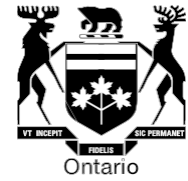


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NOTICE OF AMENDMENT TO A CODE

AMENDMENT TO THE DISTRIBUTION SYSTEM CODE

OEB FILE NO.: EB-2017-0125

**To: All Licensed Electricity Distributors
Smart Metering Entity
Independent Electricity System Operator
All Other Interested Parties**

The Ontario Energy Board (OEB) has issued final amendment to the Distribution System Code (DSC) under section 70.2 of the *Ontario Energy Board Act, 1998* (Act).

A. Background

On March 9, 2017, the OEB issued a Notice of Proposal to Amend a Code in which it proposed to amend the DSC. The OEB proposed a revision to the DSC whereby section 5.4.1 is to be deleted in its entirety. Section 5.4.1, which was added to the DSC on June 27, 2007, reads as follows:

s.5.4.1 A distributor shall, upon being requested to do so, enter into an agreement with the Smart Metering Entity or the IESO, in a form approved by the Board, which sets out the respective roles and responsibilities of the distributor and the Smart Metering Entity or the IESO in relation to metering and the information required to be exchanged to allow for the conduct of these respective roles and responsibilities.

The OEB's view, as set out in the March 9th Notice, is that it is no longer necessary for the OEB to be involved in overseeing the routine exchange of information between the Smart Metering Entity (SME) and local distribution companies (LDCs) considering that:

- Since the issuance of the SME's first licence in 2011 and approval of the "form" of the agreement between the SME and LDCs in 2013, the SME and LDCs have demonstrated their acute awareness of their roles and responsibilities;
- The SME has clear statutory authority for, among other things, collecting and managing information and data, and storing the information and data related to the metering of consumers' consumption or use of electricity in Ontario, including data collected from LDCs (under sections 53.8 and 53.14 of the *Electricity Act, 1998*);
- LDCs are required by legislation to provide information requested from them by the SME (under section 53.15 of the *Electricity Act, 1998*); and
- LDCs' licence conditions require each LDC to comply with all applicable provisions of the Act and the *Electricity Act, 1998* and regulations under these Acts (except where the LDC has been exempted from such compliance by regulation).

The OEB received and reviewed a written comment on the March 9th Notice from the SME. The SME expressed its support of the proposed amendment of the DSC and stated that it agrees "...with the OEB that the SME has the requisite statutory authority under the *Electricity Act, 1998* and s.3.2 of its licence to effectively and reliably carry out its mandate". No other parties commented on the proposed amendment of the DSC. The SME's letter of comment is available on the OEB's web site at www.oeb.ca.

B. Amendment to the DSC

The OEB is amending the DSC by deleting, in its entirety, section 5.4.1.

~~s.5.4.1 A distributor shall, upon being requested to do so, enter into an agreement with the Smart Metering Entity or the IESO, in a form approved by the Board, which sets out the respective roles and responsibilities of the distributor and the Smart Metering Entity or the IESO in relation to metering and the~~

~~information required to be exchanged to allow for the conduct of these respective roles and responsibilities.~~

C. Coming into Force

The amendment to the DSC, as described in this Notice of Amendment, comes into force on the date that the DSC amendment is published on the OEB's website after having been made by the OEB.

If you have any questions regarding the change to the DSC as described in this Notice of Amendment, please contact Irina Kuznetsova at irina.kuznetsova@oeb.ca or at 416-440-8138. The OEB's toll free number is 1-888-632-6273.

DATED at Toronto, May 18, 2017

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary