



Ontario
Energy
Board



FINANCIAL STATEMENTS

2020 - 2021



FINANCIAL STATEMENTS

YEAR ENDED MARCH 31, 2021

MANAGEMENT'S RESPONSIBILITY

The Ontario Energy Board's Board of Directors are responsible for the integrity and fair presentation of the financial statements and other information presented in the annual report. The financial statements have been prepared by management in accordance with Canadian Public Sector Accounting Standards. The preparation of financial statements necessarily involves the use of management's judgment and best estimates, particularly when transactions affecting the current accounting period cannot be determined with certainty until future periods.

The Ontario Energy Board maintains systems of internal accounting controls designed to provide reasonable assurance that reliable financial information is available on a timely basis and that the Ontario Energy Board's assets and liabilities are adequately accounted for and assets safeguarded.

The financial statements have been reviewed and approved by the Ontario Energy Board's Board of Directors. In addition the financial statements have been audited by the Auditor General of Ontario, whose report follows.



Ian Malpass
Vice President, Finance & Information Technology
June 24, 2021



Independent Auditor's Report

To the Ontario Energy Board

Opinion

I have audited the financial statements of the Ontario Energy Board (OEB), which comprise the statement of financial position as at March 31, 2021, and the statements of operations and net assets, and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In my opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the OEB as at March 31, 2021 and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

I conducted my audit in accordance with Canadian generally accepted auditing standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the OEB in accordance with the ethical requirements that are relevant to my audit of the financial statements in Canada, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the OEB's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the OEB either intends to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the OEB's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable

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Independent Auditor's Report (continued)

assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, I exercise professional judgment and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the OEB's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the OEB's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the OEB to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Toronto, Ontario
June 24, 2021

Bonnie Lysyk, MBA, FCPA, FCA, LPA
Auditor General

STATEMENT OF FINANCIAL POSITION

AS OF MARCH 31, 2021

	2021	2020
ASSETS		
Current Assets:		
Cash (note 9)	\$ 19,982,692	\$ 18,898,236
Accounts receivable (note 9)	991,565	554,210
Regulatory process costs to be assessed (note 9)	1,465,030	2,512,258
Deposits and prepaid expenses	478,956	625,537
Total Current Assets	22,918,243	22,590,241
Non-current Assets:		
Capital assets (note 5)	3,829,693	3,186,522
Total Non-current Assets	3,829,693	3,186,522
TOTAL ASSETS	\$ 26,747,936	\$ 25,776,763
LIABILITIES		
Current Liabilities:		
Deferred revenue (note 3b)	\$ 3,649,635	\$ 4,282,622
Accounts payable and accrued liabilities	7,314,750	6,646,599
Total Current Liabilities	10,964,385	10,929,221
Non-current Liabilities:		
Deferred revenue related to capital assets (note 3c)	3,829,693	3,186,522
Pension liability (note 6b)	130,420	120,003
Total Non-current Liabilities	3,960,113	3,306,525
TOTAL LIABILITIES	\$ 14,924,498	\$ 14,235,746
Operating Reserve (note 4)	\$ 8,514,000	\$ 8,514,000
Net Assets:		
Internally Restricted Net Assets (note 7)	3,309,438	3,027,017
TOTAL LIABILITIES, RESERVE AND NET ASSETS	\$ 26,747,936	\$ 25,776,763

Commitments and Contingencies (note 8 & 11)
See accompanying notes to Financial Statements.

On behalf of the Board of Directors:



Richard Dicerni
Chair

STATEMENT OF OPERATIONS AND NET ASSETS

YEAR ENDED MARCH 31, 2021

	2021	2020
REVENUES		
Recovery of Costs:		
General cost recovery (note 3a)	\$ 40,313,129	\$ 38,562,517
Regulatory process costs	2,245,334	4,355,053
Amortization of deferred revenue related to capital assets (note 3c)	915,183	1,305,379
Total Revenues from Recovery of Costs	43,473,646	44,222,949
Other Revenues:		
Licence fees	422,500	423,600
Administrative penalties and interest (note 7)	282,421	484,342
Interest income (note 9)	105,121	289,610
Miscellaneous income	15,277	19,834
Ministry of Energy, Northern Development and Mines	-	1,002,244
Total Other Revenues	825,319	2,219,630
TOTAL REVENUES	\$ 44,298,965	\$ 46,442,579
EXPENSES		
Salaries and benefits	33,481,049	33,199,761
Consulting and professional	3,498,383	5,610,590
Premises	3,458,589	2,890,126
Information technology	1,180,020	1,040,621
Publications, media and advertising	1,045,379	819,099
Office and administration	286,157	426,275
Meetings, training and travel	151,784	666,386
Amortization of capital assets paid by OEB	915,183	1,305,379
TOTAL EXPENSES	\$ 44,016,544	\$ 45,958,237
EXCESS OF REVENUES OVER EXPENSES	\$ 282,421	\$ 484,342
Net Assets, beginning of period	3,027,017	2,542,675
NET ASSETS, end of period (note 7)	\$ 3,309,438	\$ 3,027,017

