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Delivered by Courier, Email & RESS

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2701
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: InnPower Corporation
2017 Rate Application (EB-2016-0085)
Procedural Matters**

On May 26, 2017, the Ontario Energy Board (the “**Board**”) issued Procedural Order No. 2 (“**PO#2**”) which, *inter alia*, ordered InnPower Corporation (“**InnPower**”) to serve notice on any specifically identifiable customers or customer groups that would be directly impacted by one or more of the proposed changes to specific service charges, including, but not limited to, any entities that currently pay a charge for access to InnPower’s power poles, as a well as microFIT and net metering customers.

I have discussed the implications of PO#2 with my client. Following this discussion, on behalf of InnPower I note:

1. InnPower has withdrawn its request to change its pole attachment rate.¹ It did this after reviewing the progress of the Pole Attachment Working Group (the “**PAWG**”) (EB-2015-0304). InnPower will await the outcome of the PAWG prior to determining a new pole attachment rate. For this reason, customers that currently pay a charge for access to InnPower’s power poles are no longer “directly impacted by any proposed changes” in the Application. This is because a change to the pole attachment charge is no longer being proposed.
2. InnPower will withdraw its request to increase its microFIT rate from \$5.40 to \$10.00 monthly. The activities identified in response to 8.0-Staff-75(a) are all one-time costs that occur before a microFIT customer is connected, and are consequently not appropriate to include in the determination of a monthly microFIT service charge. For this reason, customers that currently pay the microFIT charge are no longer “directly impacted by any

¹¹ See page 4 of the InnPower Corporation “*Responses to Interrogatories Service Charge Specific Procedural Order #2*” dated August 4, 2017.

proposed changes” in the Application. This is because a change to the microFIT charge is no longer being proposed.

3. InnPower does not have any net metering customers.

InnPower apologizes for the difficulties that it experienced with PO#2 and agrees with the proposed approach set out above. This solution was created in consultation with legal counsel, in consideration of the procedural rights of all affected parties, and is intended to address the facts without creating further procedural delays in the processing of the EB-2016-0085 application.

Yours very truly,

BORDEN LADNER GERVAIS LLP

Per:

Original signed by John A.D. Vellone

John A.D. Vellone

CC: Intervenors of record in EB-2016-0085