



**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 (EB-2009-0308);

AND IN THE MATTER OF a Compliance Order of the
Ontario Energy Board dated February 22, 2010.

CERTIFICATION OF IMPLEMENTATION OF COMPLIANCE PROGRAM

I, Anthony Haines, President and Chief Executive Officer, Toronto Hydro-Electric System Limited ("THESL"), certify that THESL has implemented a Compliance Program as directed by the Compliance Order ("Order") and that all relevant employees have been provided with a copy of the Order and written instructions regarding THESL's new corporate policies to implement the Order.

I certify further:

1. That on March 2, 2010 THESL amended section 2.3.7.1.1 of its Conditions of Service by deleting the entirety of the then current section and replacing it with the language set forth in Schedule "A" to the Order;
2. That on February 18, 2010 THESL provided to each of Avonshire and Metrogate an offer to connect that contemplates a bulk-metered connection to THESL's distribution system to enable smart sub-metering by a licensed smart sub-metering provider;
3. That the offer to connect provided to each of Avonshire and Metrogate in paragraph 2 above was subject to THESL's standard terms and conditions and did

- not include any additional term or condition, or require any representation or warranty from Avonshire or Metrogate that addressed a smart sub-metering system or the actions of Avonshire or Metrogate in relation to a smart sub-metering system;
4. That if Avonshire or Metrogate accepts the offer to connect provided, THESL shall, in a timely manner consistent with Avonshire's and Metrogate's construction schedule, provide for the metering configuration specified in the executed offer to connect;
 5. That on March 24, 2010 THESL provided to all condominium corporations and developers that requested an offer to connect from THESL after February 28, 2008 a letter in the form attached as Schedule "B" to the Order and a copy of the Order;
 6. That on March 25, 2010 THESL filed with the Ontario Energy Board a sworn affidavit listing all of the condominium corporations and developers that requested an offer to connect from THESL after February 28, 2008 and that a list of the customers that were provided with the letter required under section 11 of the Order was attached to the affidavit;
 7. That THESL has incorporated the statement set forth in Schedule "C" to the Order in all offers to connect provided to a condominium corporation or condominium developer and that when requested to do so by the board of directors of a condominium corporation or by the developer of a condominium building, THESL provides an offer to connect based on a bulk meter configuration to facilitate sub-metering in accordance with THESL's Conditions of Service and its standard terms and conditions;
 8. That THESL does not refuse to provide an offer to connect to a condominium corporation or developer on the basis of any concerns that THESL has about the practices or conduct of the customer in relation to smart sub-metering or of a licensed smart sub-metering provider; and that any offer to connect provided by

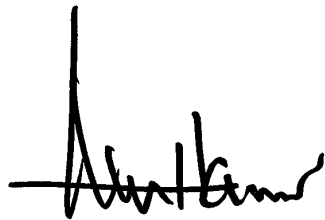
THESL under paragraph 7 above is subject to THESL's terms and conditions and, subject to paragraph 7 above, does not include any additional term or condition, nor require any representation or warranty from the customer, that addresses a smart sub-metering system or the actions of the customer in relation to a smart sub-metering system;

9. That if a condominium corporation or developer accepts an offer to connect provided under paragraph 7 above THESL shall in a timely manner consistent with the customer's construction schedule, provide for the metering configuration specified in the executed offer to connect.

Dated this 29th day of March 2010,

Toronto Hydro-Electric System Limited.

Per: _____



Anthony M. Haines

President and Chief Executive Officer

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