



Richard P. Stephenson

T 416.646.4325 Asst 416.646.7419

F 416.646.4301

E richard.stephenson@paliareroland.com
www.paliareroland.com

May 31, 2018

File 94691

VIA RESS FILING and COURIER

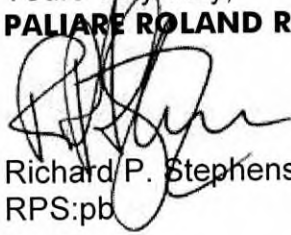
Ms. Kirstin Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: Power Workers Union and Hydro One Networks Inc. – Lake Superior
Link Transmission Line - (EB-2017-0364)**

Attached please find the Book of Authorities of the Power Workers' Union in connection with the above-noted proceedings. An electronic copy has been filed through the Board's RESS filing system, and two paper copies will follow by courier delivery.

Yours very truly,
PALIARE ROLAND ROSENBERG ROTHSTEIN LLP


Richard P. Stephenson
RPS:pb

Attach.

Doc 2525803 v1

Chris G. Paliare
Ian J. Roland
Ken Rosenberg
Linda R. Rothstein
Richard P. Stephenson
Nick Coleman
Donald K. Eady
Gordon D. Capern
Lily I. Harmer
Andrew Lokan
John Monger
Odette Soriano
Andrew C. Lewis
Megan E. Shortreed
Massimo Stamino
Karen Jones
Robert A. Centa
Nini Jones
Jeffrey Larry
Kristian Borg-Olivier
Emily Lawrence
Tina H. Lie
Jean-Claude Killey
Jodi Martin
Michael Fenrick
Ren Bucholz
Jessica Latimer
Lindsay Scott
Alysha Shore
Denise Cooney
Paul J. Davis
Lauren Pearce
Elizabeth Rathbone
Daniel Rosenbluth
Glynnis Hawe
Emily Home

COUNSEL

Stephen Goudge, Q.C.

COUNSEL

Ian G. Scott, Q.C., O.C.
(1934 - 2006)

IN THE MATTER OF the *Ontario Energy Board Act*, 1998;

AND IN THE MATTER OF an Application by Hydro One Networks Inc. pursuant to s. 92 of the *OEB Act* for an Order or Orders granting leave to construct new transmission facilities ("Lake Superior Link") in northwestern Ontario;

AND IN THE MATTER OF an Application by Hydro One Networks Inc. pursuant to s. 97 of the *OEB Act* for an Order granting approval of the forms of the agreement offered or to be offered to affected landowners.

BOOK OF AUTHORITIES OF THE POWER WORKERS' UNION

May 31, 2018

**Paliare Roland Rosenberg
Rothstein LLP**
155 Wellington Street West, 35th Floor
Toronto, Ontario M5V 3H1

Richard Stephenson
Tel: 416.646.4325
Fax: 416.646.4301

Lawyers for the Power Workers' Union

TABLE OF CONTENTS

1. *Ontario Energy Board Act*, 1998, SO 1998, c. 15, Sch. B
2. *Statutory Powers Procedure Act*, RSO 1990, c. S. 22
3. *Ontario Energy Board Rules of Practice and Procedure*; revised November 16, 2006, July 14, 2008, October 13, 2011, January 9, 2012, January 17, 2013, April 24, 2014, and October 28, 2016
4. *EB-2010-0059*; Board Policy: Framework for Transmission Project Development Plans, August 26, 2010
5. Correspondence from Registrar, Ontario Energy Board, to Regulatory Affairs dated May 1, 2017, re Distribution Custom IR Application.
6. Correspondence from Board Secretary, Ontario Energy Board, to Ontario Power Generation, dated October 25, 2013, re Payment Amounts Application.

1

Board's powers, miscellaneous

21 (1) The Board may at any time on its own motion and without a hearing give directions or require the preparation of evidence incidental to the exercise of the powers conferred upon the Board by this or any other Act. 1998, c. 15, Sched. B, s. 21 (1).

