



Fogler, Rubinoff LLP
Lawyers

77 King Street West
Suite 3000, PO Box 95
TD Centre
Toronto, ON M5K 1G8
t: 416.864.9700 | f: 416.941.8852
foglers.com

January 16, 2013

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 116876

VIA EMAIL AND COURIER

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

Attention: Ms. Kirsten Walli,
Board Secretary

Dear Ms. Walli:

Re: EB-2010-0377; EB-2010-0379; EB-2011-0004; EB-2011-0043

Dear Ms. Walli,

I am writing on behalf of the Building Owners and Managers Association (Ontario) ("BOMA"), requesting cost eligibility in the continuing consultations related to the implementation of the Report of the Board: A Renewed Regulatory Framework for Electricity Distributors: A Performance Based Approach (the "Report"). Unfortunately, BOMA's representatives were engaged in multiple proceedings and consultations throughout mid to late fall, and did not respond to the October 18, 2012 letter. BOMA apologizes for the oversight.

BOMA was found eligible for each of the five topics in the development of the RRFE, and Mr. Brett made, on behalf of BOMA, extensive written submissions on all five topics. BOMA also made written and oral submissions to the public consultation meetings on the Board's straw man in early 2012. Mr. Brett and Ms. Fraser will be BOMA's representatives in the process. Ms. Fraser attended the session on performance, benchmarking, and rate adjustment indices last week. While BOMA's representatives were not named to any of the three task forces, BOMA is very interested in the implementation of the Report, and has views to contribute on the focus areas identified in the Board's October 18, 2012 letter.

BOMA believes that it meets the eligibility criteria outlined in the October 18, 2012 letter, as representative of the commercial office building and institutional sector throughout Ontario, and would like to participate in the balance of the consultation activities dealing with an integrated approach to network planning, regional infrastructure planning, performance benchmarking and rate adjustment indices. BOMA understands that Mr. Scott Rouse has represented it to date in

the Smart Grid Working Group, but that the Working Group's activities have now been completed.

The Board's Decision on Cost Eligibility of January 8, 2013 notes that BOMA is one of the listed organizations that represent the interests of ratepayers.

Thank you for your consideration.

Yours sincerely,

FOGLER, RUBINOFF LLP

Tom Brett per: 

Thomas Brett

TB/dd

cc. Marion Fraser
Scott Rouse