

**Andrew J. Sasso**  
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November 22, 2020

Matthew Edwards  
Ministry of Energy, Northern Development and Mines  
Conservation and Energy Efficiency Branch  
77 Grenville St., 5<sup>th</sup> Floor  
Toronto, ON M7A 2C1

Dear Mr. Edwards:

**Re: Notice of Proposal: Province-wide implementation of Green Button  
ERO Number: 019-2564**

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Toronto Hydro-Electric System Ltd (“Toronto Hydro”) is the local electricity distribution company (LDC) for the City of Toronto. It has nearly 770,000 customers and delivers about 19% of the electricity consumed in Ontario.

Toronto Hydro is pleased to provide this response to the Ministry of Energy, Northern Development and Mines (“Ministry”) on the proposed regulation that, if approved, would require electricity and natural gas utilities to implement Green Button Download My Data (“DMD”) and Connect My Data (“CMD”) – together referred to as “Green Button”.

Conveyed in more detail below, Toronto Hydro respectfully highlights the following key messages for the Ministry’s consideration:

- Strongly encourage the government await the result(s) of any Green Button-enabled pilot programs approved through the IESO’s competitive procurement process e 2021-24 Conservation Demand Management (“CDM”) Framework.
- If the government does proceed, Toronto Hydro:
  - Strongly **advocates for a cost recovery mechanism** follow the “beneficially-pays” convention by recovering costs from third parties, which are the primary beneficiaries of a provincial Green Button implementation, to protect the interests of ratepayers for whom Green Button does not present value.

- Strongly recommend that the regulation requires third parties provide **evidence of consent** by the account holder before energy consumption data is shared by the energy provider.
- Strongly encourage the Ministry **to not to regulate how Green Button is presented** on utility websites, in the interest of not adding red tape.

### **Delay implementation of Green Button**

Toronto Hydro strongly encourages the government delay implementation of Green Button at this time. The investment dollars required to implement Green Button do not appear in a vacuum – they must be found at the expense of the very many other priorities, such as renewing aging infrastructure, expanding capacity to meet future needs or even other innovations approved through integrated distribution system plans that pursue similar objectives to Green Button. For Toronto Hydro, that includes innovative investments in Local Demand Response that are successfully deferring capital investment (to the direct benefit of Toronto Hydro’s ratepayers) without sacrificing bulk system opportunities. Toronto Hydro has plans to expand Local DR during the 2020 to 2024 period. In doing so, the utility expects to defer tens of millions of dollars in capital costs that would otherwise be needed to avoid reliability risks and meet its obligations to its customers.

Toronto Hydro also observes synergies with this proposal and the newly announced CDM Framework. Toronto Hydro observes that the continuation of CDM programming in Ontario, with a renewed focus on capacity, recognizes the potential value CDM has in delivering outcomes to customers, both directly and indirectly. As such, Toronto Hydro believes the new CDM Framework can provide an opportunity to assess whether Green Button-enabled projects can deliver and improve this proposal’s value proposition, and looks forward to these results with interest.

To this end, if the government is to proceed with Green Button, Toronto Hydro strongly encourages implementation no earlier than the end of the 2021-24 CDM Framework. Toronto Hydro observes that in its posting, the Ministry has already considered allowing additional time for smaller LDCs to implement Green Button – a framework which is itself inconsistent with the notion that a province-wide implementation is necessary to attain benefits from Green Button. A Green Button implementation aligned to the cycles provincial CDM frameworks is sensible policy – it provides a small degree of incremental timing flexibility to utilities compared to what is already

proposed while allowing for learning opportunities through Green-Button enabled programs in 2021-24.

#### *Cost recovery mechanism*

As many third parties have conveyed, they would be the main beneficiaries of utility Green Button investment ostensibly through a lower cost of doing business. Accordingly, Toronto Hydro respectfully submits that, not only should there be a cost recovery mechanism created to allow for full cost recovery, the mechanism should recover costs from third parties in order to protect the interest of ratepayers for which Green Button is not a useful value proposition. Moreover, Toronto Hydro is aware other utilities already offer services similar to Green Button. To that end, mandatory implementation of this proposal across the entire sector would represent duplication of efforts and underscores that the beneficiaries of Green Button are not electricity ratepayers.

#### *Implementation approach*

The proposal if adopted will require energy providers to make available to third parties all energy data necessary to evaluate energy consumption of account holders subject to their consent. While Toronto Hydro will comply with the requirements if implemented, we note concerns for protecting customer consumption information and recommend strong consumer protections for customers that use Green Button-enabled services, and particularly for CMD. This matter is critical and requires focused consultation.

Finally, utilities are already customer-focused entities that seek to simplify electricity bills and help customers understand their consumption of energy under the oversight of the Ontario Energy Board (“OEB”). To that end, Toronto Hydro respectfully submits in no instances should the Ministry be regulating how to “present” Green Button on utility websites, as this policy will represent little more than additional red tape. Should the Ministry ultimately proceed with a province-wide implementation of Green Button, these measures are unnecessary and could just as easily be left for post-implementation evaluation and best practices sharing amongst utilities.

Toronto Hydro appreciates the opportunity to provide its comments on this proposed regulation, all of which is respectfully submitted. It would be pleased to speak more directly on any or all parts of its submission.

Please direct all correspondence, including any concerns with the above, to the email address [regulatoryaffairs@torontohydro.com](mailto:regulatoryaffairs@torontohydro.com).

Sincerely,

A handwritten signature in blue ink that reads "Andrew J. Sasso". The signature is written in a cursive, flowing style.

**Andrew J. Sasso**

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