

**CONSULTATION ON ENERGY ISSUES RELATING
TO LOW INCOME CONSUMERS**

**SUBMISSIONS OF
ENBRIDGE ELECTRIC CONNECTIONS INC. (“EECI”)**

These are the final submissions of EECI in respect of this matter. While EECI acknowledges the economic challenges faced by low income consumers, as a company which operates in a competitive environment on private properties, EECI continues to be of the view that it is neither appropriate nor is there a jurisdictional basis for the Ontario Energy Board (“OEB” or the “Board”) to direct licensed smart sub-metering companies to introduce low income programs.

Smart sub-metering companies operate within multi-unit condominium and residential tenancy buildings under contract with building owners and developers. It is important to note that these building owners and developers are exempt from the licensing and rate approval requirements under the *Ontario Energy Board Act, 1998* (the “Act”) by virtue of Ontario Regulation 161/99. The OEB therefore is not in a position to require building developers and owners to implement low income assistance programs. Similarly, the OEB Act does not give the OEB jurisdiction to rate regulate smart sub-metering companies, which means that there is no legal mechanism to require smart sub-metering companies to implement low income programs.

In addition, given the array of service offerings by smart sub-metering companies, there may be no practical means of a smart sub-metering company implementing a low income program even if jurisdiction existed. For example, if a building owner or developer has retained a smart sub-metering company solely to read meters and provide information which supports the allocation of the amount payable to the local distribution company, the smart sub-metering company, as a matter of contract, may not have any ability to change the amounts payable by unit owners or occupiers.

For these reasons, it is submitted that the Board should not entertain any suggestion which would require smart sub-metering companies to participate in any low income programs.

All of which is respectfully submitted.

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