

Brookfield Properties

December 9, 2024

Ontario Energy Board
Yonge & Eglinton Centre
2300 Yonge Street
Toronto, Ontario M4P 1E4

**Re: Proposed Amendments to the Distribution System Code to Facilitate the Connection of Housing Developments and Residential Customers
Board File No. EB-2024-0092**

This letter is submitted on behalf of Brookfield Residential (Ontario) Limited (“Brookfield”), the owner and a developer of a number of active land holdings in the Province of Ontario. As an active member of the Land Development Industry in Ontario, Brookfield appreciates and acknowledges the efforts of the Ontario Energy Board (OEB), with the aim to facilitate the connection of housing developments across the Province of Ontario.

It is understood that the proposed amendments to the Distribution System Code (DCS) include extending the connection horizon from 5-years to 15-years, as well as extending the revenue horizon from 25-years to 40-years for residential customers.

We feel that the proposed amendments are advantageous to the development community and balance the risks to the existing ratepayers and electricity distributors. Our comments on the proposed amendments are provided below.

Extending the Connection Horizon

The proposed amendments of the DCS allows for a connection horizon up to a maximum of 15-years, where the following conditions are met:

- a connection horizon of more than 5-years is requested;
- completion of the housing development is expected to take more than five years; and
- the developer for the housing development provides the distributor with an approved plan of subdivision for the housing development, as well as evidence of the developer’s ownership of, or authorization to build the housing development on, the relevant land.

The development of land and construction of residential housing is often contingent on a number of parties that cannot be directly controlled by a developer (e.g. landowners within a Secondary Plan, Regions and municipalities that are delivering external or trunk infrastructure, etc.). Should a developer, Region, or Municipality be delayed in delivering infrastructure that is relied upon by other landowners, this could result in

significant delays to developers/builders that were not accounted for in forecasting provided to the local distribution system. In addition, construction of residential housing is driven by market conditions, which can result in increased or decreased rate of residential housing delivery.

1. Generally speaking, Brookfield is supportive of the proposal to increase the connection horizon from 5-years to a maximum of 15-years.
2. As recommended by the OEB's in the report to the Minister (June 28, 2024), clarity should be provided on when a distributor should consider extending the connection horizon, as well as provide additional detailed guidance related to an extension (capital contributions, expansion deposits, expansion rebates, etc.). We do not feel that the notice provides sufficient detail on the conditions that must be met to qualify for an extension.
 - a. Will the OEB / LDS simply accept the proposed schedule put forward by the developer, or are there certain thresholds that must be met?
 - b. Will there be an opportunity to request an extension if a developer was granted a 10-year connection horizon and is experiencing delays?

Extending the Revenue Horizon

The proposed amendments of the DCS allows for a revenue horizon of 40-years.

Brookfield is supportive of the revenue horizon extension.

We thank you for the opportunity to consult on these very important proposed code changes, and we welcome the opportunity to discuss Brookfield's comments in further detail with the OEB, at your request.

Yours truly,



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