

February 1, 2019

Ontario Energy Board
2300 Yonge Street
P.O. Box 2319
Toronto, ON M4P 1E4
Attn: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: **EB-2018-0316**

The Electricity Distributors Association (EDA) is an intervenor in the above named matter. The EDA reviewed the Draft Issues List attached to the Ontario Energy Board's (OEB) Procedural Order No. 1 in this proceeding and proposes changes that will either improve the issue statement or complete the Issues List.

The EDA proposes the following changes:

- that Issue 1 be restated as:
“Does an appropriate level of competition or workable competition exist? And if it does, is the SME’s proposal that access should be provided at market prices appropriate?”
This change is proposed so that the OEB has the appropriate evidentiary record to support refraining from regulating Third Part Access to smart meter data.
- That Issue 2 be restated as:
“What are the terms and conditions of the Smart Metering Entity’s Data Use Agreement? Are the proposed access criteria appropriate to support decision making of whether the Smart Meter Entity will enter into a Data Use Agreement with a third party?”

This change is proposed so that the OEB has a complete record of the prices to be charges and the allocation of risk achieved through the operation of the proposed Data Use Agreement.

- That Issue 3 be amended to include:

“What are the alternatives to amending the Smart Metering Entity’s licence?”

This change is proposed so that the OEB can understand the alternatives and how amending the license achieves the appropriate level of consumer protection.

- That Issue 4 be amended to use the term ‘Smart Metering Charge rate payers’ rather than ‘SME rate payers’.

This change is proposed to accurately reflect that Ontario’s LDCs apply the Ontario Energy Board authorized Smart Meter Charge, include the authorized charge in the delivery line of the bills issued by the LDC to small volume consumers, that LDCs collect the amounts remitted and LDCs forward these amounts to the Smart Meter Entity.

The EDA also suggests that the new issue statement, provided below, be included on the Issues List:

“Is the SME’s business case robust and balanced? Does it correctly identify and compensate the Party that creates value, the party that incurs the risk?”

The EDA proposes this new issue so that the OEB's record is complete and it has the evidence necessary to understand the range of potential outcomes.

The EDA looks forward to participating in this ongoing work on this issue. Please refer any questions or comments in the abovenamed matter to Lynn Williams, Senior Policy Advisor at lwilliams@eda-on.ca or (905) 265-5334.

Sincerely,

Original signed by

Teresa Sarkesian
President & CEO

