



BY EMAIL

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Toronto Hydro-Electric System Limited
14 Carlton Street
Toronto, Ontario
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January 23, 2019
Our File: EB20180165

Attn: Amanda Klein, Executive Vice-President
Regulatory Affairs and General Counsel

Dear Ms. Klein,

Re: Toronto Hydro-Electric System Limited – Revisions To Conditions of Service – 1.7.5

We are counsel to the School Energy Coalition ("SEC"). We are writing on their behalf in relation to the proposed changes to section 1.7.5 of the Toronto Hydro-Electric System Limited ("THESL") Conditions of Service, to be effective February 1, 2019. Those changes, which would impose new charges on customers hosting THESL equipment, should not be implemented until they have been reviewed and approved by the Ontario Energy Board ("OEB").

Many customers, including schools, own dedicated vaults located on their premises which house THESL owned equipment. The customers have a responsibility to maintain the vaults, but in many cases they are not permitted to enter them unless THESL staffs are present. Under the proposed changes, those customers would be billed for the cost of attendance of THESL personnel when the customer needs to enter the vault. The only exception would be the required annual testing of the smoke detection system, and even then with a two hour maximum.

These customer-owned vaults store THESL equipment at no cost to THESL, and are maintained by the customer pursuant to the Conditions of Service. At the same time, when customers access the vault to undertake maintenance and other activities, the same Conditions of Service require THESL personnel to be in attendance. On that basis, it is not clear to us why these costs, or *any* THESL costs related to these vaults, should be the responsibility of the individual customer.

SEC notes that this issue has already been raised in the context of THESL's on-going 2020-2024 OEB rate proceeding (EB-2018-0165), and the proposed new charges will likely be opposed by a number of affected customer groups. It is not self-evident that the OEB will approve this proposed new charge to customers. In light of this, THESL should refrain from making the proposed changes to its Conditions of Service until the matter can be explored properly in that proceeding, and the OEB has rendered a decision.

Yours very truly,
Shepherd Rubenstein
Professional Corporation



Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
Ontario Energy Board (by email and RESS)
THESL, Regulatory Affairs (by email)