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**ENERGY REGULATION IN ONTARIO**

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**(formerly authored by David M. Brown)**

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**What's New in this Update:**

- This update of Energy Regulation in Ontario contains substantial updates to the *Electricity Act* and Annotations to the *Electricity Act*.

**Commentary Highlights**

- **Annotations s. 12** – Decisions of the Review Panel of the Electrical Safety Authority were not protected by a privative clause and were subject to a statutory right of appeal. Section 12(1) permitted appeals of Review Panel decisions to the Court on “any question that is not a question of fact alone”, thereby allowing appeals not only on questions of law, but also on questions of mixed fact and law. Section 12(3)

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permitted the Court to confirm or alter the decision, refer the matter back to the Review Panel or “make whatever other order that the judge sees fit”: *Mayburry Inc. v. Iafano*, 2014 CarswellOnt 14568, 2014 ONSC 6074 (Ont. Div. Ct.).