See accompanying notes to Financial Statements.

STATEMENT OF CASH FLOWS

YEAR ENDED MARCH 31, 2021

	2021	2020
Net inflow (outflow) of cash related to the following activities:		
OPERATING		
Assessment billed	\$ 41,238,496	\$ 42,000,630
Regulatory process costs revenue	2,245,334	4,355,053
Other revenues	825,319	2,219,630
Expenses	(44,016,544)	(45,958,237)
	292,605	2,617,076
Adjustment for Non-cash Expenses:		
Amortization of capital assets paid by OEB	915,183	1,305,379
Amortization of leasehold improvements paid by Landlord	-	196,474
Deferred rent inducement (note 8)	-	(253,739)
	915,183	1,248,114
Changes in Non-cash Working Capital:		
Accounts receivable	(437,355)	786,176
Regulatory process costs to be assessed	1,047,228	966,291
Deposits and prepaid expenses	146,581	(196,820)
Accounts payable and accrued liabilities	668,151	(1,541,338)
Pension liability	10,417	(14,639)
	1,435,022	(330)
Net Cash from Operating Activities	2,642,810	3,864,860
CAPITAL		
Capital asset purchases	(1,558,354)	(1,452,138)
Net Cash Used in Capital Activities	(1,558,354)	(1,452,138)
NET CHANGE IN CASH	1,084,456	2,412,722
Cash, beginning of period	18,898,236	16,485,514
Cash, end of period	\$ 19,982,692	\$ 18,898,236

See accompanying notes to Financial Statements.

NOTES TO THE FINANCIAL STATEMENTS

MARCH 31, 2021

1. NATURE OF THE CORPORATION

The Ontario Energy Board (the “OEB”) is the regulator of Ontario’s natural gas and electricity industries. The OEB also deals with energy matters referred to it by the Minister of Energy, Northern Development and Mines and the Minister of Natural Resources and Forestry.

Effective August 1, 2003, and pursuant to the *Ontario Energy Board Act, 1998* (the “OEB Act”), the OEB was continued as a corporation without share capital, empowered to fully recover its costs from natural gas and electricity industry participants.

As an agent of Her Majesty in right of Ontario, the OEB is exempted from federal and provincial income taxes under the *Income Tax Act*.

The OEB is classified as a government not-for-profit organization for accounting purposes.

On October 1, 2020, the provisions of the *Fixing the Hydro Mess Act, 2019* related to the OEB’s corporate governance structure were proclaimed into force. Those provisions realign roles, responsibilities, and accountabilities amongst a board of directors, a chair, a chief executive officer and commissioners, including a chief commissioner.

2. SIGNIFICANT ACCOUNTING POLICIES

a) Basis of financial statement preparation

These financial statements are prepared in accordance with Canadian Public Sector Accounting Standards (PS), which constitutes generally accepted accounting principles for government not-for-profit organizations in Canada. The OEB has elected to use the standards for government not-for-profit organizations that include sections PS 4200 to PS 4270, which reflect the significant accounting policies.

b) Revenue recognition

Revenues received in the fiscal year (FY) 2021 that relate to subsequent years are not recognized as revenue and are deferred. Recognition of revenue is matched to the expenses of the OEB as follows:

- General cost recovery under section 26 of the *OEB Act* related to the expenses of the OEB is recognized as revenue to the extent that the total expenses are in excess of regulatory process costs (section 30 and section 79.2), amortization of deferred revenue related to capital assets, and other revenues. When revenue is assessed in excess of actual cost in a current year, it is deferred and recognized in the following fiscal year and referred to as a true-up (note 3b).

