the concerns with the minutes are.
 - Chair responded that it was the format.
- Director of Communications, Government & Stakeholder Relations responded that if the Chair defers the vote, we can discuss the style of the minutes at the next session. Every AC has a different style, some like more details, some like less.
- Chair agreed to defer voting on the motion to accept the minutes from the June 16, 2021 meeting.

2. REVIEW OF OUTSTANDING ACTION ITEMS

- **REVIEW THE SUGGESTED LANGUAGE AGAINST REGULATORY REQUIREMENTS WITH REGARDS TO “PROPERTY MANAGER” (ITEM 4)**
- **ESA TO PREPARE QUESTION ON FEE SCHEDULE FOR MEMBER INPUT (ITEM 7)**

3. FUSED TEST LEADS

Ron Bergeron provided a presentation on the issue of fused leads and multi-meters.

Questions of Clarification:

- Director of Communications, Government & Stakeholder Relations asked when this issued happened.
- CoAC member responded that he does not know exactly, around 2013; stock was destroyed but other steps need to be taken for journeymen in the field.
- CoAC member responded that he remembers the ESA push on fused leads and that he does not recall anything about these being unapproved. Member said he would second the motion.

Member put forward a motion for ESA to issue a recall of fused leads and for ESA to issue a revised notice and video regarding safety with approved fused leads.

1st: Ron Bergeron

Seconded by Doug McGinley

Discussion:

- Director of Communications, Government & Stakeholder Relations stated that we will take it back and review; she is not familiar with this particular subject and if it is from 2013, we need to review.
- Chair stated that it was a good initiative.
- VP of Operations stated that the Senior Director of Engineering and Regulation handles this topic and has a presentation on this. In referencing the presentation provided, he noted that fused leads are not considered a device that require approval and that the Senior Director of Engineering and Regulation is not aware of a recall or the need for a recall.
- CoAC member asked if anyone has a copy of approved meters and leads.
 - VP of Operations responded that ESA does not have a list and advised to look for an approved certification mark; the OESC simply says they need to be approved.
- CoAC member stated that there was a valid safety concern, something was done about it and then something happened in 2013 or 2014 and you destroyed your stock, I only have verbal on this. I want to see the program reinitiated. This is a concrete item that everyone uses every day, we need to have the facts and information to work safely.
- VP of Operations asked for the member to confirm that what he is asking is for ESA to go away and find out what happened and come back with communications on safety regarding leads.
 - CoAC member responded however you want to word it.
- CoAC member stated that the big concern is that there are a lot of people who received leads through ESA when they were giving them out and if there is an issue with them, they need that information. I support the idea of looking into this and getting the word out to contractors to let them know if they are using something unsafe. It is a great initiative but we need to make sure that anything handed out through a program is safe.
- VP of Operations stated that we will leave this as an action item in the minutes and report back to CoAC at next meeting.
- CoAC member asked if a CE certification would be acceptable or would it have to be CSA certified?
 - VP of Operations responded that a meter is a product like any other that needs to be approved by a certification body saying that it is approved.

4. REVIEW OF LANGUAGE FOR “PROPERTY MANAGER” SECTION ON WEBSITE – UPDATE

VP of Operations presented a follow-up on the issue of property managers conducting work in apartment buildings. ESA will approach it as safety issues in general, focus on

safety goal and review data and safety analysis. What is the scope of the issue and does the data support future actions. See presentation for details.

Discussion:

- CoAC member asked who is considered the customer.
 - VP of Operations responded that it is the whole building, the site. The key is that the ratio is within the realm of the norm.
 - Member responded that the question is who is qualified.
 - VP of Operations agreed.
- CoAC member stated that we have to go back to the basic item. It appeared that ESA was giving a free pass to property managers who are essentially contractors and people were deemed competent, that is what they are advertising. It is the issue of the apartment building owner deeming a janitor competent. That is the part that is quite disturbing, it appeared that in ESA website.
 - VP of Operations responded that what we agreed to do was look at the data to see how big the safety issue is and has given us pause in how we communicate the wording and we will have a correction for next meeting. What the building owner has done was assign full responsibility to the property manager to maintain the building.
- CoAC member asked if in ESA classification, rentals and condos are included together. We do a lot of residential but don't do in rental but do in condos.
 - VP of Operations responded that we do not have that data at hand.

Action Item: ESA will review its approach for apartment buildings and property managers to do work through the Harm Life Cycle lens. If the public safety risk means this issue rises in priority, then further initiatives will be undertaken.

