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Our File No. 133967

VIA EMAIL AND COURIER

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, ON M4P 1E4

Attention: Kirsten Walli,
Board Secretary

Dear Ms. Walli:

**Re: Submission of Building Owners and Managers Association - Greater Toronto
(BOMA) - Proposed Amendments to the Licence of the Ontario Power Authority
(OPA); Board File No. EB-2013-0192**

Please find below submission of BOMA, in response to the Proposed Amendments to the Licence of the OPA.

Note: underlined excerpts from the proposed amendments below should be removed.

X. Regional Planning

X.1 For the purposes of this section X:

“Integrated Regional Resource Plan” means a document prepared by the Licensee that identifies the appropriate mix of investments in one or more of conservation, generation, transmission facilities or distribution facilities in order to address the electricity needs of a region in the near, mid-, and long-term;

Comment

1. Given that the Ontario Energy Board Act objective #2 is 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, the use of the term “appropriate” is insufficient to guide the licensee to create an economically

efficient or cost effective plan. The goal of any integrated resource plan is to identify the mix of resources that will minimize future system costs while ensuring safe and reliable operation of the system, i.e., a least cost plan.

“integrated regional resource planning process” means a planning process led by the Licensee for the purpose of preparing an Integrated Regional Resource Plan for a region;

Comment

2. The term *infrastructure* should be inserted after regional.

“regional planning” means a planning process involving licensed transmitter(s), licensed distributor(s), and the Licensee for the purpose of determining whether a Regional Infrastructure Plan and/or an Integrated Regional Resource Plan is required for a region and, where required, developing or updating a Regional Infrastructure Plan and/or an Integrated Regional Resource Plan.

Comment

3. While BOMA understands that moving immediately to require Integrated Resource Plans for all Regions would be impractical and given there are regional infrastructure plans currently underway, it is critical that integrated regional resource planning should not be optional. An orderly process to phase in Integrated Regional Resource Planning should be developed as per the Working Group report. Only through integrated regional resource plans can the most cost effective options be identified and implemented. Currently, the analytical process used by the licensee is limited to provincial level data. In a Hearing on Tuesday, February 19th, 2013, (EB-2012-0064), a representative of the OPA testified that *“Our criteria for cost-effectiveness are driven by a provincial set of avoided costs, a provincial understanding. The policy objectives given to the OPA are provincial in nature. The OPA only funds programs that address provincial conservation demand reduction targets. These programs are available to all local distribution companies and are by their nature not designed to address distribution issues and constraints.”* BOMA suggests that the license be amended to ensure that regional avoided costs are considered.

X.2.1 The Licensee shall, in consultation with licensed transmitters and licensed distributors in a region, carry out its regional planning obligations.

4. BOMA prefers that the license include a requirement to consult with stakeholders, including municipalities and associations like BOMA and others. We are aware that the scope of this proceeding does not include the form of consultation.

X.2.2 For the purposes of section X.2.1, the Licensee shall:

(a) Complete a scoping assessment to determine the appropriate regional planning approach, for a region, within 90 days of being notified by the lead transmitter that regional planning is necessary; specifically, whether an integrated regional resource planning process is required first or a regional infrastructure planning process should proceed immediately. The Licensee

shall provide the scoping process outcome report to all licensed distributors and licensed transmitters in the region and post it on its website upon completion;

Comment

5. See comment 1 above, the need for an Integrated Resource Plan should not be optional, therefore this step is not required.

(b) Complete an Integrated Regional Resource Plan, within one year of determining that an integrated regional resource planning process is necessary for a region, and inform the lead transmitter of any investment in transmission and/or distribution facilities that are required to meet the electricity needs of the region. The Licensee shall provide the Integrated Regional Resource Plan to all licensed distributors and licensed transmitters in the region and post it on its website upon completion;

Comment

6. See comment 1 above, the need for an Integrated Regional Resource Plan should not be optional. It should also be updated regularly. BOMA also rejects the OPA's suggested revisions with respect to Interim Integrated Regional Resource Plans. The license should also specify that it is made public. Posting documents on a website that is not accessible to all should not be permitted.

(c) Notify the lead transmitter of any investment in transmission and/or distribution facilities that are necessary to meet the electricity needs of the region over the next five years, where the Licensee has not completed an Integrated Regional Resource Plan within one year, in accordance with section X.2.2(b);

Comment

7. See comment 1 above, the need for an Integrated Regional Resource Plan should not be optional.

(d) Participate in the regional infrastructure planning process, as required by the lead transmitter, where a Regional Infrastructure Plan is determined to be necessary for a region;

Comment;

8. See comment 1 above, the need for an Integrated Regional Resource Plan should not be optional.

(g) Provide an annual report to the lead transmitter, on October 1st of each year, identifying the status of any investments in conservation and/or generation, for each region, in the lead transmitter's transmission system, where an Integrated Regional Resource Plan has been completed.

Comment

9. Annual reports should be posted and made available to anyone who wants them.

Yours truly,

FOGLER, RUBINOFF LLP

A handwritten signature in blue ink that reads "Tom Brett per: [initials]". The signature is written in a cursive, fluid style.

Thomas Brett

TB/dd

Encls.

cc: All Parties