Hearing upon notice

(2) Subject to any provision to the contrary in this or any other Act, the Board shall not make an order under this or any other Act until it has held a hearing after giving notice in such manner and to such persons as the Board may direct. 1998, c. 15, Sched. B, s. 21 (2).

(3) Repealed: 2000, c. 26, Sched. D, s. 2 (2).

No hearing

(4) Despite section 4.1 of the *Statutory Powers Procedure Act*, the Board may, in addition to its power under that section, dispose of a proceeding ~~without a hearing~~ if,

- (a) no person requests a hearing within a reasonable time set by the Board after the Board gives notice of the right to request a hearing; or
- (b) the Board determines that no person, other than the applicant, appellant or licence holder will be adversely affected in a material way by the outcome of the proceeding and the applicant, appellant or licence holder has consented to disposing of a proceeding without a hearing.

(c) Repealed: 2003, c. 3, s. 20 (1).

1998, c. 15, Sched. B, s. 21 (4); 2002, c. 1, Sched. B, s. 3; 2003, c. 3, s. 20 (1).

Consolidation of proceedings

(5) Despite subsection 9.1 (1) of the *Statutory Powers Procedure Act*, the Board may combine two or more proceedings or any part of them, or hear two or more proceedings at the same time, without the consent of the parties. 2003, c. 3, s. 20 (2).

Non-application

(6) Subsection 9.1 (3) of the *Statutory Powers Procedure Act* does not apply to proceedings before the Board. 1998, c. 15, Sched. B, s. 21 (6).

Use of same evidence

(6.1) Despite subsection 9.1 (5) of the *Statutory Powers Procedure Act*, the Board may treat evidence that is admitted in a proceeding as if it were also admitted in another proceeding that is heard at the same time, without the consent of the parties to the second-named proceeding. 2003, c. 3, s. 20 (3).

Interim orders

(7) The Board may make interim orders pending the final disposition of a matter before it. 1998, c. 15, Sched. B, s. 21 (7).

2

Disposition without hearing

4.1 If the parties consent, a proceeding may be disposed of by a decision of the tribunal given without a hearing, unless another Act or a regulation that applies to the proceeding provides otherwise. 1997, c. 23, s. 13 (2).

3

ONTARIO ENERGY BOARD

Rules of Practice and Procedure

(Revised November 16, 2006, July 14, 2008, October 13, 2011, January 9, 2012,
January 17, 2013, April 24, 2014 and October 28, 2016)

reviews and appeals available to it and such reviews and appeals have been finally determined.

- 17.03 A notice of appeal shall be in such form as may be approved or specified by the Board and shall be accompanied by such fee as may be set for that purpose by the management committee under section 12.1(2) of the *OEB Act*.
- 17.04 At a hearing of an appeal, an appellant shall not seek to appeal a portion of the order, decision, market rules, reliability standard or finding or remedial action referred to in **Rule 15.03** or rely on any ground, that is not stated in the appellant's notice of appeal, except with leave of the Board.
- 17.05 In addition to those persons on whom service is required by statute, the Board may direct an appellant to serve the notice of appeal on such persons as it considers appropriate.
- 17.06 The Board may require an appellant to file an affidavit of service indicating how and on whom service of the notice of appeal was made.
- 17.07 Subject to **Rule 17.08**, a request by a party to stay part or all of the order, Decision, market rules, reliability standard or finding or remedial action referred to in **Rule 15.03** being appealed pending the determination of the appeal shall be made by motion to the Board.
- 17.08 For greater certainty, a request to stay shall not be made where a stay is precluded by statute.
- 17.09 In respect of a motion brought under **Rule 17.07**, the Board may order that implementation or operation of the order, decision, market rules or reliability standard be delayed or stayed, on conditions as it considers appropriate.

