



January 21, 2011

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

Dear Ms. Walli:

**Re: FortisOntario Utilities
EB-2010-0307
Submission**

Enclosed please find *ENWIN's* submission in the above noted proceeding. Pursuant to the Notice of Application, a copy is being delivered to the Applicants by email.

The submission is being filed through the Board's web portal (PDF). Paper copies are being mailed to the Board.

Yours very truly,

ENWIN Utilities Ltd.

A handwritten signature in blue ink, reading "Andrew J. Sasso".

Per: Andrew J. Sasso
Director, Regulatory Affairs

SUBMISSION

In drafting this submission, *ENWIN* has had the benefit of reviewing the submission of Board Staff in which Board Staff took “no issue with the FortisOntario Utilities request for an exemption.”

ENWIN supports the Applicants’ application to extend the mandatory TOU dates to dates that have regard for the Applicants’ SAP implementation projects.

The Applicants’ provided important information through the interrogatory responses that support the application. It appears that CNPI was engaged in an ERP assessment process as early as 2007 and made the decision to replace the SAP systems as early as 2008. Once it became apparent that mandatory TOU was at-hand, CNPI performed due diligence internally and with the SME to evaluate the capacity of its legacy systems to handle TOU. That assessment indicated that a new system would provide the necessary capability, protect system integrity and functionality and that it was financially more prudent to proceed with the new system.

ENWIN notes the Board Staff interrogatory: “Please describe in detail the consequences of the delays on the costs of the FortisOntario Utilities Smart Meter and TOU implementation plan.” The Applicants’ responded: “The requested delays will have no material impact on costs for the Applicants’ Smart Meter and TOU implementation plan.” This response should be read in conjunction with the responses to *ENWIN*’s interrogatories in which the Applicants’ made it clear that upgrading the legacy system would have resulted in redundant expenditures. Therefore, proceeding as proposed will not increase costs, but taking the alternative route (upgrading the existing system) would increase costs.

The Applicants have demonstrated that to the extent these projects could have been foreseen, they were brought to the Board’s attention in the most recent Cost of Service rate proceedings (circa 2008) and in the July 7, 2010 submission in EB-2010-0218, the proceeding to mandate TOU implementation dates. Importantly, the business decisions and information provided to the Board preceded the Board’s announcement of the mandatory TOU dates. The decisions of the Applicants’ were clearly undertaken in good faith and with regard to the regulatory regime in place at the time of the decisions.

The Applicants have noted, at the request of Board Staff, that there are internal and external factors that could hinder compliance with the requested TOU dates. For the most part these are factors beyond the control of the Applicants and are, for the most part, common to all LDCs engaging in the switch to TOU.

For these reasons, *ENWIN* supports the application.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.