

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Sched. B);

AND IN THE MATTER OF an application by Ontario Power Generation Inc. for an order or orders relating to impacts from the Market Renewal Program on prescribed generating facilities, and the disposition of balances in its deferral and variance accounts as of December 31, 2022

AFFIDAVIT OF MATTHEW KIRK

I, Matthew Kirk, of the City of Toronto, in the Province of Ontario, Director, Ontario Regulatory Affairs, Ontario Power Generation Inc.,

MAKE OATH AND SAY:

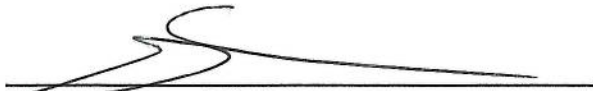
1. In my capacity as Director, Ontario Regulatory Affairs with Ontario Power Generation Inc. ("OPG"), I was charged with the responsibility of arranging for publication of the Notice of Hearing for OPG's Application for an order or orders relating to impacts from the Market Renewal Program on prescribed generating facilities, and the disposition of balances in its deferral and variance accounts as of December 31, 2022 (the "**Notice**"), pursuant to the Ontario Energy Board's Letter of Direction dated January 29, 2024 (the "**Letter of Direction**").
2. On February 6, 2024, I arranged for the service of a copy of the English and the French version of the Notice, in the exact forms attached hereto as **Exhibit "A"** and **Exhibit "B"**, respectively, and the application and the evidence, by email directly on all intervenors of record in OPG's previous payment amounts proceeding, EB-2020-0290, namely:
 - Association of Major Power Consumers in Ontario (AMPCO)
 - Building Owners and Managers Association (BOMA)
 - Canadian Manufacturers & Exporters (CME)
 - Consumers Council of Canada (CCC)
 - Energy Probe Research Foundation (Energy Probe)
 - Environmental Defence Canada Inc. (Environmental Defence)
 - Independent Electricity System Operator (IESO)

- London Property Management Association (LPMA)
- Ontario Association of Physical Plant Administrators (OAPPA)
- Ontario Sustainable Energy Association (OSEA)
- Power Workers' Union (PWU)
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- SNC Lavalin Nuclear Inc. and Aecon Construction Group Inc. (CanAtom)
- Society of United Professionals (Society)
- Vulnerable Energy Consumers Coalition (VECC)

A copy of OPG's covering email enclosing the Notice, application and evidence is attached hereto as **Exhibit "C"**.

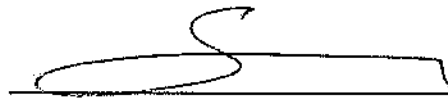
3. On February 2, 2024, pursuant to the Letter of Direction, I arranged for a copy of both the English and French versions of the Notice, the application and evidence, and any amendments thereto, available for public review on OPG's website.
4. On February 5, 2024, pursuant to the Letter of Direction, I arranged for a live link on OPG's X (formerly Twitter) account to both the English and French versions of the Notice, available for public review on OPG's website (English: <https://x.com/opg/status/1754558018283286733?s=20>; French: <https://x.com/opg/status/1754558125107990925?s=20>).
5. This Affidavit is sworn in compliance with the Board's Letter of Direction dated January 29, 2024 and for no other or improper purpose.

Sworn before me at the City of Toronto in the
Municipality of Metropolitan Toronto,
on February 7, 2024.
Commissioner for Taking Affidavits


Salman Ahmad Shah
LSO #84428Q


Matthew Kirk

The attached document is **Exhibit "A"** to the Affidavit of Matthew Kirk
Sworn before me at the City of Toronto in the Municipality of Metropolitan Toronto,
on February 7, 2024



Salman Ahmad Shah
LSO #84428Q

NOTICE OF A HEARING

Ontario Power Generation Inc. has applied to dispose of the balances of certain deferral and variance accounts and for changes relating to impacts from the Independent Electricity System Operator's Market Renewal Program on prescribed generating facilities

Ontario Power Generation Inc. has applied for changes to the calculation of amounts for the Hydroelectric Surplus Baseload Generation Variance Account and the Hydroelectric Incentive Mechanism, and for the treatment of real-time make whole payments. These proposed changes are based on expected changes to Ontario's electricity market that will be made under the Independent Electricity System Operator's Market Renewal Program. OPG is also asking for approval to dispose of certain deferral and variance accounts.

If the application is approved as filed, a typical residential customer consuming 700 kWh per month would see the following monthly increase:

	July to December 2024	2025	2026
Residential (700 kWh)	\$1.06	\$0.05	\$0.15

Other customers, including businesses, will also be affected. It's important to review the application carefully to determine whether you may be affected by the proposed changes.

