

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF a Notice of Intention to Make an Order for Compliance against Toronto Hydro-Electric System Limited.

**Compliance Order submitted by Compliance Counsel and Toronto Hydro :
SSMWG proposals**

1. The SSMWG suggests that a paragraph be added to the Order (as a new paragraph 12) stating:

"THESL shall not refuse to provide an offer to connect to a condominium corporation or developer on the basis of any concerns that Toronto Hydro has about the practices or conduct of a licensed smart sub-metering provider. If Toronto Hydro has concerns about the practices or conduct of a licensed smart sub-metering provider, then this should be addressed by way of complaint or application to the Board, not by a refusal to connect. In such circumstances, no connection should be refused or delayed except as ordered by the Board."

2. Also, the Board should require ongoing monitoring and reporting to ensure future compliance with the Order. To accomplish this, a paragraph could be added to the Order (after the current paragraph 14) to state as follows:

"Toronto Hydro shall provide to all relevant staff and contractors a copy of the Order and instructions about future conduct which compels staff to operate in compliance with the Order, and Toronto Hydro shall institute a self audit compliance review, to be conducted six, nine and twelve months after the date of the Order, to ensure that its staff and contractors are abiding by the Order. The results of the compliance reviews shall be examined and certified by the Ethics and Compliance Officer and President & CEO of Toronto Hydro and filed with the Board for review in a timely manner."

3. Finally, to accommodate the advanced state of construction of the Metrogate project, paragraph 7 of the Order should be amended to read,

"On or before February 22, 2010, THESL shall provide ..."