



**NOTICE OF AMENDMENT TO A CODE AND
NOTICE OF ISSUANCE OF A NEW CODE**

**AMENDMENT TO THE DISTRIBUTION SYSTEM CODE
AND ISSUANCE OF THE SMART SUB-METERING CODE**

BOARD FILE NO.: EB-2007-0772

**To: All Licensed Electricity Distributors
All Licensed Electricity Retailers
All Participants in Proceeding RP-2005-0352
All Participants in EB-2007-0772
All Other Interested Parties**

Re: Code Amendment and Code Creation for the Licensing of Smart Sub-Metering Providers

The Ontario Energy Board (the "Board") is giving notice under section 70.2 of the *Ontario Energy Board Act, 1998* (the "Act") of an amendment to the Distribution System Code (the "DSC") and is giving notice under section 70.1 of the Act of the issuance of the Smart Sub-Metering Code (the "SSM Code") (altogether, the "Notice").

Background

On January 7, 2008, the Board released a Notice of Proposal in which it proposed to amend the DSC and proposed the creation of a new SSM Code (the "January Notice").

After reviewing the 10 sets of written comments made by a variety of stakeholders, the Board proposed revised versions of the Codes and released a Notice of Proposal outlining those amendments on June 10, 2008 (the "June Notice"). The Board received three sets of written comments in response to the June Notice from the Electricity Distributors Association, Hydro One Brampton Networks Inc. and the Smart Sub-Metering Working Group. The submissions are available for viewing on the Board's website at www.oeb.gov.on.ca.

The Electricity Distributors Association and Hydro One Brampton Networks Inc. both stated that they had no comments related to the June Notice. The Smart Sub-Metering Group had comments on the DSC amendment and section 2.2.1 of the SSM Code. Those comments are discussed below.

The Board has considered all of the comments received and has determined that no changes will be made in relation to the amendments proposed in the June Notice.

Amendment to the DSC

The Smart Sub-Metering Working Group submitted that the DSC should be amended to state that smart sub-metering providers may deal with licensed distributors on behalf of condominium corporations or developers, as long as the smart sub-metering provider has a contract with the condominium corporation or developer to do so.

The Board notes that section 5.1.9 of the DSC refers to the installation of smart metering in individual units by a distributor. As such, a smart sub-metering provider would be unlikely to request it. The Board finds that the suggested change is therefore not required and has adopted the amendment to the DSC as proposed in the June Notice.

The text of section 5.1.9 of the DSC as adopted by the Board is set out in Attachment A to this Notice.

Issuance of a New Smart Sub-Metering Code by the Board

The Smart Sub-Metering Working Group has suggested a change to section 2.2.1 of the SSM Code to explicitly state that smart sub-metering providers may request interval meters from the distributor if authorized by the condominium corporation or the developer. The Board believes that the existing wording of section 5.1.5 of the DSC regarding written requests from authorized parties of customers for the installation of interval meters is sufficient to address this concern.

The Board is therefore issuing the new SSM Code as proposed in the June Notice.

The text of the new SSM Code as adopted and issued by the Board is set out in Attachment B to this Notice.

Coming into Force

As indicated in the January Notice and the June Notice, the amendment to the DSC and the new SSM Code will come into force on the date on which they are published on the Board's website.

This Notice, including the attached amendment to the DSC and the new SSM Code, is available for public viewing on the Board's website at www.oeb.gov.on.ca and at the office of the Board during normal business hours.

If you have any questions regarding the amendments to the DSC or the new SSM Code, please contact Laurie Reid at 416-440-7623. The Board's toll free number is 1-888-632-6273.

DATED at Toronto, July 24, 2008.

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Attachments:

Attachment A: Amendment to the Distribution System Code
Attachment B: Smart Sub-Metering Code

Attachment A

Amendment to the Distribution System Code

1. Section 5 of the Distribution Settlement Code is amended by adding the following new section 5.1.9 immediately after section 5.1.8:

5.1.9 Smart Meters in Condominiums

When requested by either:

- (a) the board of directors of a condominium corporation; or
- (b) the developer of a building, in any stage of construction, on land for which a declaration and description is proposed or intended to be registered pursuant to section 2 of the *Condominium Act, 1998*,

a distributor shall install smart metering that meets the functional specification of Ontario Regulation 425/06—*Criteria and Requirements for Meters and Metering Equipment, Systems and Technology* (made under the Electricity Act).

Attachment B

Smart Sub-Metering Code

(see attached document)