



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

May 7, 2013

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 132788

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto Ontario
M4P 1E4

Attention: Kirsten Walli,
Board Secretary

Dear Ms. Walli:

Re: EB-2013-0070

Please find attached the Interrogatories of Building Owners and Managers Association, Greater Toronto (BOMA), in the above noted proceeding.

Two hard copies will be delivered by courier to the Board.

Yours truly,

FOGLER, RUBINOFF LLP

Thomas Brett
TB/dd
Encls.
cc: All Parties

IN THE MATTER OF the Ontario Energy Board Act 1998,
S.O.1998, c.15, (Schedule B);

AND IN THE MATTER OF an application by PowerStream Inc.
seeking approval for a Conservation and Demand
Management Program – Direct Install Refrigeration

**INTERROGATORIES OF
BUILDING OWNERS AND MANAGERS ASSOCIATION, GREATER TORONTO (BOMA)**

***Reference Page 1:** In its 2011 Annual CDM Report, filed with the OEB on September 28, 2012, PowerStream forecasted achieving 77% of its demand target and 100% of its energy target through the delivery of the Provincial Programs. The remainder of the demand savings was projected to come from TOU pricing implementation...PowerStream is currently projecting to achieve 56% of its demand target and 89% of its energy target through the delivery of the Provincial Programs.*

1. Please provide PowerStream assessment of the reason for the larger than expected gap between demand and energy savings forecasted to result from the delivery of Provincial Programs.

***Reference Page 2:** There are several issues with the current Provincial Programs which are impeding their performance and presenting risks to PowerStream in achieving its CDM targets. These issues are primarily related to program delivery (e.g. Participant Agreements and the online application system that are overly onerous/complicated), but there are also some program design concerns (e.g. equipment pricing caps in the Small Business Lighting Initiative). These barriers and opportunities have been well identified by the program working groups and solutions have been proposed in nearly all cases. To date, three rounds of changes to the Master Agreement and Schedules have been issued through the EDA and OPA collaborative change management process, and there are several additional rounds of changes currently in the process. These modifications have been positive, however, the overall change management process has been extremely slow and PowerStream believes this has resulted in lost opportunities and lower than forecasted results.*

2. Has PowerStream assessed the expected impact of the three rounds of changes to the Master Agreement and Schedules that have been issued? Please provide the results of that assessment. Has PowerStream assessed the potential impact of the several additional rounds of changes current in the process? Please provide the results of that assessment. Please provide an assessment of any remaining shortfall to PowerStream's assigned target after the combined changes to the Provincial Programs plus the anticipated results of the DIR program are included.

3. Is PowerStream aware of any efforts to improve the change management process? Has PowerStream made any documented suggestions to improve the change management process? If so, please file the document(s).

Reference Page 3: *Beginning in early October 2012, PowerStream identified approximately ten program concepts for possible development. This list was narrowed down to four for further consideration, based on a qualitative assessment of:*

- *Potential energy and demand savings*
- *Potential program delivery cost*
- *Potential level of duplication with Provincial Programs*
- *Potential speed and ease of implementation*

4. Please list the ten (10) program concepts. Please provide the criteria for narrowing the list down to four (4) and indicate which of the ten (10) passed that screen. Does PowerStream intend to submit additional programs for Board Approval?

Reference Page 11: *The societal cost for the program will be \$3.9 million, representing a net benefit of \$6.6 million.*

5. The term “societal cost” generally includes externalities. Please confirm if externalities were included. If so, why?

Reference Page 11: 6.3 Benefits to PowerStream - *The primary benefit of this program for PowerStream will be the achievement of 3.3 MW and 19.6 GWh in savings toward its 2011-2014 CDM Targets. Specifically, this program addresses approximately 43% of PowerStream’s current projected shortfall against its energy target.*

6. Does the program address any of the shortfalls against the demand target?

7. Please indicate the total cost of market research, program development, evaluation planning and preparation of the application for this program. A breakdown of the total costs according to PowerStream accounting would be appreciated.

Reference Appendix E, page 8: *The evaluations also include recommendations for improvement that have been incorporated into the design of PowerStream’s Direct Install Refrigeration (DIR) program. These include:*

- *Metering before and after project implementation to improve the accuracy of energy savings estimates;*
- *Ensuring that energy and demand savings calculations are made according to the formulas provided in the Ontario Power Authority’s 2011 Quasi-Prescriptive Measures and Assumptions document;*

8. How will any discrepancy between actual measurements from metering and the data already included in the Ontario Power Authorities Prescriptive Measures and Assumptions document be resolved?

Reference Appendix E, page 23: *Study outputs - The cost-effectiveness evaluation will include the following cost effectiveness tests for the complete PowerStream Direct Install Refrigeration Program:*

- *TRC ratio*
- *PAC ratio*
- *Levelized delivery costs (\$/MW-a and \$/MWh)*

It will also include the methodology used to calculate each metric and the breakdown of costs and benefits within each metric.

9. While not required by the CDM Code, will PowerStream consent to also including the Participant Cost Test in its evaluation? If not, how does PowerStream assure itself that its participating customers are benefiting?