



EB-2007-0750

**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 the  
Independent Electricity System Operator for the  
Smart Metering Entity licence

**BEFORE:** Pamela Nowina  
Presiding Member and Vice-Chair

Paul Vlahos  
Member

### **INTERIM DECISION AND ORDER**

The Independent Electricity System Operator (the "IESO") was designated as the Smart Metering Entity ("SME") by Ontario Regulation 393/07 made under the *Electricity Act*, 1998. Section 57 of the *Ontario Energy Board Act*, 1998 (the "Act") requires the SME to be licensed to exercise its powers or perform its duties under the *Electricity Act*, 1998.

The IESO filed an application on September 4, 2007 with the Ontario Energy Board (the "Board") under section 60 of the Act for the SME licence. The applicant requested that the SME licence be issued on or before September 14, 2007 as this was the date it intended to begin the initial cutover to production operations. The Board assigned file number EB-2007-0750 to the application.

On September 14, 2007, the Board issued an interim order granting the IESO a temporary SME licence. According to the Board's interim order, the temporary licence terminates on either January 31, 2008 or the date on which the Board makes a final determination in proceeding EB-2007-0750, whichever is earlier.

By letter to the Board dated January 18, 2008, the IESO applied to the Board for an interim order to extend the term of its temporary SME licence until the earlier of June 1, 2008 or the Board's final decision on the SME licence. The applicant submitted that no other person will be adversely affected in a material way by the extension of its temporary SME licence and requested that the Board issue the extension without a hearing.

**BOARD FINDINGS**

Section 5.4.1 of the Distribution System Code requires electricity distributors to enter into an agreement with the SME (the "Agreement") upon being requested to do so, in a form approved by the Board.

In its September 4, 2007 application for the SME licence, the applicant stated that the Agreement was under development and was likely to be submitted to the Board by the end of September 2007. The Board decided that it would take no further action in the proceeding until the SME filed the Agreement with the Board.

In its January 18, 2008 letter, the applicant stated that since the granting of its temporary SME licence, it has approached stakeholders to develop the Agreement. The applicant further stated that it is expecting to receive stakeholder comments on the Agreement throughout January 2008 and will require some time thereafter to work with stakeholders on any outstanding issues. The applicant stated its belief that spending additional time on stakeholder consultation at this stage will benefit all parties by narrowing the issues and allowing for a more efficient review of the licence application and the Agreement by the Board.

The Board accepts the applicant's view that narrowing the issues associated with the application allows for a more efficient review of the licence application and the Agreement by the Board. The Board also recognizes that the temporary SME licence will expire prior to the final determination of the SME licence application and that the applicant will require an extension to its temporary SME licence to continue exercising the SME's powers or performing the SME's duties. Therefore, the Board finds that it is in the public interest to extend the term of the temporary SME Licence until June 1, 2008 or the date on which the Board makes a final determination in proceeding EB-2007-0750, whichever is earlier.

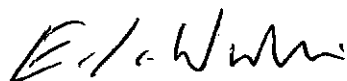
The Board has determined that no person other than the applicant will be adversely affected in a material way by the issuance of the interim order. Accordingly, the Board has decided to issue the interim order without a hearing.

**IT IS THEREFORE ORDERED THAT:**

The term of the temporary SME Licence (ES-2007-0750) is extended until June 1, 2008 or the date on which the Board makes a final determination in proceeding EB-2007-0750, whichever is earlier.

**DATED** at Toronto, January 28, 2008

ONTARIO ENERGY BOARD

A handwritten signature in black ink, appearing to read 'K. Walli', written in a cursive style.

Kirsten Walli  
Board Secretary