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VIA RESS, EMAIL AND COURIER

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
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Attention: Kirsten Walli,
Board Secretary

Dear Ms. Walli:

Re: Cap and Trade Compliance Plans (Combined Proceeding): Enbridge Gas Distribution Inc. (EB-2016-0300), Union Gas Limited (EB-2016-0296) and EPCOR (EB-2016-0330)

BOMA is writing to support its cost claim, in light of Union's objection. BOMA filed lengthy, comprehensive, and well-reasoned arguments on both of Union's and EGD's compliance plans, and their respective rate impacts.

Moreover, in order to understand and properly address the companies' Cap and Trade Compliance Submissions, it was necessary to review the recently enacted cap and trade legislation and regulations, and the Ontario Government's policy framework and supporting documentation, all of which were complicated, lengthy documents. In order to clarify the evidence, BOMA found it necessary to ask many interrogatories; 47 of Union, and 46 of EGD. The fact that much of the evidence was available to only the Board and its staff made the task of discovery and analysis more difficult and time consuming. In order to get enough information to form a coherent view of what the utilities proposed to do, and what the implications would be for ratepayers, it was necessary to do a great deal of interpretation, extrapolation, and analysis of the little public information that was made available to intervenors.

Given the fact that the proposed link with California was imminent, and that Ontario price forecasts were derived from California price forecasts, BOMA also analysed the current California regime and the proposed changes to that regime, to determine the likely impact on Ontario's plan. BOMA filed a California legislation and policy addendum to its submissions.

In addition, BOMA:

- addressed a comprehensive analysis on the "prudence issue", given the nuances in the utilities' proposals on the prudence topic;
- explained and made a comprehensive analysis of the importance of enhanced DSM to the success of the utilities' cap and trade initiatives, and how those enhancements should be made;
- conducted a thorough assessment of the resources, personnel and otherwise, that the utilities were requesting to formulate and execute their compliance plans;
- offered support for some of EGD's future investment ideas, and proposals for annual reports;
- presented the need for additional transparency in future cases;
- made suggestions to the Board for enhancements to the utilities' future submissions.

If the Board does decide to re-examine BOMA's cost claim, BOMA requests they begin by re-reading BOMA's arguments.

BOMA respectfully suggests that the magnitude of the effort made, and the quality of its analysis and recommendations support the cost claim.

Yours truly,

FOGLER, RUBINOFF LLP



Thomas Brett

TB/dd

cc: Kristi Sebalj, OEB (*via email*)
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