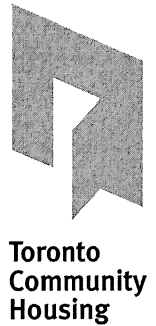


Toronto Community
Housing Corporation
931 Yonge Street
Toronto, ON
M4W 2H2



October 5, 2009

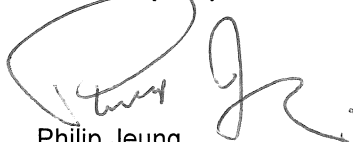
Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Notice of Proceeding to Determine a Just and Reasonable Rate to Recover the
Costs Associated with Embedded Generators Having a Nameplate Capacity of
10 kW or Less (Board File No. EB-2009-0326)**

Toronto Community Housing Corporation respectfully provides its submissions (attached) to the
above referenced proceeding.

Yours very truly,



Philip Jeung
Director, Smart Buildings and Energy Management
Toronto Community Housing Corporation

**NOTICE OF PROCEEDING TO DETERMINE A JUST AND REASONABLE RATE TO
RECOVER THE COSTS ASSOCIATED WITH EMBEDDED GENERATORS HAVING A
NAMEPLATE CAPACITY OF 10 kW OR LESS
ONTARIO ENERGY BOARD FILE NO: EB-2009-0326**

**SUBMISSIONS BY:
TORONTO COMMUNITY HOUSING CORPORATION
October 5, 2009**

A. INTRODUCTION

On September 24, 2009, the Government of Ontario officially launched Ontario's Feed-In Tariff ("**FIT**") Program, a new renewable energy program established under the *Green Energy Act, 2009*. It is anticipated that the FIT Program will accelerate the growth of clean, renewable sources of energy, and creation of job opportunities within Ontario. The FIT Program is designed to encourage the development of renewable energy projects by a range of generators including homeowners, community based groups and large scale commercial generators in: (i) guaranteeing specific rates for energy generated from renewable sources; (ii) providing the right to connect to the electricity grid for renewable energy projects meeting technical, economic and regulatory requirements; and (iii) delivering a streamlined approval process. Small scale renewable projects that generate less than 10 kilowatts of electricity will be administered through the simplified Micro-Feed-In Tariff ("**microFIT**") Program.

In anticipation that the microFIT Program will lead to a significant increase in the number of embedded, small renewable generators and no clear rate tariff by distributors for embedded micro generators, the Ontario Energy Board ("**Board**") issued a Notice of Proceeding and Procedural Order No. 1 under Board File No.: EB-2009-0326 ("**Proceeding**") on September 21, 2009. The purpose of the Proceeding is to determine the appropriate service charge electricity utilities should charge renewable micro generators with a capacity of 10 kilowatts or less that qualify for the Ontario Power Authority's ("**OPA**") microFIT program.

The Proceeding indicates that the Board intends to proceed by way of written hearing. Please accept the following as Toronto Community Housing Corporation's request to be included as an intervenor and comments on the draft Issues List in the noted Proceeding.

B. BACKGROUND

i. Toronto Community Housing Corporation – Overview

Toronto Community Housing Corporation ("**TCHC**") is the largest social housing provider in Canada and the second largest in North America. TCHC is a wholly-owned subsidiary of the City of Toronto and operates on a non-profit basis. It is home to about 164,000 low and moderate-income tenants in 58,500 households, including seniors, families, singles, refugees, recent immigrants to Canada and people with special needs. TCHC's tenants come from diverse backgrounds. This diversity includes age, education, language, sexual orientation, mental and physical disability, religion, ethnicity and race as well as increasing diversity in lifestyles and values. Approximately 7% of TCHC's tenants pay for rent on a market basis; the remaining 93% pay rent on a geared-to-income basis, to a maximum amount equal to 30% of household income. The *Social Housing Reform Act, 2000* ("**SHRA**") sets and monitors geared-to-income rent and

increases, in addition to the legislative regime set out in the *Residential Tenancies Act, 2006* (the "RTA").

TCHC's mandate is to provide quality housing for low and moderate income households and to create community conditions that minimize risk and promote resiliency.

TCHC's portfolio is comprised of approximately 1400 buildings, including more than 360 high-rise and low-rise apartment buildings throughout the city. TCHC also has commercial retail tenants dispersed across approximately 100 buildings.

TCHC takes particular pride in its leadership in sustainability. As part of its Green Plan, greenhouse gas emissions are being reduced significantly and energy and water consumption diminished. Every dollar saved by TCHC is another dollar it can invest in additional and much-needed capital replacement, maintenance and repairs.

ii. Toronto Community Housing Corporation – Energy Efficiency and Conservation Activities

While most of TCHC's tenants have their rent (inclusive of utilities) capped by the SHRA and RTA, utility costs to TCHC have no corresponding cap. As utility rates and the average age of TCHC's buildings increase, so does the portion of the TCHC's housing budgets allocated to tenant utility costs.

In part to tackle the issue of escalating energy costs, TCHC has developed a holistic Green Plan of which an important component is called Green Works. The plan sets out an approach to the greening of TCHC and includes numerous energy efficiency initiatives and conservation activities that engage staff, tenants and stakeholders. Green Works is an ongoing program that promotes a healthy environment and improves living standards and working conditions. TCHC is taking a leading role in reducing energy consumption, recycling and the overall "greening" of its communities.

