

Electrical Safety Authority Public Consultation

New Fee: Deviations and Wiring: Entertainment Fees



Introduction:

ESA is inviting comment on two changes to its fees. The first is a new fee and the second is an existing fee that is increasing to reflect cost recovery. The consultation is limited to just these two proposals and all other fees remain as published in ESA's [fee guide](#).

Feedback received during the consultation will be considered and provided a response by ESA, when making a final decision regarding these fees.

Background and information on how to participate in this consultation are included in this document.

Key Dates:

Consultation opened for comment:	November 21 st , 2023
Consultation closed:	December 21 st , 2023*
Posting of results of consultation:	January 2024
Proposed effective date of fee adjustments:	April 1 st , 2024

* If stakeholders need additional time or accommodation to respond this consultation, please contact esa.stakeholder@electricalsafety.on.ca to discuss

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Participating in this Consultation

To participate:

1. Review the proposed updates detailed in this document;
2. Submit comments on any or all of the proposals;
3. **Consider referring to the questions on page 8 of this document** when preparing your response;
4. You must include the following information:
 - name of the responding individual or organization
 - phone and/or email contact information
 - what stakeholder group you belong/represent:
 - electrical contracting business - individual electrician
 - local distribution company - the general public
 - safety organization - regulator
 - industry or trade association - other
5. Email your comments to esa.stakeholder@electricalsafety.on.ca by **Monday, December 21st, 2023**.

Electrical Safety Authority Public Consultation

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Summary of Proposed Updates:

ESA is considering the following updates to the wiring fee guide:

1. Introducing a New Fee for Deviation Requests
2. Increasing two fees above inflation for the Entertainment sector

More information on each proposed update is provided in the following pages.

Electrical Safety Authority Public Consultation

New Fee: Deviations



Deviations

Electrical Safety Authority Public Consultation



New Fee: Deviations

Proposed New Fee – Deviations

A deviation is a request an installer or designer can present to ESA to deviate from the current Ontario Electrical Safety Code (OESC) requirements. It usually contains the information for the submitter, property owner, site address, reason for deviation, and alternate safety measures. The deviation request is site specific, meaning that if a contractor is doing the same installation in multiple locations and wants to deviate from the OESC requirements in more than one location, a deviation request is required to be submitted for each location separately.

Once a request is received, the area inspector/plan reviewer will engage the ESA's Technical Advisors, who will review and may include the ESA engineering team to review as well. The time to review can vary from hours to days in some cases. The submitter understands that the outcome can be granted as submitted, granting with conditions or declining. A deviation request submission does not guarantee acceptance by ESA.

As customers encounter situations where compliance with the regulations seem complex, ESA's staff is a resource customers can use to ensure their installation meets the required safety standards. ESA will review the OESC requirements safety intent, accept or reject the request based on the provided data, supporting documentation, rationale and proposed alternative safety measures. For some complex installations and new technologies the review process is extensive to ensure there is an equivalent and appropriate level of safety.

The fee proposed is \$380 for the first 2 hours plus an hourly fee of \$190 per additional hour reflecting cost recovery of the time spent by ESA's inspectors, Technical Advisors, General Managers and any other ESA staff that spends time on the deviation request. This proposal reflects the fact that not all deviation requests are equal, and as we enter an age of greater complexity, we want our customers to understand that the time spent by ESA staff is valuable.

Rationale:

ESA is witnessing the electricity sector evolving very quickly. As a result, ESA is observing trends where installers have requested to deviate from the OESC at an increasing rate. Deviation requests have increased more than 20 fold since 2009 putting increasing strain and burden on ESA resources. ESA has been providing this service to customers free of charge, however given the increase in requests and the complexity of the requests ESA is seeking fairness to charge a cost recovery fee of \$190/hour.

Wiring: Entertainment Fees

Electrical Safety Authority Public Consultation

Wiring: Entertainment Fees



Proposed Increase – Entertainment Fees

Under Section 6: Entertainment, a fee increase above inflation is being proposed.

DRAFT Section 6 Entertainment Fees – Non-Classified and Classified Areas

Fee Code	Contractor Current	Contractor Proposed	Non Contractor Current	Non Contractor Proposed
C032 – Theatre production and film shoot	\$141	\$593	\$151	\$604
C041 – Commercial Shoot	\$84	\$156	\$86	\$156

In addition, any hourly rates referenced in this section will follow ESA's hourly rate as per the Wiring Fee Guide.

Rationale:

ESA's inspectors spend a significant amount of time and effort on film/movie shoots, theatre productions and commercial shoots, as the risk level is high. Furthermore, inspection data showed that ESA visits these types of locations/installations on average 2-4 times, and the new proposed fee reflects the time and effort spent for the complexity and nature of their operations.

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New Fee: Deviations and Wiring: Entertainment Fees



See the instruction on page 3 about how to participate in the consultation.

Potential Questions for Feedback:

1. What impact would you expect these changes to have on you or your organization?
2. Do the proposed fees seem fair and reasonable?
3. What actions would you or your business need to take if this change(s) were implemented?
4. Do you anticipate any significant negative or positive consequences from this change? If so, what? (please be as specific as possible)
5. Are there any alternatives to achieve fairness and appropriate cost-recovery for these two activities?
6. Do you have any other comments?