

February 1, 2019

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
P.O. Box 2319  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

**Re: EB-2018-0316 – IESO/SME - Application For Approval to Provide Access to Non-Personal Data at Market Prices**

We represent the Consumers Council of Canada (Council) in the above-referenced proceeding regarding the Application by the Independent Electricity System Operator (IESO), in its capacity as the Smart Metering Entity (SME) seeking approval to amend its licence to enable it to provide access to certain non-personal data about electricity usage to third parties at market prices. We have reviewed the Ontario Energy Board's (OEB's) Draft Issues List. We are making the following suggested additions to the Draft issues List:

- We suggest adding the following new issue: **What are the overall objectives of the IESO/SME regarding its proposals to provide data to third parties at market prices? How will the OEB determine whether these objectives have been met?**
- With respect to Issue 4 it is important from the Council's perspective to assess the methodology for calculating the net revenues generated – We suggest the following redrafted issue: **Are the IESO/SME's proposals and methodology for calculating net revenues generated by third party access and the proposed allocation of those revenues to ratepayers appropriate?**
- We suggest adding the following new issue: **What incentives should be in place to ensure that the IESO/SME maximizes the revenues or return to ratepayers?**
- We suggest adding the following new issue: **What steps has the IESO/SME taken to ensure that the data is sufficiently protected and to prevent its re-identification, and are those steps sufficient?**
- We suggest adding the following new issue: **How will the IESO demonstrate to the OEB that its prices are truly "market based". How will the OEB assess this over time?**

Please feel free to contact me if you have questions regarding our proposals.

Yours truly,

*Julie E. Girvan*

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CC: IESO Regulatory Affairs,  
Patrick Duffy, Stikeman Elliot  
Intervenors