



BY EMAIL

**SUBMISSIONS
OF LAKE ONTARIO WATERKEEPER
TO THE ONTARIO ENERGY BOARD**

RE: INTEGRATED POWER SYSTEM PLAN AND
PROCUREMENT PROCESSES BOARD FILE NO. EB-2007-
0707

DOCUMENT: SUBMISSIONS ON ISSUES LIST

SUBMISSION DATE: JANUARY 15, 2008

* Waterkeeper's submissions are numbered according to the Board's *Proposed Index for Intervenor Submissions*

A. Integrated Power System Plan Issues:

GENERAL ISSUES

2 – Board's role and jurisdiction

2(a) – Meaning of economic prudence and cost effectiveness

- Does Section 1 of *OEB Act* apply?

Board Objectives, electricity

- Section 1(1) – “The Board, in carrying out its responsibilities under this or any other Act in relation to electricity, shall be guided by the following objectives:
 1. To protect the interests of consumers with respect to prices and the adequacy, reliability and quality of electricity service.
 2. To promote economic efficiency and cost effectiveness in the generation, transmission, distribution, sale and demand management of electricity and to facilitate the maintenance of a financially viable electricity industry.”

Conflict with other legislation

- Section 128 – “In the event of conflict between this Act and any other general or special Act, this Act prevails.”
- If the Board chooses to restrict its jurisdiction, then Waterkeeper submits that a definition of economic prudence and cost effectiveness will be necessary.

2(c) – Purpose of the IPSP review hearing? [ADD]

- What is the authority of the Board in the review hearing?
- Who is ultimately responsible for approving the IPSP? The Board or the Minister?

2(d) – Role of the OPA? [ADD]

- Does the OPA have a public interest mandate?
- Should the Board defer to the OPA?
- Is the OPA entitled to a presumption of prudence?

2(e) – IPSP compliance with *Ontario Regulations 424/04 Section 7 and 8* [ADD]

- The OPA’s interpretation of the word “consider” as it applies to “safety, environmental protection and environmental sustainability” was not entirely clear to Waterkeeper. It appeared that the OPA would like to see the Board’s review on this issue limited to rubber-stamping. This artificial exercise would gut the review of any real meaning.
- Furthermore, the OPA has ignored the requirements of Section 8 specifying that electricity projects, to be approved by the Board, must have a “sound rationale including,
 - i. an analysis of the impact on the environment of the electricity project, and
 - ii. an analysis of the impact on the environment of a reasonable range of alternatives to the electricity project”.

SPECIFIC ISSUES

9 – Conservation and demand management

- Did the OPA comply with the Supply Mix Directive’s conservation section? Specifically, why did the OPA fail to address the Minister’s recommendations for geothermal heating and cooling load reduction initiatives, solar heating, fuel switching, or net metering in the IPSP?

10 – Renewable resources

- The OPA disputed Waterkeeper’s proposed issue #17 concerning the sustainability of renewable energy projects. Waterkeeper submits that sustainability is a requirement of *Ontario Regulation 424/04*. Furthermore, the Ministry’s “Statement of Environmental Values” binds the Minister of Energy and by necessary implication the OPA. In particular, the “Statement of Environmental Values” states that the Ministry’s mandate is to: “ensure that Ontarians have access to safe, reliable and environmentally sustainable energy supplies”.

CONCLUSION

Waterkeeper requests that all issues included in its written submissions be addressed in the final Issues List.