

August 26, 2009

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street
Suite 2700
Toronto, ON M4P 1E4

Via RESS and by courier

Dear Ms. Walli:

Re: EB-2009-0308 Notice of Hearing on Order for Compliance against Toronto Hydro-Electric System Limited

The Electricity Distributors Association (EDA) is the voice of Ontario's electricity distributors.

The EDA has been monitoring the recent activities regarding the notice of intention to make an order to require Toronto Hydro to remedy the contravention of enforceable provisions regarding smart metering in new condominiums. The EDA understands that a notice of hearing and procedural order has been issued to Toronto Hydro indicating that the Board has determined to proceed with an oral hearing beginning September 24th. The EDA believes that the issues to be addressed at the oral hearing may set precedents for the electricity distribution sector in Ontario.

The EDA supports policies that retain the ability of distributors to include in their conditions of service, provisions to require individual suite smart metering in new condominiums. The EDA believes the issues addressed in the oral hearing may move beyond the interpretation of existing provisions and may involve policy issues, such as whether distributors should continue to have the ability to mandate smart meters in new condominiums. As a result, the EDA is requesting that the Board allow other parties, including the EDA, to participate in this potentially precedent setting oral hearing regarding smart metering in new condominiums.

Please note that correspondence to the EDA on this proceeding should be directed to the attention of Guru Kalyanraman (gkalyanraman@eda-on.ca) and Sharon Jarkiewicz (sjarkiewicz@eda-on.ca).

Yours truly,

“original signed”

Guru Kalyanraman
Policy Director, Conservation & Energy Management