

October 5, 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-2009-0326 Notice of a 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**

The Electricity Distributors Association (EDA) is the voice of Ontario's electricity distributors. The EDA has consulted with its members on the draft Issues List for the 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.

The EDA and its members have reviewed the draft Issues List found, and believes the proposed list of issues is generally appropriate. However, the EDA believes that the following two additional questions should be added to the Issues List for consideration during the proceeding:

**Treatment of non-microFIT applications**

In that this initiative is in response to the introduction of the microFIT program, how should a distributor handle generators participating in the FIT program (greater than 10kW)?

**Rate Design**

Should distributors be permitted to apply to the OEB to establish rates that differ from the province-wide rate where LDC specific circumstances justify them? For example, a different rate for generation facilities that are owned by an entity that is not the same as the load customer entity compared to that for generation facilities that are owned by the entity that is the load customer.

Yours truly,

“original signed”

Maurice Tucci  
Policy Director, Distribution & Regulation