YOU SHOULD KNOW

There are three types of OEB hearings: oral, electronic and written. The applicant has applied for, and the OEB plans to proceed with, a written hearing. If you think a different hearing type is needed, you can write to us to explain why.

During this hearing, we will hear questions and arguments from participants about this case. We will also hear questions and arguments from participants that have registered as Intervenor. After the hearing, we will decide whether to approve the application.

HAVE YOUR SAY

You have the right to information about this application and to participate in the process. Visit www.oeb.ca/notice and use file number **EB-2023-0336** to:

- Review the application
- File a letter with your comments
- Apply to become an intervenor

IMPORTANT DATES

You must engage with the OEB on or before **February 19, 2024** to:

- Provide input on the hearing type (oral, electronic or written)
- Apply to be an intervenor

If you do not, the hearing will move forward without you, and you will not receive any further notice of the proceeding.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. If you are a business or if you apply to become an intervenor, all the information you file will be on the OEB website.

LEARN MORE

Ontario Energy Board
T/TTY: 1 877-632-2727
Monday - Friday: 8:30 AM - 5:00 PM
oeb.ca/notice

Ontario Power Generation
T 1 877-592-3700
Monday - Friday: 8:00 AM - 4:00 PM
opg.com

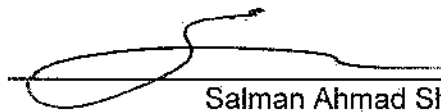
This hearing will be held under section 78 of the **Ontario Energy Board Act, 1998**.

Ce document est aussi disponible en français.



**Ontario
Energy
Board**

The attached document is **Exhibit "B"** to the Affidavit of Matthew Kirk
Sworn before me at the City of Toronto in the Municipality of Metropolitan Toronto,
on February 7, 2024.



Salman Ahmad Shah
LSO #84428Q

Ontario Power Generation Inc. a déposé une demande pour disposer des soldes de certains comptes de report et d'écart, et pour des changements relatifs aux impacts du Programme de renouvellement du marché de la Société indépendante d'exploitation du réseau d'électricité sur les installations de production prescrites.

Ontario Power Generation Inc. a déposé une demande de modification du calcul des montants du compte d'écart de production hydroélectrique excédentaire de la charge de base et du mécanisme d'incitation à la production hydroélectrique, ainsi que du traitement des paiements de compensation en temps réel. Les modifications proposées sont basées sur les changements attendus sur le marché de l'électricité de l'Ontario dans le cadre du Programme de renouvellement du marché de la Société indépendante d'exploitation du réseau d'électricité. OPG demande également l'autorisation de disposer de certains comptes de report et d'écart.

Si la demande est approuvée telle quelle, un client résidentiel typique consommant 700 kWh par mois verrait l'augmentation mensuelle suivante :

	Juillet à décembre 2024	2025	2026
Client résidentiel (700 kWh)	1,06 \$	0,05 \$	0,15 \$

D'autres clients, notamment les entreprises, seront également touchés. Il est important d'examiner la requête attentivement afin de déterminer si vous serez concernés par les changements proposés.

À SAVOIR

Il existe trois types d'audiences à la Commission de l'énergie de l'Ontario (CEO) : les audiences orales, les audiences électroniques et les audiences écrites. Le requérant a demandé une audience écrite et la CEO a l'intention d'y procéder. Si vous estimez qu'avoir recours à un autre type d'audience serait préférable, vous pouvez écrire à la CEO pour lui présenter vos arguments.

Au cours de cette audience, nous entendrons les questions et les arguments des participants sur cette affaire. Nous entendrons également les questions et arguments des participants inscrits en tant qu'intervenants. Après l'audience, nous déciderons d'approuver ou non cette requête.

DONNEZ VOTRE AVIS

Vous avez le droit d'être informés au sujet de cette requête et de participer au processus. Rendez-vous sur le site www.oeb.ca/fr/participez et utilisez le numéro de dossier **EB-2023-0336** pour :

- examiner la requête;
- envoyer une lettre comportant vos commentaires;
- présenter une demande pour devenir un intervenant.

DATES IMPORTANTES

Vous devez communiquer avec la CEO au plus tard le **19 février 2024** pour :

- fournir des renseignements sur le type d'audience (orale, électronique ou écrite);
- présenter une demande en vue de devenir un intervenant.

À défaut de cela, l'audience se déroulera sans vous et vous ne recevrez plus d'avis dans le cadre de la présente procédure.

PROTECTION DES RENSEIGNEMENTS PERSONNELS

Si vous écrivez une lettre de commentaires, votre nom et le contenu de cette lettre seront ajoutés au dossier public et au site Web de la CEO. Si vous êtes une entreprise ou si vous demandez à devenir un intervenant, tous les renseignements que vous déposez seront disponibles sur le site Web de la CEO.