18. Dismissal Without a Hearing

- 18.01 The Board may propose to dismiss a proceeding without a hearing on the grounds that:
- (a) the proceeding is frivolous, vexatious or is commenced in bad faith;

ONTARIO ENERGY BOARD

Rules of Practice and Procedure

(Revised November 16, 2006, July 14, 2008, October 13, 2011, January 9, 2012, January 17, 2013, April 24, 2014 and October 28, 2016)

- (b) the proceeding relates to matters that are outside the jurisdiction of the tribunal; or
- (c) some aspect of the statutory requirements for bringing the proceeding has not been met.

18.02 Where the Board proposes to dismiss a proceeding under **Rule 18.01**, it shall give notice of the proposed dismissal in accordance with the *Statutory Powers Procedure Act*.

18.03 A party wishing to make written submissions on the proposed dismissal shall do so within 10 calendar days of receiving the Board's notice under **Rule 18.02**.

18.04 Where a party who commenced a proceeding has not taken any steps with respect to the proceeding for more than one year from the date of filing, the Board may notify the party that the proceeding shall be dismissed unless the person, within 10 calendar days of receiving the Board's notice, shows cause why it should not be dismissed or advises the Board that the application or appeal is withdrawn.

18.05 Where the Board dismisses a proceeding, or is advised that the application or appeal is withdrawn, any fee paid to commence the proceeding shall not be refunded.

19. Decision Not to Process

19.01 The Board or Board staff may decide not to process documents relating to the commencement of a proceeding if:

- (a) the documents are incomplete;
- (b) the documents were filed without the required fee for commencing the proceeding;
- (c) the documents were filed after the prescribed time period for commencing the proceeding has elapsed; or
- (d) there is some other technical defect in the commencement of the proceeding.

ONTARIO ENERGY BOARD

Rules of Practice and Procedure

(Revised November 16, 2006, July 14, 2008, October 13, 2011, January 9, 2012,
January 17, 2013, April 24, 2014 and October 28, 2016)

19.02 The Board or Board staff shall give the party who commenced the proceeding notice of a decision made under **Rule 19.01** that shall include:

- (a) reasons for the decision; and
- (b) requirements for resuming processing of the documents, if applicable.

19.03 Where requirements for resuming processing of the documents apply, processing shall be resumed where the party complies with the requirements set out in the notice given under **Rule 19.02** within:

- (a) subject to **Rule 19.03(b)**, 30 calendar days from the date of the notice; or
- (b) 10 calendar days from the date of the notice, where the proceeding commenced is an appeal.

19.04 After the expiry of the applicable time period under **Rule 19.03**, the Board may close its file for the proceeding without refunding any fee that may already have been paid.

19.05 Where the Board has closed its file for a proceeding under **Rule 19.04**, a person wishing to refile the related documents shall:

- (a) in the case of an application, refile the documents as a fresh application, and pay any fee required to do so; or
- (b) in the case of an appeal, refile the documents as a fresh notice of appeal, except where the time period for filing the appeal has elapsed, in which case the documents cannot be refiled.

20. Withdrawal

20.01 An applicant or appellant may withdraw an application or appeal:

- (a) at any time prior to the hearing, by filing and serving a notice of withdrawal signed by the applicant or the appellant, or his or her representative; or
- (b) at the hearing with the permission of the Board.

4

Ontario Energy Board

EB-2010-0059

Board Policy:

**Framework for Transmission Project
Development Plans**

August 26, 2010

2 Board Principles

The Board's goal in developing a policy for transmission project development planning is to facilitate the timely development of the transmission system to accommodate renewable generation.

In developing this policy, the Board is guided by its objectives in relation to the electricity sector under the *Ontario Energy Board Act, 1998* (the "OEB Act"). Of particular relevance in this instance are the objectives of protecting the interests of consumers with respect to price, quality and reliability of electricity supply and facilitating economic efficiency in the development of the transmission system including the maintenance of a financially viable electricity industry. Also important in this instance is the new objective of the Board to promote the use of energy from renewable generation sources.

The Board has previously identified the principles it uses in fulfilling its objectives in transmission policy⁴: economic efficiency; regulatory predictability; and administrative efficiency. The Board has reviewed the staff proposal and the stakeholder comments with the goal of fulfilling its objectives and promoting these principles.

