



## Jay Shepherd

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### **BY EMAIL and RESS**

September 2, 2015  
Our File No. HV2015-0001

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

### **Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

### **Re: EB-2013-0159 – Oakville Hydro – Cost Allocation Study Commitment**

We are counsel for the HVAC Coalition.

HVAC Coalition was yesterday provided with a copy of a letter dated August 21, 2015 from Oakville Hydro to the Board stating their intention not to comply with the order of the Board dated May 1, 2015 in EB-2013-0159. That order, which implemented a Settlement Agreement, approved a cost allocation study relating to shared costs between the utility and its affiliates, and stated in part:

*"The study will be filed with Oakville Hydro's 2016 rate application and the Parties agree and acknowledge that it will be up to the Board to determine how it wishes to proceed at that time."*

HVAC Coalition was not consulted about delaying this study, and has not agreed to that delay. Until a meeting earlier in August, it was HVAC Coalition's understanding that Oakville Hydro intended to comply with the Board's requirement in this order.

Our client is therefore concerned that Oakville Hydro may not be treating this requirement in the Board's order with the priority that should be given to orders of the Board. In our submission, the Board should require Oakville Hydro to explain its proposed failure to comply in detail, and

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to propose a new schedule that will allow the study to be completed and implemented, if the Board so determines, at the earliest possible time, rather than waiting for another year until 2017. If necessary, this should include delaying the implementation of 2016 rates until that can be done, although obviously we would hope that is not necessary.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**

Jay Shepherd

cc: Martin Luymes, HVAC (email)  
Mary Caputi, Oakville Hydro (email)  
Katherine Wang, OEB (email)  
Interested Parties