Agenda item for next meeting

5. NEUTRAL CURRENTS

VP of Operations introduced the Senior Director of Engineering and Regulation, the Powerline Safety Specialist and the Electrical Safety Engineer to provide input on the presentation.

Ron Bergeron provided a presentation on neutral currents.

Discussion:

- CoAC member asked if this is the same issue as in the City of Toronto with dogs getting electrocuted when they peed on poles.
 - CoAC member responded yes, and the same as with bus shelters being energized. The root cause is that utilities are not held accountable to make sure that they do not have this stuff running all over the place.

- CoAC member stated that the response was to change covers to plastic; this does not solve the issue but is just a symptom.
- CoAC member responded that he agreed; we have limited information because everything is kept “confidential”.
 - Senior Director of Engineering and Regulation responded that she completely rejected the notion that things are kept hidden. As a regulator, our approach is transparency, that it is kept hidden and that we are hiding it is absolutely not acceptable. It is a known issue and stray voltage is nothing new. There is a working group being struck by the Ministry of Energy to address it. The notion that utilities get free pass is not true, the regulatory oversight is different. The Wye route system has been in place for decades and IEEE has many papers stating its safety. The multi-grounded system can be safe and the utilities are very safe; they follow the standards. The fact of stray voltage is inherent in the system; we can debate the safety of different systems but is inherent. This is a failure of part of the system but when there is failure, it must be corrected.
- Powerline Safety Specialist stated that he was involved in these investigations, this is not a Toronto Hydro issue, it was an issue across the province. This was an issue with non compliance. Those installations never met the Code. Utilities used to maintain street lighting system but as of 1999, it was moved under the OESC. In terms of the public safety concern process, ESA has a risk model when we receive reports from consumer or utility. In ESA’s letter to the utility, we notify them that we have a report of the issue, we ask them for a timeline to resolve the issue. We need to ask if the issue is not coming from a consumer not maintaining the system. These reports are often as a result of deterioration. Utilities can spend months trying to find the source and repair deterioration.
- CoAC member stated that he has had a situation like this for months now with stray voltage coming into an above ground pool and he cannot fix the problem. He talked to inspectors in the area and they say that because of how it is grounded at the pool, it is a stray neutral current. He put in request to ESA because of a salt water generator creating more current and took out permit to have the generator checked
- VP of Operations stated that what the member is asking is that ESA require utilities to deal with currents that do not return following the intended path back to the station. Is that it?
 - CoAC member responded that that is correct. If it is correct that 60-80% of neutral current are returning through the earth, we will have problems that will get worse. I do not know what the utility requirements are but it is not an if, it is a when.
 - VP of Operations responded that LDC’s design for up to 33% of the neutral current return through the earth. Return paths that are in parallel to the LDC neutral is inherent with four wire distribution systems used across

North America, but the levels must be kept within the standard. The member raising the issue with the above ground pool needs to contact the utility directly.

- Powerline Safety Specialist stated that he sent a private message to the member to go through the public safety concern process.
- Member responded that the client will be happy.
- Senior Director of Engineering and Regulation stated that she echoed the Powerline Safety Specialist's comment about the public safety concern process. As the VP of Operation said, it is an inherent part of the system in the four wire distribution system. We have to keep an eye on it and need to maintain the system. Let us know if there is an issue and we will address it as we go. If the system is maintained, the standards are sufficient.
- Senior Director of Engineering and Regulation stated that the Electrical Safety Engineer would provide an overview of how compliance is done under O.Reg 22/04.
 - Electrical Safety Engineer stated that we are looking at third party audits for utilities' internal processes to meet safety standard. ESA conducts one inspection per utility annually.
- CoAC member stated that his concern is the amount of stay neutral current leaving those utilities. We are still dealing with the symptom rather than the cause. Is there a methodology for data to substantiate where neutral current levels are? We should be asking for preventative maintenance ahead of the fact. Do we ask for repair only when something goes wrong or do we want them to get ahead of it?
 - Electrical Safety Specialist responded that utilities are required to have maintenance programs, which are what are audited.
 - Powerline Safety Specialist stated that are also OEB requirements as part of their license and the DSC.
- Chair stated that it sounds like there is no information out there specifically to deal with stray voltage like this, because I too run into this same problem and cannot solve it.
 - VP of Operations responded that he can only repeat what the Senior Director of Engineering and Regulation said. There are literally hundreds of papers in the IEEE, the issues are well known and the standards to deal with them are well documented and communicated. Utilities' technical staff know what the requirements are under the license, to the degree that they do so and know the extent of the problem in the system is their obligation under the license. They arise and utilities are required to deal with them, point blank. As for the technical information, there are volumes of information – lack of information is not the issue. The issue is a proactive or a reactive approach. The response is to hold everyone to account to meet the standards that they are required to meet.