Within the context of transmission investment policy, economic efficiency can be understood to mean achieving the expansion of the transmission system in a cost effective and timely manner to accommodate the connection of renewable energy sources. The Board believes that economic efficiency will be best pursued by introducing competition in transmission service to the extent possible within the current regulatory and market system.

Regulatory predictability allows proponents to understand how and on what basis regulatory decisions are likely to be made. The Board achieves this through policy statements and guidance to the industry and through transparent processes leading to consistency in the determinations it makes and the orders that it issues. Transmission planning is an ongoing procedure. The Board intends to put in place a transmission investment policy and project development planning process that is robust enough to provide consistency of process through many cycles of planning.

Administrative efficiency relates to the level of effort required from the perspective of proponents and other interested parties for effective participation in processes. In

⁴ Most recently in the Staff Discussion Paper: Generation Connections for Transmission Connection Cost Responsibility Review (EB-2008-0003) available at: http://www.oeb.gov.on.ca/OEB/Documents/EB-2008-0003/Staff_Discussion_Paper_20080708.pdf

devising this process, the Board has sought to avoid duplication and unnecessary effort for transmitters, Board staff and other stakeholders.

Taken together, regulatory predictability and administrative efficiency should facilitate investment, planning and decision-making by transmission proponents and should help them to manage business risks.

These aims are consistent with broader movements in energy regulation around the world. In particular, the United Kingdom and the United States are both currently consulting on policy changes along similar lines.

Ofgem in the U.K. is proposing⁵ to evolve its regulatory framework to the RIIO model: Revenue set to deliver strong Incentives, Innovation and Outputs. Ofgem acknowledges that changes are needed to “meet the demands of moving to a low carbon economy...whilst maintaining safe, secure and reliable energy supplies”⁶. Ofgem’s new proposed framework to deliver long-term value for money for network services includes involving third parties in design, build, operation and ownership of large, separable enhancement projects. Third party participation is to be considered where long-term benefits, especially for new technologies, new delivery solutions and new financing arrangements, are expected to exceed long-term costs. Ofgem would be responsible for any competitive process.

FERC in the U.S. released a Notice of Proposed Rulemaking on June 17, 2010.

“With respect to transmission planning, the proposed rule would (1) provide that local regional transmission planning processes account for transmission needs driven by public policy requirements established by state or federal laws or regulations; (2) improve coordination between neighbouring transmission planning regions with respect to interregional facilities ; and (3) remove from Commission-approved tariffs or agreements a right of first refusal created by those documents that provides an incumbent transmission provider with an undue advantage over a nonincumbent transmission developer.”⁷

⁵ “Regulating energy networks for the future: RPI-X@20 Recommendations” available at: <http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?file=RPI-X@Recommendations.pdf&refer=Networks/rpix20/ConsultDocs>

⁶ Ibid: Executive Summary.

⁷ The Notice of Proposed Rulemaking: Transmission Planning and Cost Allocation By Transmission Owning and Operating Public Utilities (Docket No. RM10-23-000) by the Federal Energy Regulatory Commission, pg 1. available at: <http://www.ferc.gov/whats-new/comm-meet/2010/061710/E-9.pdf> .

5

Ontario Energy
Board
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

Commission de l'énergie
de l'Ontario
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL

May 1, 2017

Ms. Erin Henderson
Senior Regulatory Coordinator
Regulatory Affairs
Hydro One Networks Inc.
7th Floor South Tower
483 Bay Street
Toronto ON M5G 2P5

Dear Ms. Henderson:

**Re: Hydro One Networks Inc.
2018-2022 Distribution Custom IR Application
Board File Number EB-2017-0049**

On March 31, 2017, the Ontario Energy Board (OEB) received an application from Hydro One Networks Inc. for setting its distribution rates for the period 2018-2022. The application was filed under the OEB's Customer Incentive Rate-setting option (Custom IR).

While the OEB does not have filing requirements specific to Custom IR applications, the Rate Handbook¹ and the Cost of Service Filing Requirements² both note that in preparing a Custom IR application, applicants should be informed and guided by the requirements in both documents. The OEB also notes that the first year of the Custom IR term has been clearly identified as a cost of service forward test year.

A preliminary review of the application has identified some areas where further information would assist the OEB in reviewing the application. This additional information is noted below.

Please note that this is not an exhaustive list. Please refer to the cost of service

¹ *Handbook to Utility Rate Applications*, dated October 13, 2016.

² *Filing Requirements For Electricity Distribution Applications*, dated July 14, 2016.

checklist to ensure the necessary information has been provided. Please also include a schedule that maps your application exhibits and schedules to the exhibits and schedules in the filing requirements.

Administrative and General

Requirement	Reference
Chapter 2 Appendices in live Excel format	Ch. 2, p. 3
Statement as to where Notice should be published and why	Ch. 2, p. 10
Reference to Conditions of Service - LDC does not need to file Conditions of Service, but must: <ul style="list-style-type: none"> - provide reference to where on the website Conditions of Service can be found - confirm version is current - identify whether there are changes to Conditions of Service <ul style="list-style-type: none"> (a) since last cost of service application; or (b) as a result of the current application - confirm that there are no rates and charges linked in the Conditions of Service that are not in the distributor's Tariff of Rates and Charges 	Ch. 2, p. 10-11
Description of whether the distributor is a host distributor and/or embedded distributor. Identification of embedded and/or host distributors; if partially embedded provide percent load from host distributor. If the distributor is a host, the applicant should identify whether there is a separate Embedded Distributor customer class or if any embedded distributors are included in other customer classes such as GS > 50 kW.	Ch. 2, p. 11
Complete Appendix 2-AC Customer Engagement Activities Summary.	Ch. 2, p. 14

Rate Base

Requirement	Reference
Completed Fixed Asset Continuity Schedule (Appendix 2-BA) - in Application and Excel format	Ch. 2, p. 16
PP&E and depreciation broken down by function and by major plant account; description of major plant items for test year	Ch. 2, p. 18
Continuity statements must reconcile to calculated depreciation expenses and presented by asset account	Ch. 2, p. 18

All asset disposals clearly identified in the Chapter 2 Appendices for all historical, bridge and test years	Ch. 2, p. 18
Cost of Power for working capital calculation must be determined by split between RPP and non-RPP customers based on actual data, use most current RPP (TOU) price, use current UTR.	Ch. 2, p. 19
5 historical years of SAIDI and SAIFI - for all interruptions, all interruptions excluding loss of supply, and all interruptions excluding major events; explanation for any under-performance versus 5 year average and actions taken	Ch. 2, p. 27
Completed Appendix 2-G	Ch. 2, p. 27

Operating Revenue

Requirement	Reference
Completed Appendix 2-H	Ch. 2, p. 33

Operating Costs

Requirement	Reference
Completed Appendix 2-D	Ch. 2, p. 35
Completed Appendix 2-K	Ch. 2, p. 35
Discussion of the outcomes of previous plans and how those outcomes have impacted their proposed plans including an explanation of the reasons for all material changes to headcount and compensation. Explanation for all years includes: - year over year variances - basis for performance pay, eligible employee groups, goals, measures, and review process for pay-for-performance plans, - relevant studies (e.g. compensation benchmarking)	Ch. 2, p. 36
Completed Appendix 2-KA - accounting method for pension and OPEBs	Ch. 2, p. 36
Shared Service and Corporate Cost Variance analysis - test year versus last OEB approved and most recent actual	Ch. 2, p. 37
Completed Appendix 2-M	Ch. 2, p. 38
Explanations for any useful lives of an asset that are proposed that are not within the ranges contained in the Kinectrics Report	Ch. 2, p. 39
Depreciation, Amortization and Depletion details by asset group for historical, bridge and test years. Include asset amount and rate of	Ch. 2, p. 18 & 39

depreciation/amortization. Must agree to accumulated depreciation in Appendix 2-BA under rate base	
Live Excel version of Income Tax model	Ch. 2, p. 40
A copy of the most recent tax return	Ch. 2, p. 41

Cost of Capital and Capital Structure

Requirement	Reference
Completed Appendix 2-OA for last OEB approved and test year	Ch. 2, p. 45
Completed Appendix 2-OB for historical, bridge and test years	Ch. 2, p. 45

Cost Allocation

Requirement	Reference
Host Distributor - evidence of consultation with embedded Dx	Ch. 2, p. 51
Unmetered Loads (including Street Lighting) - Confirmation of communication with unmetered load customers when proposing changes to the level of the rates and charges or the introduction of new rates and charges.	Ch. 2, p. 52

Rate Design

Requirement	Reference
Retail Transmission Service Rate Work Form - PDF and Excel	Ch. 2, p. 57
If proposing changes to Retail Service Charges or introduction of new rates and charges - evidence of consultation and notice	Ch. 2, p. 57
Identification in the Application Summary all proposed changes that will have a material impact on customers, including charges that may affect a discrete group.	Ch. 2, p. 58
Completed Bill Impacts Model for all classes in the distributor's tariff schedule. Bill impacts must identify existing rates, proposed changes to rates, and detailed bill impacts, including live Excel workbook.	Ch. 2, p. 3 & 60
Evidence showing that the monthly service charge would not rise by more than \$4 per year due only to the rate design change, and that the total bill impact, reflecting all proposed changes in the application, will not exceed 10%. If either of these criteria is not met, some form of mitigation may be required (i.e. extending transition period).	Ch. 2, p. 61

Deferral and Variance Accounts

Requirement	Reference
Completed DVA continuity schedule for period following last disposition to present - live Excel format	Ch. 2, p. 63
Completed Appendix 2-YA	Ch. 2, p. 64

The OEB expects that Hydro One Networks Inc. will file the information listed above as soon as possible.

If any of the information that is identified above is located in the application please identify clearly where it can be found. If any of the information is not applicable or is not practicable in your circumstances, please provide an explanation when filing the remainder of the required information.

The OEB will continue to process your application once the above information is filed.

Please direct any questions relating to this application to Harold Thiessen, Case Manager at 416-440-7637 or Harold.Thiessen@oeb.ca.

Yours truly,

Original Signed By

Kristi Sebalj
Registrar

6

**Ontario Energy
Board**
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'énergie
de l'Ontario**
C.P. 2319
27^e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL

October 25, 2013

Colin Anderson
Director, Ontario Regulatory Affairs
Ontario Power Generation Inc.
700 University Avenue, H18G2
Toronto ON M5G 1X6

Dear Mr. Anderson:

**Re: Ontario Power Generation Inc.
2014-2015 Payment Amounts Application
Board File Number EB-2013-0321**

The Board has completed a preliminary review of Ontario Power Generation Inc.'s ("OPG") application for payment amounts for the prescribed generation facilities filed on September 27, 2013. The "Filing Guidelines for Ontario Power Generation Inc. in Setting Payment Amounts for Prescribed Generation Facilities" issued on November 11, 2011 served as the reference document for the review.

The preliminary review has identified that certain sections of the evidence supporting the application do not comply with the filing guidelines. Those sections include:

Filing Guideline (EB-2011-0286)	Application (EB-2013-0321)
Page 6 - <i>"Excel spreadsheets shall be provided as appropriate to the data in question. Generally, formulae indicating on-sheet calculations shall be provided. As a minimum, OPG shall file an Excel spreadsheet summarizing production forecast (as noted in section 2.6), compensation and benefits (as noted in section 2.7.1) and a Revenue Requirement Work Form ("RRWF") in Excel format."</i>	Only the RRWF has been filed in Excel format.

Filing Guideline (EB-2011-0286)	Application (EB-2013-0321)
Page 8 – <i>“Unless otherwise directed by the Board, any request for confidential treatment of information by OPG must be made at the time of the filing and in accordance with the Board’s Practice Direction on Confidential Filings.”</i>	OPG requests confidential treatment for two volumes of information. The information has not been filed in accordance with section 5.1.4(b) of the Practice Direction which states that a request for confidentiality must include, <i>“a confidential, un-redacted version of the document containing all of the information for which confidentiality is requested. This version of the document should be marked “confidential” and should identify all portions of document for which confidentiality is claimed by using shading, square brackets or other appropriate markings. If confidential treatment is requested in relation to the entire document, the document should be printed on coloured paper”</i>
Page 9 – <i>“Audited prescribed generation facilities financial statements for the Historic Years”</i>	Exh A2-1-1, page 3 – <i>“OPG is preparing a set of stand-alone annual consolidated financial statements for the prescribed facilities in accordance with USGAAP for the year ended December 31, 2012, with comparative information for the year ended December 31, 2011. At the time of filing, the audit of these financial statements has not been completed. After the audit has been completed, these financial statements will be filed as Attachment 2 to this exhibit.”</i>
Page 17 – <i>“A variance analysis for OM&A, and components of OM&A (including Regulatory Affairs costs), shall be provided”</i>	No Regulatory Affairs costs or analysis have been provided.
Page 21 – <i>“OPG shall provide a description of the settlement process with the IESO, including a description of the timelines associated with the requested effective date.”</i>	No description has been provided.

The Board expects that OPG will file the above listed information as soon as possible. In addition, the Board notes:

- At Exh A2-1-1 page 1, OPG has provided links to financial information on its webpage. To facilitate reference during this proceeding to financial documents listed in the filing guidelines that were not filed with the application but are available on

OPG's webpage, please file one hard copy with the Board and file electronic copies with the Board of each document. Please assign an exhibit number to each of the documents.

- At Exh F4-1-1 page 1, OPG notes that it has filed a 2011 Depreciation Study. OPG also states that it is in the process of updating the study based on changes made to end of life dates for Pickering and to include the Niagara Tunnel. OPG states that the updated study will be filed as it becomes available.
- There is no index provided with the two volumes of information for which confidential treatment is sought. In addition, there are no tabs provided in Attachment A. Please provide an index and tabs with the confidential information that is filed in accordance with section 5.1.4(b) of the Practice Direction.
- At Exh A1-4-3 page 1, OPG states that the operations of Pickering A and Pickering B were amalgamated into a single station in 2010. At page 5 of the filing guidelines, the Board commented that analysis in the previous proceeding was complicated when data was presented in ways that were not comparable. The Board encourages OPG to file any additional information, when it files information that is the subject of this correspondence, that could assist parties with their review of Pickering operations as it is presented in the current application and the previous application. In the absence of information presented as Pickering A and Pickering B, subject areas that could receive many interrogatories are nuclear production forecast and nuclear benchmarking.

Today, the Board has issued a letter of direction and notice of application. The timing of any further procedural steps will be dependent on OPG's response to the items noted in this correspondence. Specifically, the Board does not intend to proceed with further procedural steps beyond notice until such time as the updated Depreciation Study (Exh F4-1-1, Exh F5-3-1) and audited financial statements for the prescribed generation facilities for the historic years (Exh A2-1-1) are filed with the Board.

Please direct any questions relating to this application to Violet Binette, Project Advisor at 416-440-7674 or violet.binette@ontarioenergyboard.ca.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

CC: Charles Keizer, Torys LLP
Carlton Mathias, OPG

**BOOK OF AUTHORITIES OF THE POWER
WORKERS' UNION**

Paliare Roland Rosenberg Rothstein LLP
155 Wellington Street West, 35th Floor
Toronto, Ontario M5V 3H1

Richard Stephenson (LSUC#: 28675D)
Tel: 416.646.4325
Fax: 416.646.4301

Lawyers for the Power Workers' Union