- Regulatory process costs (section 30 and section 79.2 of the *OEB Act*) are recognized as revenue when related expenses are incurred.
 - Section 30 costs are regulatory process costs incurred in relation to specific proceedings and consultation processes. They are recovered from regulated entities through the cost award decisions made by the OEB in respect of those proceedings and processes. Some proceedings and consultation processes span several financial years. The OEB funds such proceedings and consultations through its operating reserve until the costs are finally recovered under section 30 of the *Ontario Energy Board Act, 1998*.
 - Section 79.2 costs are regulatory process costs related to the administration of the Ontario Electricity Support Program (OESP). Section 79.2, together with Ontario Regulation 14/18 made under the *OEB Act*, enables the OEB to recover its OESP administration costs from the Independent Electricity System Operator (IESO).
- Deferred revenue related to capital assets is recognized as revenue on the same basis that the underlying capital assets are amortized. Revenue related to capital asset expenditures is deferred because they have been billed in advance (note 3c).
- Revenue from administrative penalties assessed against market participants under section 112.5 of the *OEB Act* is recognized in the year the OEB accepts an assurance of voluntary compliance or issues the enforcement order for the amount identified, provided that the order is not under appeal and collection is reasonably assured. If the order is appealed, revenue will be recognized in the year in which all rights of appeal are exhausted and the order becomes final. Revenue from administrative penalties is not used to reduce the costs under section 26, 30 and 79.2 of the *OEB Act*, but used to support activities relating to consumer education, outreach and other activities in the public interest. Both administrative penalties and their related expenses are reflected in the Statement of Operations and Net Assets and are reflected as internally restricted net assets, which are summarized in note 7 of the financial statements.
- Other revenues are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

c) Capital assets

Capital assets are recorded at cost less accumulated amortization. Amortization is calculated on a straight-line basis over the estimated useful lives of the assets, beginning in the fiscal year following the acquisition, as follows:

Office furniture and equipment	5 - 10 years
Computer software	3 or 5 years
Computer equipment	3 or 5 years
Audio visual equipment	3 years
Leasehold improvements	remainder of lease term

d) Financial instruments

The OEB's financial instruments are initially measured at their fair value and subsequently measured in one of the following categories: (i) fair value or (ii) cost or amortized cost. The OEB uses fair value for the subsequent measurement of cash, accounts receivable, regulatory process costs to be assessed, accounts payable and accrued liabilities.

e) Use of estimates

The preparation of financial statements in accordance with Canadian Public Sector Accounting Standards (PS) requires that management make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues, expenses and recoveries for the year. Items requiring the use of significant estimates include pension liability and useful life of capital assets. Actual amounts could differ from these estimates.

f) Employee pension plans

The OEB's full-time employees participate in the Public Service Pension Plan (PSPP), which is a defined benefit pension plan for employees of the Province and many provincial agencies. The Province of Ontario, which is the sole sponsor of the PSPP, determines the OEB's annual payments to the Plan. Since the OEB is not a sponsor of the pension plan, gains and losses arising from statutory actuarial funding valuations are not assets or obligations of the OEB, as the sponsor is responsible for ensuring that the pension plan is financially viable. The OEB's expense is limited to the required contributions to the Plan as described in note 6a.

The OEB also manages a supplementary unfunded pension plan for a former Chair as described in note 6b. The OEB accrues its obligations and the related cost under this supplemental unfunded pension plan. The actuarial liability and the current service cost are determined by independent actuaries using the projected benefit method, prorated on management's best estimate assumptions.

3. INDUSTRY ASSESSMENTS

During FY 2021, the natural gas and electricity industry participants were assessed estimated costs for FY 2021 based on budgeted amounts. Amounts assessed in excess of actual costs are a true-up and are reported as current deferred revenue. The calculations of the general cost recovery, true-up and deferred revenue are outlined in the following tables.

a) General cost recovery

	FY 2021	FY 2020
Salaries and benefits	\$ 33,481,049	\$ 33,199,761
Consulting and professional	3,498,383	5,610,590
Premises	3,458,589	2,890,126
Information technology	1,180,020	1,040,621
Publications, media and advertising	1,045,379	819,099
Office and administration	286,157	426,275
Meetings, training and travel	151,784	666,386
Amortization of capital assets paid by the OEB	915,183	1,305,379
Total expenses	44,016,544	45,958,237
Regulatory process costs, amortization of deferred revenue related to capital assets and other revenues excluding administration penalties and interest	(3,703,415)	(7,395,720)
General cost recovery	\$ 40,313,129	\$ 38,562,517

b) Current deferred revenue (True-up)

