

# AIRD & BERLIS LLP

Barristers and Solicitors

Dennis M. O'Leary

Direct: 416.865.4711

E-mail: [doleary@airdberlis.com](mailto:doleary@airdberlis.com)

September 28, 2009

## BY COURIER

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: EB-2009-0139 – Toronto Hydro-Electric System Limited  
2010 Rate Application  
Intervention Request by the Smart Sub-Metering  
Working Group**

---

We act for the Smart Sub-Metering Working Group ("**SSMWG**") which is made up of the following licenced smart sub-metering companies:

Carma Industries Inc.  
Enbridge Electric Connections Inc.  
Hydro Connection Inc.  
Intellimeter Canada Inc.  
Provident Energy Management Inc.  
Stratacon Inc.  
Wyse Meter Solutions

This letter is in response to the Ontario Energy Board's ("**OEB**") Notice of Application and Hearing for an electricity distribution rate change by Toronto Hydro-Electric System Limited ("**Toronto Hydro**"). The SSMWG is applying for intervenor status in the above-noted proceeding. The SSMWG intends to participate in the proceeding as is appropriate by any one or all of submitting interrogatories, filing evidence or submissions, undertaking cross-examination and/or filing argument.

Members of the SSMWG operate in the competitive smart sub-metering industry. Members offer smart sub-metering services ("**SSM Services**") to the developers and owners of multi-unit residential and commercial complexes. The SSM Services may

include the installation of smart metering equipment in individual suites, data collection and storage, invoicing and bill collections and customer care functions. Members of the SSMWG must operate pursuant to the conditions of their OEB-issued licence and the Smart Sub-Metering Code.

Members of the SSMWG are interested in aspects of Toronto Hydro's Application that relate to suite metering and other related metering activities. If accepted, the SSMWG's intervention will focus on issues related to those activities.

In response to the information required by Rule 23.03, the SSMWG states that:

1. the SSMWG wishes to participate in English;
2. the SSMWG requests that the Applicant and all intervenors forward a copy of all filings to:

Dennis M. O'Leary  
Aird & Berlis LLP  
Brookfield Place, Suite 1800  
181 Bay Street, Box 754  
Toronto, ON M5J 2T9  
Tel: 416.865.4711  
Fax: 416.863.1515  
E-mail: [doleary@airdberlis.com](mailto:doleary@airdberlis.com)

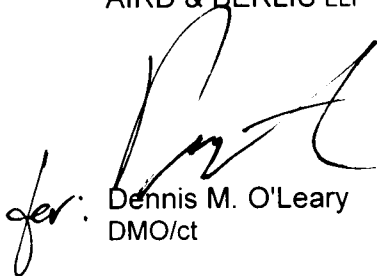
(Counsel to the SSMWG)

3. the SSMWG does not intend to seek an award of costs.

Should you require anything further in support of the SSMWG's intervention request, please do not hesitate to call.

Yours very truly,

AIRD & BERLIS LLP

  
for: Dennis M. O'Leary  
DMO/ct

cc Toronto Hydro-Electric System Limited  
[regulatoryaffairs@torontohydro.com](mailto:regulatoryaffairs@torontohydro.com)

cc Mr. J. Mark Rodger  
Borden Ladner Gervais  
[mrodger@blgcanada.com](mailto:mrodger@blgcanada.com)

