CME Interrogatory #2

Interrogatory

Reference: N/A

CME wishes to better understand OPG's business planning and budgeting process that unpins this application. To this end:

(a) Please provide all presentations, PowerPoint slides, briefing notes or other written memoranda prepared by the business units developing their business plans and presented to OPG's senior management;

(b) Please provide all written questions, comments or directions provided by OPG's senior management to OPG's business units relating to any presentations, PowerPoint slides, briefing notes, other written memoranda or draft business plans;

(c) Please provide all presentations, PowerPoint slides, briefing notes, or other written memoranda prepared by OPG for OPG's Board of Directors relating to the business planning and budgeting process, including draft corporate level consolidated information, summarized financial plans, operational targets, and key initiatives for OPG's major business units;

(d) Please provide all written questions, comments or directions provided by OPG's Board of Directors to OPG relating to the information set out in (c) above.

Response

a)-d)

OPG declines to produce the requested information on the basis of relevance. The materials presented to senior management or OPG's Board of Directors including "presentations, PowerPoint slides, briefing notes, other written memoranda or draft business plans" or "all written questions, comments or directions" are not relevant to the determination of any issue before the OEB in this application. OPG's application is based on its Amended 2020-2026 Business Plan as approved by its Board of Directors and not on any materials that may have been produced during its development.

As the OEB said in EB-2010-0008 when rejecting a request for Board of Directors material:

> The Board has decided not to order production of the materials sought in the CME and CCC motions. In the Board's view, these materials are not relevant to the determination of the issues before the Board in this proceeding. The Board will make its decision on the application and supporting materials filed by the applicant and the evidence of intervenors, all of which is subject to cross-examination. (EB-2010-0008, Tr. Vol. 1, p. 113)