- Senior Director of Engineering and Regulation stated that there is stray current, we are not denying that, it is part of the system, but it is kept within acceptable standards. There is more attention to it lately with Ministry of Energy's working group and as a regulator, we hold people to the standard of the regulations. As long as everyone does, we have a safe system.
- CoAC member stated that as CoAC members it is important to discuss safety issues and the outcome is what matters and sharing information. Z462 is bringing this on. What is the input from ESA as a regulatory body? Lots written about grounded Wye systems, this is about getting information.
- VP of Operations stated that the CoAC member is on the right track and regretted that the member presentation was framed as an accusation. When you come to any hazard, there are five basic approaches: identify, eliminate, control, protect workers and minimize damage when a hazard is out of control. Z462 takes the approach of identifying the problem, we cannot eliminate but can control and protect workers. A technical design fix would require billions of dollars but we can put measures and communications in place to protect from hazard. We can protect workers but we also have to worry about homeowners. ESA agrees with you but what is the best way to approach it is what we are struggling to agree on.
- CoAC member stated that the presentation does not have to be part of the minutes. If we were sitting around the table, it would be different. He did not ask for it to be part of the minutes, it is what is the outcome.

6. AUDITOR GENERAL RECOMMENDATION #12: LOW-RISK INSTALLATIONS

The Acting Chief Public Safety Officer and the Project Specialist, Licensing presented an overview of the Auditor General's Recommendation 12.1, which included a description of the recommendation, timelines, principles and purpose, process, and the categories of low-risk installations under consideration for Certified Electricians and Master Electricians to be able to perform under the recommendation.

The Acting Chief Public Safety Officer stated that ESA has agreed to consult on the Auditor General's recommendation; however, there is no commitment by MGCS or ESA to make any of the proposed changes. See presentation for details.

Discussion:

- CoAC members unanimously agreed that the implementation of the recommendation would be a step backwards in efforts to reduce the underground economy. One CoAC member stated this would be like adding gasoline to Underground Economy and it will increase the unlicensed work; we have fought to reduce Underground Economy and this will allow them more opportunities to do illegal work.

- All CoAC members explicitly referenced their concern that a key element of safety in the current system comes from the licensing requirements possessed by Licensed Electrical Contractors. Members identified that permitting Certified Electricians and Master Electricians to perform some of these tasks, outside the licensing system, presents a safety risk that goes against the intent of the licensing system.
- Another risk identified by CoAC members was that fact that MEs and CEs are not required to maintain WSIB or general liability insurance. In case of injury or damage, both homeowners and the workers will be at risk.
- One CoAC member noted that the recommendation introduces uncertainty as to who can perform electrical work, exacerbating an existing issue of public confusion about who to hire. The CoAC member noted that in the interest of public safety, this recommendation makes electrical work less safe.
- CoAC members expressed frustration with the recommendation; many stated that they were under the impression that the recommendation had already been removed from consideration.
- Overall, CoAC members expressed their unanimous disapproval of the recommendation and urged that it not be considered.

7. FINANCIAL UPDATE

Director of Finance provided an overview of the financial result from Fiscal Year 2021 contained the Annual Report, outlining the impacts of COVID-19 and ESA's responses to mitigate the impacts.

Discussion:

- CoAC member asked if there is any breakdown on the revenue side related to residential. With such an increase in residential work in the last year, if that is not reflected back in the number of permits taken out, that shows that there is more work going on in the underground economy, which relates to AGR12.1.
 - Director of Finance responded that volumes did increase; the commercial sector drove the decline in revenue. We could not follow through on training, so we lost out there. Residential wiring did not contribute to the drop. Residential wiring did not decline year over year.
 - VP of Operations stated that the member was asking more about notification volumes.
 - Director of Finance responded that those did increase, specifically in residential renovation. New housing was down. Condos and apartments were flat.
- Director of Finance stated that ESA is contemplating a 2% increase on wiring fees. The Auditor General's recommendations are also adding cost pressures.

