

VIA E-MAIL

March 3, 2020

Ontario Energy Board  
Attn: Kirsten Walli, Board Secretary  
P.O. Box 2319  
27<sup>th</sup> Floor, 2300 Yonge Street  
Toronto ON M4P 1E4

**RE: EB-2019-0105 – EGI 2018 Def. Acct. Disposition – FRPO Response to EGI Objection**

EGI's Feb. 27<sup>th</sup> submission on costs contained an interesting note to the Board regarding outliers relative to the average in the cost award requests. As one of those purported outliers, FRPO would like to respond as opposed to be smeared by the indirect assertion.

The proceeding was the last deferral account disposition proceeding of the formerly separate proceeding. To try to create a baseline for market conditions as they were at the time and to understand some issues before amalgamation, FRPO asked a series of questions that would inform the Board for that proceeding and be a basis for future comparison. However, when a great number of those interrogatories were unanswered by EGI, we asked some of our questions again<sup>1</sup> and left others for dialogue in the settlement discussions. As EGI well knows, we cannot provide detail on the specifics of those dialogues. However, the Board may note that additional evidence was filed with the Settlement Proposal that is aligned with our interrogatories in this proceeding and our concerns submitted in previous proceedings.

FRPO would like to express its disappointment with the applicant's approach to this matter. These proceedings are held by the Board in the public interest. For the applicant to withhold evidence and then subject those who are persistent with discovering the facts to an accusation that risks lack of funding is something we submit the Board should consider unhelpful. If intervenors are forced to demonstrate their contribution to the resulting Board decision especially when a Settlement Agreement could be reached, this approach may result in additional procedural steps of diminishing return. As a possible solution in these situations, the Board could direct the utility to deduct a percentage of the costs of regulatory hours spent by staff and outside counsel from recovery as part of future costs requested for recovery.

Respectfully Submitted on Behalf of FRPO,



Dwayne R. Quinn  
Principal

DR QUINN & ASSOCIATES LTD.

c. R. Torul, M. Kitchen, M. Giridhar, EGIRegulatoryProceedings – EGI  
Interested Parties – EB-2019-0105

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<sup>1</sup> FRPO\_REQ ANSWERS\_ 20191105