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By electronic filing

July 17, 2013

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
27th floor
Toronto, ON M4P 1E4

Dear Ms Walli,

Proposal to Amend the Licence of the Ontario Power Authority (“OPA”)

Board File No.: EB-2013-0192

Our File No.: 339583-000164

This letter contains the brief submissions made on behalf of Canadian Manufacturers & Exporters (“CME”) with respect to the issues described in Procedural Order No. 1 dated June 19, 2013.

We have framed the questions on which the Board has called for submissions as follows:

1. Do the Proposed Amendments to the OPA’s Licence (“Proposed Amendments”) reflect the OPA’s obligations in the regional planning process?; and
2. Are the timelines contained in the Proposed Amendments for the OPA to carry out regional planning obligations appropriate?

Our submissions with respect to each of these questions are set forth below.

1. **Do the Proposed Amendments to the OPA’s Licence (“Proposed Amendments”) reflect the OPA’s obligations in the regional planning process?**

In order to answer this question, one must first determine the OPA’s obligations in the regional planning process.

The May 6, 2013 letter from the Minister of Energy to the OPA, to which the OPA refers in its July 4, 2013 submissions, suggest that the OPA’s obligations in the regional planning process

encompass an obligation to seek "... input from municipalities, Aboriginal communities, and other stakeholders".

The definitions contained in the Proposed Amendments attached to the Board's Letter of Direction to the OPA dated June 3, 2013, and, in particular, the definition of "regional planning" suggest that inputs from transmitters, distributors and the OPA are all that is needed for the OPA to produce a regional plan. Similarly, section X.2.1 of the Proposed Amendments is worded in a way which suggests that the inputs which the OPA must consider in order to produce a regional plan are limited to inputs from transmitters and distributors.

We respectfully suggest that, to be compatible with the expectations expressed by the Minister of Energy in his May 6, 2013 letter to the OPA, the Proposed Amendments should be modified to reflect the OPA's obligations to consult with and obtain inputs from a constituency broader than transmitters and distributors. The constituency to be consulted and involved in the planning process should include municipalities, Aboriginal communities and other stakeholders, as stated in the Minister's letter.

In our view, it is the involvement of this broader constituency in the planning process that will enable the OPA to prepare and consider the forward looking total estimated bill increase type of information which CME considers to be a critical component of economically sustainable regionally planned initiatives.

Based on the foregoing, we suggest that the words describing those involved in the process falling within the definition of the phrase "regional planning" contained in the Proposed Amendments should be broadened. We suggest that the initial part of the definition should be revised to read something to the following effect:

"Regional planning' means a planning process involving licensed transmitter(s), licensed distributor(s), municipalities, Aboriginal communities, other stakeholders, and the Licensee ..."

Similarly, the language of section X.2.1 of the Proposed Amendments should be broadened to read something to the following effect:

"The Licensee shall, in consultation with licensed transmitter(s), licensed distributor(s), municipalities, Aboriginal communities, and other stakeholders in a region, carry out its regional planning obligations."

2. Are the timelines contained in the Proposed Amendments for the OPA to carry out regional planning obligations appropriate?

In its July 4, 2013 submissions, the OPA envisions that, in carrying out its regional planning obligations, it will provide two (2) forms of Integrated Regional Resource Plans ("IRRP"). The

first form of plan will be an Interim IRRP and will address a region's near term electricity needs for a period of up to five (5) years. An IRRP will address the near, mid and long term needs of a region for a total period of up to 20 years.

In the context of these two (2) planning forms, the OPA, in its submissions, recommends that the Proposed Amendments to its Licence be revised to require an Interim IRRP to be produced within a period of one (1) year from the date of a determination that a regional plan is necessary; and that an IRRP, identifying needs for the next 20 years, be produced within two (2) years of such a determination.

Having regard to the broader constituency with which the OPA is obliged to consult, the OPA's proposal to produce two (2) forms of IRRP plans and to have separate deadlines of 1 and 2 years respectively for those separate forms of such plans appear to us to be reasonable and we support their adoption.

We have no submissions to make with respect to any of the other timelines specified in the Proposed Amendments.

Costs

CME requests that it be awarded its reasonably incurred costs of participating in this process.

Yours very truly,



Peter C.P. Thompson, Q.C.

PCT\slc

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