

February 2, 2021

Ontario Energy Board
Attn: Ms. C. Long, OEB Registrar
P.O. Box 2319
27th Floor, 2300 Yonge Street
Toronto ON M4P 1E4

**RE: EB-2020-0181 – Request for Technical Conference
FPRO Response to EGI Suggestions**

We are writing on behalf of the Federation of Rental-housing Providers of Ontario (FRPO) in response to EGI letter of January 29th in the second phase of its 2021 Rates proceeding. Among other requests, EGI attempts to limit the scope of inquiry to *“items that are at issue in relation to Enbridge Gas’s request for approval of ICM unit rates related to the three 2021 ICM Projects, and should not include revisiting or examining items that have been or will be considered in the LTC applications for the 2021 ICM Projects.”* In our respectful submission, the Board ought not be constrained from benefiting from a greater understanding of the first Board-ordered Utility System Plan (USP).

Utility Filing Requirements Provide Directions for Comprehensive Review

The Board’s Merger Decision ordered EGI to file a combined USP for 2021 rates application¹ and specified that the USP was analogous to the electric Distribution System Plan (DSP)². The Filing Requirements for DSP direct³:

*“The capital expenditure plan should **set out and robustly justify a distributor’s proposed expenditures** on its distribution system and (non-system) general plant over a five-year planning period, including investment and asset-related operating and maintenance expenditures”. (emphasis added)*

This requirement is amplified in a later directive in the same section⁴:

“As indicated in Chapter 1, the onus is on a distributor to provide the data, information and analyses necessary to support the capital-related costs upon which the distributor’s rate proposal is based. Filings must enable the OEB to assess whether and how a distributor’s DSP delivers value to customers, including by controlling costs in relation to its proposed investments through appropriate optimization, prioritization and pacing of capital-related expenditures.”

¹ EB-2017-0306/0307 Decision and Order Merger, August 30, 2018, pages 32-34

² Ibid, page 32

³ Filing Requirements For Electricity Distribution Rate Applications - 2020 Edition for 2021 Rate Applications - **Chapter 5 Consolidated Distribution System Plan, May 14, 2020**, Section 5.4 Capital Expenditure Plan, page 16

⁴ Ibid, page 20, Section 5.4.3 Justifying Capital Expenditures

Enbridge's Proposed Restrictions Do Not Provide the Appropriate Scope of Discovery

These passages contemplate a more rigorous review of the plan not just the projects and unit rates for 2021. Limiting the Technical Conference using the EGI request would not allow the Board insight into the methodologies that generate the prioritization of projects in the five year plan. Given that this is the first USP and EGI is introducing a new capital model, we submit that a narrow approach to the Technical Conference is not aligned with directions of the Board nor in the public interest.

In addition, EGI is effectively requested a doubling of their capital expenditures on for System Access and Renewal during the 5 years of their plan including the first year of 2021⁵. The Board ought to be able to understand how the costs have been controlled and what pacing the utility has performed aligned with the directives. To do so, respecting that FRPO does not have a comprehensive list of other parties' questions, we believe that one day of Technical Conference suggested by EGI is not sufficient nor is it the right level of investment to understand the incremental request of \$400 million on these two items in addition to other issues identified.

Request

FRPO respectfully requests that should the Board order a Technical Conference that the scope be aligned with the Board's expectations of a USP and not limited by the restrictions suggested by EGI.

Respectfully submitted on behalf of FRPO,

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Parties EB-2020-0181

⁵ EGD and Union rate zones combined for the average spend/forecast for the period of 2021-2025 vs. 2016-2020 for the System Access and Renewal total. Source: Ex. B, Tab 2, Sch. 1, App. A, Tables C-F