TCHC has also embarked upon an ambitious retrofit of several of its buildings in an effort to make them more energy efficient. This includes significant investments in new equipment such as ENERGY STAR® appliances, thermal windows, high efficiency boilers and other heat recovery mechanical systems.

iii. Government of Ontario Announces Infrastructure Stimulus Funding for Small Scale Renewable Projects

On March 23, 2009, the Government of Ontario announced it will spend \$32.5 billion over the next two years on infrastructure of which \$700 million is set aside for social housing rehabilitation and energy retrofits. This infrastructure stimulus funding must be spent and implemented by March 31, 2011. The Ministry of Municipal Affairs and Housing ("MMAH") advises that \$70 million of the \$700 million social housing stimulus funding has been set aside for renewable projects (as contemplated in the Green Energy Act), including solar photovoltaic (rooftop systems). The Ministry of Energy and Infrastructure ("MEI") will be overlooking this \$70 million funding program designated to develop and implement renewable energy technologies and will be issuing later this year a Request for Proposals ("RFP") for vendor of record of renewable suppliers/installers. The MEI and the OPA have been working together and recipients under the social housing stimulus funding program are also eligible under the FIT and microFIT Program.

TCHC is in the process of assessing its portfolio and options for renewable projects with hopes of receiving some of the \$70 million set aside stimulus funding. Rooftop solar energy is a viable prospect given the square footage of space available over approximately 1400 buildings in the City of Toronto and the recently launched microFIT Program.

C. Request for Intervenor Status

TCHC respectfully submits a request to be included as an Intervenor in the Board's Proceeding. TCHC, the largest social housing provider in Canada, seeks clarification surrounding the rate determination of embedded micro generators that will benefit all social housing providers in Ontario who anticipate to be recipients of the \$70 million set aside stimulus funding. TCHC has a substantial interest and intends to participate actively in the Proceeding.

With the availability of stimulus infrastructure funds and launch of the microFIT program for small scale renewable projects, social housing providers, including TCHC, are encouraged to design and implement micro-embedded generation facilities within its building premises and communities.

TCHC is a social housing provider and is not in the business of generation of electricity, and has a clear interest in the Board's Proceeding to shed light on the implication of rate determinations on social housing providers. There are significant advantages in implementing small scale renewable energy projects in social housing buildings with the incentive of microFIT program which then can be reinvested to make TCHC buildings and communities more sustainable and energy efficient.

In addition, with the condition of implementing energy renewable projects under the stimulus infrastructure program within a two year period ending March 2011, TCHC and Ontario social housing providers have concerns of not obtaining priority connections to the distribution system, which in turn will defeat the receipt of stimulus funding.

TCHC also respectfully submits a request for an award of costs to be sought at the conclusion of the Proceeding. According to the Board's eligibility requirements for a cost award, TCHC "primarily represents the direct interests of consumers in relation to regulated services." In this case, TCHC represents the direct interests of social housing providers and its tenants in relation to the regulated services of distribution and determination of a reasonable rate for connection of a micro embedded generator.

D. SUBMISSIONS

TCHC respectfully submits that the Board expand its draft issues to consider treatment of microFIT applications and installations of micro-embedded generation facilities by social housing providers, in particular:

1. with the strict adherence to an implementation date of March 31, 2011 to receive the \$70 million set aside stimulus funding, renewable energy projects by social housing providers must be connected in a timely manner and thus should be granted priority connection to distribution systems that meet the microFIT requirements. If social housing providers are denied access to the stimulus funding due to connection issues, it will not be economically feasible for most, if not all providers to participate in the microFIT program; and

2. the waiver of administrative and connection fees for social housing providers that participate in the microFIT program. Social housing providers do not generate electricity as part of their core business, and administrative and connection fee savings will be reinvested in affordable housing and its greening initiatives.

E. RATIONALE FOR SUBMISSIONS

1. Priority Connection to Distribution Systems.

In the spirit of encouraging renewable energy projects under the *Green Energy Act*, the MEI is faced with the implementation of an innovative initiative of supporting the development and implementation of renewable energy technologies targeted in social housing. In particular, the MEI has the task of developing a list of pre-qualified suppliers of various renewable energy technologies. However, funding allocated to social housing providers must be utilized for projects to be completed by March 31, 2011. With the launch of the microFIT program, this will surely kick-start many solar photovoltaic projects in Ontario.

TCHC respectfully submits that social housing providers in receipt of stimulus infrastructure funds for solar photovoltaic, rooftop systems, that meet microFIT requirements be granted priority connection to distribution systems in order to meet implementation deadline of March 31, 2011.

2. Waiver of Administrative and Connection Fees.

TCHC's mandate is to provide quality housing to low and moderate income tenants. TCHC is also faced with the directive of providing sustainable, energy efficient buildings.

TCHC respectfully submits that the rationale for waiver of administrative and connection fees reflects the low income consumers that are tenants of social housing and escalating energy costs facing social housing providers due to the aging housing stock. The microFIT incentive and much needed stimulus infrastructure funding should be reinvested towards energy efficient and conservation initiatives for TCHC and other social housing provider's buildings and communities. Social housing providers are not in the business of generation, but in reinvesting in their buildings and communities.