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July 6, 2012

BY EMAIL & COURIER

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge St, Suite 2701  
Toronto ON M4P 1E4

Dear Ms. Walli:

**Board File No. EB-2012-0100/EB-2012-0211 Independent Electricity System Operator  
Smart Meter Charge 2012 -2017 – Submissions of Energy Probe**

Pursuant to the Procedural Order No. 1 issued by the Board on June 22, 2012 in respect of the Independent Electricity System Operator, Energy Probe Research Foundation (Energy Probe) is hereby providing its Submissions on the Preliminary Issue for the Board's consideration.

Energy Probe has reviewed the Submissions of Board staff and is in substantial agreement with their conclusions. Energy Probe took the opportunity to review the submissions of a number of intervenors in this matter and adopts the Submissions of the School Energy Coalition (SEC), contained in its letter to the Board filed earlier today, in general and the last paragraph in particular:

"Thus, it is submitted that the scope of the Board's approval of the Agreement is to establish a set of rules governing the relationship between the distributor and the SME. Those rules should meet the tests set forth above, and should not be coloured by the immaterial fact that they will be expressed in an Agreement."

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh  
Case Manager

cc: Jay Shepherd, Counsel to SEC (By email)  
Dr. Larry Schwartz, Economic Consultant to Energy Probe (By email)  
Interested Parties (By email)

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