	FY 2021	FY 2020
General cost recovery (note 3a)	\$ 40,313,129	\$ 38,562,517
Capital expenditures paid by the OEB	1,558,354	1,452,138
Operating reserve adjustment	0	0
Total assessment (actual)	41,871,483	40,014,655
Total assessment (budget)	45,521,118	44,297,277
Current deferred revenue (True-up)	\$ 3,649,635	\$ 4,282,622

c) Deferred revenue related to capital assets

Capital asset expenditures are included in the cost assessment in the year of capital acquisition and deferred into revenue on the same basis as the underlying capital assets. The following table shows capital asset expenditures billed in advance and will be recognized into revenue in future periods:

	FY 2021	FY 2020
Deferred revenue related to capital assets, beginning of period	\$ 3,186,522	\$ 3,039,763
Add: capital expenditures included in cost assessment	1,558,354	1,452,138
Less: amortization of deferred revenue related to capital assets	(915,183)	(1,305,379)
Deferred revenue related to capital assets, end of period	\$ 3,829,693	\$ 3,186,522

4. OPERATING RESERVE

As part of its self-financing status, the OEB established an operating reserve, which can be adjusted on an annual basis. The primary objective of maintaining this reserve is to fund the OEB's operations in the event of revenue shortfalls or unanticipated expenditures. It is to be used for cash flow management and to support working capital requirements.

The maximum allowable operating reserve is 20% of the OEB's current annual funding requirement. The operating reserve is currently 18.7%.

	FY 2021		FY 2020	
Operating reserve, beginning of the year	\$	8,514,000	\$	8,514,000
Adjustment to the operating reserve		0		0
Operating reserve, end of the year	\$	8,514,000	\$	8,514,000

The OEB is not subject to any externally imposed reserve requirements.

5. CAPITAL ASSETS

	Cost	Accumulated amortization	Net book value FY 2021	Net book value FY 2020
Office furniture and equipment	\$ 2,505,193	\$ 2,402,085	\$ 103,108	\$ 90,246
Computer equipment	3,301,093	2,691,989	609,104	533,690
Computer software	9,553,328	6,740,442	2,812,886	2,187,933
Audio visual equipment	251,502	139,661	111,841	130,507
Leasehold improvements paid by OEB	1,813,937	1,621,183	192,754	244,146
Leasehold improvements paid by landlord	3,540,400	3,540,400	0	0
Total	\$ 20,965,453	\$ 17,135,760	\$ 3,829,693	\$ 3,186,522

6. EMPLOYEE FUTURE BENEFITS

- The OEB's contribution to the Public Service Pension Plan (PSPP) for FY 2021 was \$2,110,949 (2020 - \$2,094,936), and is included in salaries and benefits costs on the Statement of Operations and Net Assets.
- The OEB has an unfunded supplemental pension plan for a former Chair. The significant actuarial assumptions adopted at March 31, 2021 included a discount rate of 1.75% (2020 – 2.00%). The OEB's pension expense, included in salaries and benefits costs, is shown below:

Components of Net Periodic Pension Cost	FY 2021	FY 2020
Current service costs	\$ 0	\$ 0
Interest costs	2,214	2,799
Actuarial loss	26,799	3,025
Net periodic pension cost recognized	\$ 29,013	\$ 5,824

The total benefit obligation and the accrued benefit liability with respect to the OEB is as follows:

Change in Accrued Benefit Obligation	FY 2021	FY 2020
Accrued benefit obligation, beginning of the year	\$ 120,003	\$ 134,642
Current service costs	0	0
Interest costs	2,214	2,799
Benefits paid	(18,596)	(20,463)
Actuarial loss	26,799	3,025
Accrued benefit obligation, end of the year	\$ 130,420	\$ 120,003

- c. The OEB is not responsible for the cost of employee post-retirement and non-pension benefits. These costs are the responsibility of the Province of Ontario, a related party.

7. INTERNALLY RESTRICTED NET ASSETS

The internally restricted net assets at March 31, 2021 represent revenue from administrative penalties assessed against individual market participants under section 112.5 of the *Ontario Energy Board Act, 1998*. According to the OEB Cost Assessment Model, revenue from administrative penalties will not be used to reduce payments under the general assessment. Revenue from administrative penalties plus any related interest revenue is internally restricted to support activities relating to consumer education, outreach and other activities in the public interest.

