



Fogler, Rubinoff LLP
Lawyers

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

October 10, 2017

Reply To: Thomas Brett
Direct Dial: 416.941.8861
E-mail: tbrett@foglers.com
Our File No. 173011

VIA EMAIL, RESS AND COURIER

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

Attention: Kristen Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2017-0150: IESO, 2017 Expenditure and Revenue Requirement Application

Unfortunately, BOMA neglected to file a letter indicating its preference for either a written or oral hearing in a timely manner. BOMA apologizes for the lateness of its comments. BOMA did submit a letter proposing an oral hearing (Attachment 1 to this letter) at an earlier stage of the proceeding, which cited the MRP and the proposed scorecard as issues that would benefit for such a hearing.

BOMA is of the view that an oral hearing should be held on both issues 4.4 and 5.1. With respect to the appropriateness of the regulatory scorecard, as noted by Environmental Defence and others, there are a number of factual issues that need to be clarified through cross-examinations.

On the need for a Market Renewal Program Deferral Account, the degree to which the deferral account would enhance oversight, including prudency review, needs to be clarified.

Yours sincerely,

FOGLER, RUBINOFF LLP

A handwritten signature in black ink, appearing to read "Thomas Brett", written over a light blue horizontal line.

Thomas Brett
TB/dd

cc: All Parties (*via email*)

I:\P\Fraser & Company_F1588\173011_BOMA - IESO, 2017 Expenditure and Revenue\Documents\1-Walli (oral hearing et al).docx

ATTACHMENT 1

**fogler
rubinoff**

Fogler, Rubinoff LLP

Lawyers

77 King Street West

Suite 3000, PO Box 95

TD Centre North Tower

Toronto, ON M5K 1G8

t: 416.864.9700 | f: 416.941.8852

foglers.com

June 12, 2017

Reply To: Thomas Brett

Direct Dial: 416.941.8861

E-mail: tbrett@foglers.com

Our File No. 173011

VIA RESS, EMAIL AND COURIER

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

Attention: Kirsten Walli,
Board Secretary

Dear Ms. Walli:

**Re: IESO, 2017 Expenditure and Revenue Requirement Submission
Board File No. EB-2017-0150**

BOMA recommends that the EB-2017-0150 proceed by way of an oral hearing.

First, the IESO is requesting substantial incremental funding to support its proposed market renewal program, a major new initiative which needs the scrutiny possible only in an oral hearing.

Second, there are important issues related to commitments the IESO made in EB-2015-0275, including the appropriateness of the IESO's regulatory scorecard (particularly in light of past questions over the IESO's performance metrics), the costs related to IESO's implementing the Ontario GHG Cap and Trade initiative, and CDM, especially given the importance of CDM to a successful Cap and Trade Program, and IESO's new responsibilities for transmission procurement and providing technical reports with respect to the Long-Term Energy Plan, and the IESO's rationale as to why it cannot benchmark its activities relative to other similar Canadian and US agencies. These are all important, potentially contentious issues, which would benefit from exposure in an oral hearing.

Yours truly,

FOGLER, RUBINOFF LLP



Thomas Brett

TB/dd

cc: All Parties (*via email*)