



**PUBLIC INTEREST ADVOCACY CENTRE**  
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**ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7**  
Tel: (613) 562-4002. Fax: (613) 562-0007. e-mail: [piac@piac.ca](mailto:piac@piac.ca). <http://www.piac.ca>

November 2, 2009

**VIA COURIER AND E-MAIL**

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

Dear Ms. Walli:

**Re: Vulnerable Energy Consumers Coalition (“VECC”)**  
**Board File No: EB-2008-0052**

**Comments of VECC on the Proposed STAR Rule**

The following are VECC’s comments regarding the Revised Proposal to Make a Storage and Transportation Access Rule (STAR) as issued by the Ontario Energy Board (“the Board”) on September 18, 2009.

VECC has concerns with the Board’s proposal with respect to transparency of short-term storage arrangements and with respect to the proposed complaint mechanism.

With respect to the former, VECC strongly urges the Board to reconsider its proposal to not require any information with respect to storage contracts of less than one year’s duration. In VECC’s view, this proposal will not provide any transparency to potential participants in the storage market and will fail to provide potential participants with any reasonable estimates of the current or past prices for short-term storage services. This will mean that relative price information – required so that participants can make efficient microeconomic decisions – will not be publicly available.

VECC submits that pricing information and contract parameters should be available to such potential market participants, in order that they may make informed decisions.

If the Board feels that, in the public interest there are legitimate confidentiality issues, VECC submits that the identities of each market participant could be kept confidential while information such as the actual pricing range for short-term storage services along with the average and median prices for such storage services could be disclosed publicly.

Finally on this issue, it appears possible to VECC that purchasers of long-term storage services could “game the system” by serially contracting for short-term storage services – effectively receiving a long-term storage service with terms and conditions that would never be made publicly available.

With respect to the complaint mechanism proposed, VECC is concerned that the requirement proposed at paragraph 5.1.1, i.e., that “[a] storage company, a transmitter, and an integrated utility shall develop a dispute resolution process and post this process on its website,” may be difficult to implement practically. For example, what if the dispute resolution processes posted on such websites are not consistent with each other? Further, given the potential number of possible permutations of storage companies, transmitters, and integrated utilities, would there be different dispute resolution mechanisms that applied to different counterparties? VECC submits that some level of coordination be provided by the Board to parties that are required to develop dispute resolution processes so as to minimize the amount of potentially duplicative effort required.

All of which is respectfully submitted,

Michael Buonaguro  
Counsel for VECC