The changes in internally restricted net assets are as follows:

	FY 2021	FY 2020
Balance, beginning of the year	\$ 3,027,017	\$ 2,542,675
Administrative penalties issued in the year	263,500	429,000
Interest revenue from administrative penalties	18,921	55,342
Expenses incurred	0	0
Balance, end of the year	\$ 3,309,438	\$ 3,027,017

8. OPERATING LEASE COMMITMENTS AND DEFERRED RENT INDUCEMENT

The OEB's current office space lease commitment ends December 31, 2024. The minimum base rental payments under the operating lease, expiring December 31, 2024 and in aggregate are as follows:

FY 2022	\$	1,574,954
FY 2023		1,721,556
FY 2024		1,868,158
FY 2025 – 9 months		1,483,582
Total	\$	6,648,250

The OEB is committed to pay its proportionate share of realty taxes and operating expenses for the premises, which amounted to \$1,865,731 during FY 2021 (2020 - \$1,619,716).

Deferred rent inducement represents the benefit of operating lease inducements which were being amortized on a straight-line basis over the term of the previous lease (15 years) ended on December 31, 2019.

The changes in deferred rent inducements are as follows:

	FY 2021		FY 2020	
Balance, beginning of the year	\$	0	\$	253,739
Less: Amortization of deferred rent inducement netted against premises expense		0		(253,739)
Balance, end of the year	\$	0	\$	0

9. FINANCIAL INSTRUMENTS

Interest rate risk:

The OEB's financial assets and liabilities are not exposed to significant interest rate risk. Cash balances earn interest at a consistent rate of 0.60% (2020 – 1.39% to 2.10%). The average cash balance interest rate for the year was 0.60% (2020 – 2.04%).

A 25 basis point change in the interest rate would impact the OEB's operating surplus by \$51,750 (2020 - \$42,475).

Currency risk:

The OEB's exposure to currency risk is minimal as few transactions are in currencies other than Canadian dollars.

Credit risk:

The OEB's exposure to credit risk is minimal. The OEB has minimal credit risk exposure in regard to accounts receivable due to high historical collection rates. The accounts receivable aging is summarized below:

	<i>Current</i>	<i>+60 Days</i>	<i>+90 Days</i>	<i>Total</i>
Regulatory process costs	\$ 545,680	\$ 1,726	\$ 395	\$ 547,801
General cost recovery	1,610		8,000	9,610
Admin Penalty	12,000			12,000
HST recovery	419,126			419,126
Interest receivable	11,423			11,423
Allowance for Doubtful Accounts			(8,395)	(8,395)
Total	\$ 989,839	\$ 1,726	\$ 0	\$ 991,565

The OEB also has minimal credit risk exposure in regard to the \$1,465,030 (2020 - \$2,512,258) of regulatory process costs to be assessed due to high historical collection rates. Included in these costs is \$334,556 (2020 - \$683,852) to be collected from related parties.

Regulatory process costs to be assessed are costs incurred by the OEB which will be invoiced in a future fiscal year after March 31, 2021.

Liquidity risk:

The OEB's exposure to liquidity risk is minimal as the OEB has a sufficient cash balance to settle all current liabilities. As of March 31, 2021, the OEB had a cash balance of \$19,982,692 (2020 - \$18,898,236) to settle current liabilities of \$10,964,385 (2020 - \$10,929,221).

10. RELATED PARTY TRANSACTIONS

The Province of Ontario is a related party as it is the controlling entity of the OEB. Therefore, the Independent Electricity System Operator, Ontario Power Generation, Hydro One, Ontario Electricity Financial Corporation, Publications Ontario, Ontario Ministry of Energy, Northern Development and Mines and Ministry of Government and Consumer Services are related parties of the OEB, through the common control of the Province of Ontario. The total related party transactions for FY 2021 are revenues of \$11,878,193 (2020 - \$13,314,519) and expenses of \$325,022 (2020 - \$585,410). These expenses relate to salaries & benefits, consulting & professional costs, and information technology. Revenues relate to general cost recovery and regulatory process costs.

Related party transactions pertaining to employee future benefits are disclosed in note 6.

11. CONTINGENCIES

Contingencies refer to possible legal claims that have been made against the OEB, the ultimate outcome of which cannot be predicted with certainty. Management does not expect that the outcome of the claims against the OEB will have a material and adverse effect on its results and does not believe any provisions for losses are necessary at this time. No amounts have been recognized in the accounts for claims made against the OEB. Any settlements will be accounted for at the time of settlement.



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