The average permit notification was \$140 last year and it would be about a \$3 increase to the average permit. Are there any concerns or comments?

- Chair stated that he did not see any and no comment from CoAC.

8. OPERATIONS UPATE & REMOTE INSPECTION UPDATE

VP of Operations provided an overview of Operations activities. See presentation for details.

The Assistant General Counsel provided an update on remote inspections and the feedback from stakeholders gathered to-date, including from LECs surveyed on their experiences with the process. This feedback was positive and supportive. Next, ESA will undertake a project to design and launch a tool to integrate remote inspections more effectively with improved customer experience to enhance inspection process. ESA will continue to gather feedback.

Comments:

- CoAC member stated that he had an issue on one job where the quality of the image was an issue but that is part of the learning curve; otherwise it has been good.
 - Assistant General Counsel responded that we are looking at the option to have pictures captured through the job and if it is determined that a remote inspection is required, those pictures can be used instead of having to re-visit the site.
- CoAC member asked what is ESA looking for in the pictures; more of an idea of this would minimize the amount of pictures you receive, so that we send the ones you actually want.
- Assistant General Counsel responded that we have put that guidance out and it will be refined through lived experience. Video quality is an issue for ongoing learning, too. Real time, virtual inspections could potentially be appropriate for certain installations and inspections.
 - CoAC member responded that there could be an issue with data but would be part of the learning curve.

VP of Operations stated that AMPs legislation has been introduced in the legislature and asked the Assistant General Counsel to provide an update.

- Assistant General Counsel presented an update on AMPs, which were introduced as part of Bill 13. The legislation aligns fairly closely with structural elements discussed at the summer meeting. If passed, ESA would have the authority to issue, at the Director level, a maximum penalty of \$10,000, with an appeals process. There is a lot that is not in the legislation, which would be in the next stage of regulation development and ESA policy. Assistant General Counsel

presented sample categories of potentially AMP-able contraventions for discussion. See presentation for details.

Discussion:

- VP of Operations stated that an inspector does not level an AMP, it can only be applied if it meets the approval of a Statutory Director, which is Chief Regulatory Officer & General Counsel, VP of Operations, a Region GM, and the Regulatory Directors; AMPs would be treated like a disconnection and must pass through a process.
- Assistant General Counsel stated that it is ESA's intention that a notice of intention to issue an AMP would be issued, giving an opportunity to clarify the situation. This would inform whether or not an AMP would be issued and in what amount.
- CoAC member expressed thanks for the clarification and stated that many have been worried that it would be inspectors firing off tickets. Member asked if the AMP-able categories will be subject to review and revision and if they would have to go through legislation to be updated if necessary.
 - Assistant General Counsel responded that the AMP-able categories discussed are not finalized. These categories will be set by MGCS in regulations. Changing or adding categories would require regulatory change but the actual use of those tools would occur at the ESA policy stage, providing some agility in terms of our compliance goals. For example, if the goal is to motivate compliance with taking out notifications but AMPs are not effective, we can revert to existing tools.

GM Business Planning & Improvement presented an RBO wiring update. See presentation for details.

Discussion:

- CoAC member stated that information on pre-authorized generators only went out to those already pre-authorized and that it would make sense to send them out to all LECs, so that everyone has the information.
 - GM Business Planning & Improvement responded that there is a cost associated with communicating with all 10,000 contractors. For a majority of contractors, it did not make sense to send out the information to everyone but comments have been passed along to the Senior Director of Operations Services & Customer Experience. We are working to improve the scheduling and ability to focus on high-risk items.

9. NEW BUSINESS

- Director of Communications, Government & Stakeholder Relations stated that we have held five meetings this calendar year and asked if we can agree on a date and time for the next one.
- Chair suggested setting up a meeting for January 26, 2022.
- Director of Communications, Government & Stakeholder Relations stated that the Stakeholder Advisor will share invoice forms and asked members to submit them within 30 days.
- CoAC member stated that the annual License Holder Meeting is on November 18, so please participate. It will be similar to past years and the meetings are beneficial, especially for questions to inspectors.

WRAP UP & ADJOURNMENT

Motion to adjourn by Mark Hopkins

Seconded by Steven Green

Carried

End of Contractor Advisory Council Meeting

If there are any discrepancies to these minutes, please report them by email to Chair and Claire Loucks.

Next Meeting: January 26, 2022

Location: ZOOM Conference Call