



EB-2007-0750

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF an application by the
Independent Electricity System Operator for the
Smart Metering Entity licence.

BEFORE: Pamela Nowina
Presiding Member and Vice-Chair

Paul Vlahos
Member

INTERIM DECISION AND ORDER

The Independent Electricity System Operator (the “IESO”) filed an application on September 4, 2007 with the Ontario Energy Board (the “Board”) under section 60 of the *Ontario Energy Board Act, 1998* for a Smart Metering Entity (“SME”) licence. The Board has assigned file number EB-2007-0750 to this application.

Section 53.7 of the *Electricity Act, 1998* (the “EA”) permits the Minister to establish the SME in a number of ways, including designating an entity by regulation. Ontario Regulation 393/07, which was filed July 26, 2007, designated the IESO as the SME.

Section 57 of the *Ontario Energy Board Act, 1998* (the “Act”) requires the SME to be licensed to exercise its powers or perform its duties under the EA. The applicant intends to begin the initial cutover to production operations and commence the collection, storage and management of customer meter data on September 14, 2007. In the event that the Board could not issue the SME licence by September 14, 2007, the applicant requested that the Board issue an interim order pending the final disposition of the matter before it. The applicant stated its belief that no other person will be adversely affected in a material way by the issuance of the interim order. The applicant also requested that the Board issue the interim order without a hearing.

Considering the date Ontario Regulation 393/07 was filed and the time required to process an application in accordance with the Board's established practice and procedures, and considering the applicant's need for the SME licence prior to the SME exercising its powers or performing its duties, the Board finds that it is in the public interest to issue an interim order granting a temporary SME licence to the applicant pending the final disposition of the matter. Since the Board has determined that no person other than the applicant will be adversely affected in a material way by the issuance of the interim order, the Board has decided to issue the interim order without a hearing.

IT IS THEREFORE ORDERED THAT:

The SME licence is granted, on a temporary basis, on such terms and conditions as are contained in the attached licence. The licence will be valid until January 31, 2008 or until the Board makes a final decision on the SME licence application, whichever is earlier.

DATED at Toronto, September 14, 2007

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary