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June 5, 2009

Ontario Energy Board  
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2300 Yonge Street  
Toronto, ON M4P 1E4  
[BoardSec@oeb.gov.on.ca](mailto:BoardSec@oeb.gov.on.ca)

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli,

Re: Authorization to Conduct Discretionary Metering Activities  
Board File No. EB-2009-0111  
**POST DEADLINE SUBMISSION**

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I am respectfully requesting the Board to allow this post deadline submission for the following reasons:

- a) I have further new information which was omitted from my original submissions, dated May 26, 2009, that I believe the Board needs to take into account prior to coming to a decision in this matter;
- b) The Board has a very difficult task ahead in considering all the submissions presented before it makes a decision; and it is reasonable to assume a final decision will not be made in haste which would allow time for this submission to be considered with all the others.

### **SUBMISSION**

The Board staff submits that:

- If the Board authorizes Exempt Distributors to conduct discretionary metering activities, such authorization should extend to all buildings, and not only to buildings where smart sub-metering systems are already in place. The smart sub-metering system should be allowed to be used for billing purposes for both existing and new tenants/consumers, under appropriate conditions to be set by the Board;

I submit that such a simple blanket treatment to all buildings can not and should not be ordered by the Board. Here is why:

- 1) My residence of 90 Eastdale Avenue, Toronto, Ontario, is an old building of 25 floors and over 400 units. The heating in the building is electric. The heating coils for each unit are located in the unit's ceiling. The thermostat in each unit controls the electric heating coils located in that unit's ceiling.
- 2) The electric heating system in this building is old and very inefficient.
- 3) Because the coils are located in the ceiling, when the tenant wants to heat the unit, much of the heat is dissipated upwards to the unit above and much more electricity is required by that tenant to heat his/her own unit.
- 4) Because the coils are located in the ceiling, each tenant's use of hydro is affected significantly by the neighbour below.
- 5) If the unit below me is vacant, then I will not receive any radiant heat from the unit below and my hydro consumption to heat my unit will be drastically higher. If the unit below me is not vacant, but is receiving radiant heat from the unit below that one, then it is the same scenario. When I receive radiant heat from the unit below, the floors warm up and I have little or no need to turn up my own thermostat during the winter.
- 6) Given this situation, since each unit's hydro consumption is directly affected by the two units below, it is practically impossible to accurately calculate what each unit is expected to use for hydro. A simple calculation based on the size of the unit is unrealistic.
- 7) It is unfair to expect tenants in such a building to pay for sub-metering since many tenants will be paying for and providing heat to the tenants above.

The same situation exists at 2 Secord, Toronto. This situation was only briefly touched upon by the submission dated May 26, 2009 from 2 Secord Tenants Association in section 18. The landlord (Exempt Distributor) is the same for these two buildings which are identical in construction – Preston Group/Gonte Construction Limited, 11 Curity Avenue, Toronto, Ontario, M4B 1X4; and the sub-metering provider is also the same – Stratacon.

I wanted to make the Board fully aware of this complicated situation. In buildings like this, where the heating is electric, old, inefficient, and located in the ceilings, it is unreasonable to expect the tenants to pay for sub-metering due to the extreme disparity in heating costs related to each unit's electric heating system and dependencies on other units for heating requirements.

I ask the Board to issue an order to the smart sub-metering providers and the Exempt Distributors to remove the smart sub-metering systems from buildings of this nature where there are too many variables of hydro consumption beyond the tenants' control.

I thank the Board for considering this submission.

Yours truly,

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Transmitted electronically with two hard copies to follow.

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