



By EMAIL and RESS

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August 29, 2022
Our File: EB20220028

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2022-0028 – EPCOR 2023 Rates – Proposed Amendment to the Application

We are counsel for the School Energy Coalition. We have received the letter from the Applicant in this matter dated August 25, 2022, in which they purport to amend their Application to add a rate rider.

SEC notes that this Application is currently inconsistent with the Decision of the OEB in EB-2017-0373/4 (the MAADs case), as the Applicant now admits, and would continue to be contrary to the OEB's conditions even with the proposed change. We also note that no evidence has been filed in support of the proposed early rebasing date. All the OEB knows at this point is that apparently the primary reason that the Applicant's ROE has declined is much higher internal administrative charges, which is directly contrary to the evidence in the MAADs case.

SEC asks the OEB to establish a procedure for receiving evidence in support of the proposed amendment from the Applicant (including any changes to the current schedule), and then receiving and considering submissions from intervenors and OEB Staff on whether this amendment (which appears on its face to be an indirect motion to vary the Decision in the MAADs case) should be allowed.

All of which is respectfully submitted.

Yours very truly,
Shepherd Rubenstein Professional Corporation



Jay Shepherd

cc: Brian McKay, SEC (by email)
Interested Parties (by email)

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