



EB-2007-0926

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

AND IN THE MATTER OF an application by David
Ferracuti Investments Limited o/a Dynergy Energy
Management Solutions for a smart sub-metering
licence.

By delegation, before: Jennifer Lea

INTERIM DECISION AND ORDER

David Ferracuti Investments Limited o/a Dynergy Energy Management Solutions filed an application on November 29, 2007 with the Ontario Energy Board under section 60 of the *Ontario Energy Board Act*, 1998 (the "Act") for a smart sub-metering licence. The Board has assigned the application file number EB-2007-0926.

The applicant is engaged in smart sub-metering activities, as prescribed by Ontario Regulation 443/07—*Licensing Sub-Metering Activities* made under the Act. This regulation came into force on December 31, 2007. Therefore, all persons engaged in smart sub-metering activities, as prescribed by Ontario Regulation 443/07, need to be licensed.

Considering the time required to process an application in accordance with the Board's established practice and procedures, and considering the applicant's activities and the timing of the regulation, the Board issued an interim order under sections 21(7) and 6(4) of the Act granting a short-term smart sub-metering licence to the applicant on December 28, 2007.

No determination has yet been made on the application. As the short term smart sub-metering licence expires on April 27, 2008, it is necessary to issue a second short-term licence pending the final disposition of the matter.

The applicant should note that the granting of this interim order is not an indication that a longer term licence will be granted.

IT IS THEREFORE ORDERED THAT:

1. A smart sub-metering licence is granted on such conditions as are contained in the attached licence.
2. It is also a condition of this order that David Ferracuti Investments Limited o/a Dynergy Energy Management Solutions expeditiously investigates and takes all appropriate and necessary steps to resolve any complaints from consumers regarding David Ferracuti Investments Limited o/a Dynergy Energy Management Solutions's smart sub-metering services.
3. The licence will be valid for a period of 4 months or until the Board makes a final decision on the smart sub-metering licence application, whichever is earlier.

DATED at Toronto, April 25, 2008

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects