



BY EMAIL and RESS

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Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
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October 22, 2019
Our File: EB20190022

Attn: Christine Long, Registrar & Board Secretary

Dear Ms. Long:

Re: EB-2019-0022/31 – BPI/Energy+ 2020 ICM – SEC Interrogatories to BPI and Energy+

We are counsel to the School Energy Coalition (“SEC”). Attached, please find a copy of SEC’s interrogatories to Brantford Power Inc. and Energy+ Inc.

Yours very truly,
Shepherd Rubenstein P.C.

Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
Applicants and intervenors (by email)

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c.15 (Sched.B);

AND IN THE MATTER OF an Application by Brantford Power, Inc. to the Ontario Energy Board for an Order or Orders approving or fixing just and reasonable distribution rates and other service charges, to be effective January 1, 2020;

AND IN THE MATTER OF an Application by Energy+ Inc. to the Ontario Energy Board for an Order or Orders approving or fixing just and reasonable distribution rates and other service charges to be effective January 1, 2020.

INTERROGATORIES

ON BEHALF OF THE

SCHOOL ENERGY COALITION

Interrogatories to Brantford Power Inc. (BPI)

SEC-BPI-1

[Appendix A ICM Application] Please provide a copy of all material provided to BPI's Board of Directors regarding the proposed facility.

SEC-BPI-2

[Appendix A ICM Application] Please provide a copy of any internal business case for the proposed project.

SEC-BPI-3

[Appendix A ICM Application, p.17] With respect to Table 9:

- a. Please provide the basis for the calculation for each inefficiency:
- b. Please explain how readers should interpret the table. Is it BPI's view that with the new facility, it will no longer these annual costs, and all else being equal, its OM&A would be reduced accordingly?

SEC-BPI-4

[Appendix A ICM Application, p.20] Please provide a copy of any final analysis, report, memorandum or similar document describing the properties and land considered by BPI in conjunction with CBRE.

SEC-BPI-5

[Appendix A ICM Application, p.20] The Applicant states: “BPI considers the ownership of a facility as a more attractive option. This is in part as a result of the increased control and certainty associated with owning rather than leasing a building- the price and availability of a leased facility is only in place for the duration of the current lease contract. BPI understands a typical lease contract lasts a maximum of five years and does not provide a reasonable level of long term business certainty.”:

- a. What is the basis for the statement that most typical lease contracts last a maximum of five years? Did BPI look into the possibility of longer-term leases?
- b. Did BPI look into the comparative economics of a lease option? If so, please provide a copy of all analysis.

SEC-BPI-6

[Appendix A ICM Application, p.19-20] Please provide a copy of the referenced AECOM Report regarding space needs, as well as the further AECOM analysis referenced regarding the analysis of the two considered sites.

SEC-BPI-7

[Appendix A ICM Application, p.21] BPI states that in late 2018 it “took time to re-assess and perform further due diligence on the Savannah Oaks option”. Please provide a copy of all analysis, reports, presentations or similar documents that it has that provides a comparison of the Savannah Oaks and Garden option at that time it made its decision to go forward with the Savannah Oaks option.

SEC-BPI-8

[Appendix A ICM Application, p.23] Has BPI completed an RFP for construction of the proposed facility? If so, please provide details regarding the results of the RFP. If not, please explain why BPI is confident in its budgeted costs if after issuing the RFP for the Savannah Oaks property, it received no bids due to the cost cap.

SEC-BPI-9

[Appendix A ICM Application, p.34] Please provide a more detailed breakdown of the total costs for the proposed facility. For each line-item, please explain the method of procurement (i.e. RFP, RFQ, etc.) and contract/costing approach (i.e. fixed price, etc.).

SEC-BPI-10

[Appendix A ICM Application, p.39] BPI notes that it expects to have a Class C budget by September 2019. Please provide a copy of that budget and explain all variances between the Class D budget included in the application, and the Class C budget.

SEC-BPI-11

[Appendix A ICM Application] It is unclear from the evidence what role Energy+ had in the decision-making process regarding the new facility. Please provide details regarding their involvement at each stage of the process to select and design the new facility.

SEC-BPI-12

[Appendix A ICM Application, Appendix F] Please provide a copy of the most up to date project schedule.

SEC-BPI-13

[Appendix A ICM Application, Appendix F] On what date will BPI's operations staff be expected to move to the new facility?

Interrogatories to Energy+ Inc. (Energy+)

SEC-Energy-14

[p.41] Please provide a copy of all material provided to Energy+ Board of Directors regarding the proposed project.

SEC-Energy-15

[p.41] Please provide a copy of any internal business case related to the proposed project.

SEC-Energy-16

[p.41,44] With respect to the relationship between Energy+ and BPI:

- a. Please provide a copy of the lease agreement between Energy+ and BPI.
- b. Please provide a copy of the shared service agreement between Energy + and BPI.
- c. Please provide a copy of any other legal agreements, letter of intent, memorandum of understanding or similar documents between Energy+ and BPI, relevant to the proposed facility that are not included in the application.

SEC-Energy-17

[p.41] What is the most recent forecast date of Energy+'s move into the proposed facility

SEC-Energy-18

The BPI pre-filed evidence includes details regarding its search and consideration of the proposed site and design of the proposed facility. Please explain Energy+'s involvement in the process.

Respectfully submitted on behalf of the School Energy Coalition October 22, 2019.

Original signed by

Mark Rubenstein
Counsel for the School Energy Coalition