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File No.: 101926.1078

By E-mail, Courier and RESS

Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
27th Floor 2300 Yonge Street
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Smart Meter Entity
Fees for Access to Data by Third Parties
Ontario Energy Board File No.: EB-2018-0316**

Pursuant to subsections 78(2.1), (3.0.1), (3.0.2) and (3.0.3) of the *Ontario Energy Board Act, 1998*; subsection 53.8(8) of the *Electricity Act, 1998*; and Ontario Regulation 453/06 made under the *Ontario Energy Board Act, 1998*; as amended, please find enclosed, in PDF searchable electronic form, the Smart Metering Entity's ("**SME**") Application for an Order approving fees for access to data by third parties. The requisite number of paper copies will follow by courier. All intervenors to the SME's the SME's most recent licence renewal proceeding (EB-2016-0284), most recent Smart Meter Charge proceeding (EB-2017-0290) and the IESO's most Revenue Requirement Submission (EB-2018-0143) have been copied on this Submission.

The SME has been required by the Ontario Energy Board ("**OEB**") to collect and provide access to certain data, modified where necessary to sufficiently render it non-personal information. The SME began collecting the data on January 1, 2017 as required by the OEB. Since that date the SME has been consulting and working with stakeholders on providing third-parties with access to the data. The SME now proposes to provide third-party access to the data as described in this application.

There are several procedural matters that the Independent Electricity System Operator ("**IESO**") wishes to raise with the Board at this time. First, the SME proposes that the Board's Notice of Application ("**Notice**") be given in the following manner:

- a) information about and hyperlinks to this application and, when issued, the OEB-issued Notices, will be posted on the IESO's website at the IESO's "News Releases", "Regulatory Affairs" and SME webpages,
- b) information about and hyperlinks to this application and the OEB-issued Notices will be sent to each electricity distribution company which currently charges the SMC to eligible customers,
- c) information about and hyperlinks to this application and the OEB-issued Notices will be sent to all intervenors registered in the SME's most recent Smart Meter Charge proceeding (EB-2017-0290), all intervenors registered in the SME's recent licence renewal proceeding (EB-2016-0284), and all intervenors registered in the IESO's most Revenue Requirement Submission (EB-2018-0143), and

- d) as the recipients of the IESO's weekly newsletter are not necessarily involved in the collection of the Smart Meter Charge, the SME does not propose that information about and hyperlinks to this application and the OEB-issued Notices be sent in the IESO's weekly newsletter.

The SME has included a draft Issues List which the SME believes addresses the issues of relevance to this proceeding and requests that this be posted for comment along with the Notice. The draft Issues List is attached as Appendix "A" for the Board's consideration.

In addition, the SME requests that it be allowed three weeks to respond to interrogatories.

Please contact the undersigned or Adrian Pye, Senior Regulatory Analyst, if you have any questions or wish to discuss these points further.

Yours truly,



Patrick G. Duffy

PGD/rw

Encl.

cc: Devon Huber, Senior Manager, Regulatory Affairs, *Independent Electricity System Operator*
Intervenors in EB-2016-0284, EB-2017-0290 and EB-2018-0143 (email)
Michael Bell, Case Manager, *Ontario Energy Board* (email)

Appendix "A"

SME - Fees for Access to Data by Third Parties Draft Issues List

EB-2018-0316

1. Is the SME's proposal that access should be provided at market prices appropriate?
2. Is the SME's proposal that access should only be provided to any person who meets the criteria for access established by the SME and enters into a Data Use Agreement with the SME appropriate?
3. Is the SME's proposal that the Smart Metering Entities' licence be amended to allow it to provide access to the data on commercial terms determined by the SME to any person who meets the criteria for access established by the SME and who enters into a Data Use Agreement with the SME appropriate?
4. Is the SME's proposal that the net revenues generated by third party access benefit the SME's ratepayers appropriate?
5. Is the SME's proposal to create a new variance account, the Benefits Account, to track the net revenues generated by third party access appropriate?
6. Is the SME's proposal to have the proposed Benefits Account be a sub-account of the Balancing Variance Account appropriate?
7. Is the SME's proposal to annually report on the net revenues generated and tracked in the Benefits Account in the annual report filed with the OEB by May 31st appropriate?

