



PUBLIC INTEREST ADVOCACY CENTRE
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April 20, 2023

VIA E-MAIL

Ms. Nancy Marconi
Registrar (registrar@oeb.ca)
Ontario Energy Board
Toronto, ON

Dear Ms. Marconi:

**Re: EB-2023-0098 - Application for variance account to capture the nuclear revenue requirement impact of the overturning of Bill 124
Interrogatories of the Vulnerable Energy Consumers Coalition (VECC)**

Please find attached the interrogatories of VECC in the above-noted proceeding. We have also directed a copy of the same to the Applicant.

Yours truly,

A handwritten signature in black ink, appearing to read 'M. Garner', written in a cursive style.

Mark Garner
Consultants for VECC/PIAC

Email copy:
Saba Zadeh , Ontario Power Generation Inc.
opgregaffairs@opg.com

REQUESTOR NAME **VECC**
DATE: **April 20, 2023**
CASE NO: **EB-2022-0098**

VECC-1

Reference: Page 1, par. 3, Pages 8-

“The legislated limits on compensation set out in Bill 124 were the basis of the forecast compensation costs reflected in OPG’s approved nuclear revenue requirements for the 2022-2026 period in the EB-2020-0290.”

- a) Please file the full extracts (including those referenced in the current application) on which the Applicant is relying to demonstrate that the compensation limits set out in Bill 124 served as the basis for the compensation costs in EB-2020-0290.

VECC-2

Reference: Page 2, par 6

“The overturning of Bill 124 is a change of law that OPG could not reasonably have anticipated during the 2022-2026 payment amounts application.... “

- a) When were the challenges to the Act first filed in Superior Court?
- b) Was OPG provided any legal advice with respect to the constitutionality of Bill 124? If yes, when was that advice given?
- c) Did the advice given include the possibility of the Act being unconstitutional?

VECC-3

Reference: Pages 9-

- a) Please explain how the impact of the change in compensation due to the voiding of Bill 124 are to be distinguished and separated from other variances in compensation as between the actuals and the estimates presented in EB-2020-0290? Specifically address how variances in the actual (as compared to estimate) number of persons employed and variances in the type of employment positions are to be accounted for.

VECC -4

Reference: Pages 6-

- a) Did OPG seek a Z-factor or “Reopener Provisions” for any cost related aspect of its application EB-2020-0290.

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