POUR EN SAVOIR PLUS

Commission de l'énergie de l'Ontario

☎ /ATS: 1 877-632-2727

🕒 Du lundi au vendredi, de 8 h 30 à 17 h

🌐 oeb.ca/notice-fr

Ontario Power Generation

☎ 1-877-592-3700

🕒 Du lundi au vendredi, de 8 h 00 à 16 h

🌐 opg.com

Cette audience sera tenue en vertu de l'article 78 de la **Loi de 1998 sur la Commission de l'énergie de l'Ontario**.

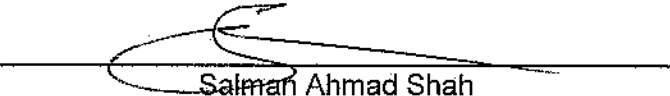
This document is also available in English.



Ontario
Energy
Board

EB-2023-0336

The attached document is **Exhibit "C"** to the Affidavit of Matthew Kirk
Sworn before me at the City of Toronto in the Municipality of Metropolitan Toronto,
on February 7, 2024



Salman Ahmad Shah
LSO #84428Q

PATCHETT Lori -REGAFFAIRS

From: OPG REG AFFAIRS
Sent: Tuesday, February 6, 2024 2:54 PM
To: 'Alex Greco (CME)'; 'Amanda Montgomery, ED'; Shelley Grice; 'Blanchard, Emma (CME)'; Bohdan Dumka; 'Chandy Davis, (QMA)'; 'Chris Graham (Society)'; 'Colin Fraser (Society)'; Gia DeJulio; 'Jack Gibbons (EDC)'; Jay Shepherd; 'Joanna Vince (OSEA)'; 'John Ives (PWUa)'; 'John Lawford (VECC)'; 'Joseph Fierro (Society)'; jgirvan@uniserve.com; 'Kent Elson (EDC)'; 'Kim McKenzie - (PWU)'; Phil Tunley; 'Mark Garner (VECC)'; Mark Rubenstein; mrb@mrb-law.com; 'Michael McLeod (QMA)'; Niguel Mousseau; 'Raeya Jackiw (OSEA)'; 'Randy Aiken, (LPMA)'; 'regulatoryaffairs@ieso.ca'; Richard Stephenson; Roger Higgin; Pollock, Scott; Shelley Grice; Thomas Ladanyi; Travis Lusney; 'Valerie Young (OAPPA)'; 'SEC@oesc-cseo.org'; 'registrar@oeb.ca'; Andrew Blair; Bayu Kidane; 'daniel.rosenbluth@paliaroland.com'; aengel@foglens.com; marion.fraser@rogers.com
Cc: Keizer, Charles; CUFF Peter -LAW; ZADEH Saba -REGAFFAIRS; OPG REG AFFAIRS; WONG Evelyn -REGAFFAIRS; KIRK Matthew -REGAFFAIRS; ZEBROWSKI Steve -REGAFFAIRS; MO Herman -REGAFFAIRS; PATCHETT Lori -REGAFFAIRS
Subject: EB-2023-0336 Notice of Application
Attachments: Notice_OPG_MRP_20240129.pdf; Notice_fr_OPG_MRP_20240129.pdf; OPG_APPL_MRPDV_20231213.pdf

All,

On January 29, 2024, Ontario Power Generation Inc. ("OPG") received a Letter of Direction (the "Direction") from the Ontario Energy Board ("OEB") in respect of its Application for an order or orders relating to impacts from the Market Renewal Program on prescribed generating facilities, and the disposition of balances in its deferral and variance accounts as of December 31, 2022 (the "Application"), case number EB-2023-0336. The Direction requires that OPG arrange for service of the attached Notice, in both English and French, as well as the Application and OPG's evidence directly on all intervenors of record in OPG's previous five-year payment amounts proceeding, EB-2020-0290.

By this letter, OPG is serving you with the attached Notices, the Application and OPG's evidence. The Application and Evidence can be retrieved by clicking on the following link:

[Governance & regulation | OEB applications – OPG](#)

Yours truly,
Matt Kirk



Matt Kirk (He/Him)



Director, Regulatory Research & Analysis
Regulatory Affairs

416-592-8541

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AND IN THE MATTER OF an application by Ontario Power Generation Inc. for an order or orders relating to impacts from the Market Renewal Program on prescribed generating facilities, and the disposition of balances in its deferral and variance accounts as of December 31, 2022

EB-2023-0336

AFFIDAVIT OF MATTHEW KIRK
SWORN at the City of Toronto in the Municipality
of Metropolitan Toronto,
on February 7, 2024

ONTARIO POWER GENERATION INC.
700 University Avenue
19TH Floor
Toronto, ON M5G 1X6

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LSO #84428Q

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