



PUBLIC INTEREST ADVOCACY CENTRE
LE CENTRE POUR LA DÉFENSE DE L'INTÉRÊT PUBLIC

January 14, 2025

VIA E-MAIL

Ms. Nancy Marconi
Registrar
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: ERTH Power Corporation: ICM Request New Administrative & Operational Facility
VECC Procedural Request
Ontario Energy Board File No.: EB-2024-0021**

Pursuant to Procedural Order No. 3, VECC asks that the OEB schedule a Technical Conference as an additional step before the filing of submissions in the above proceeding.

VECC undertook a preliminary review of VECC and SEC interrogatory responses, and in VECC's view several require further clarification and discussion. Enclosed is a list of preliminary interrogatory responses where VECC believes additional clarification and discussion is required. VECC has had an opportunity to review the draft letter of School Energy Coalition and the areas of questions that SEC would seek to address at the Technical Conference. VECC supports these areas of questions.

Follow-Up Interrogatory Responses

Interrogatory #	Information Required
VECC-1 (b)	Additional details on the construction schedule and milestones.
VECC-2 (a)	Additional details on the capacity available at Aylmer and Goderich.
VECC-2 (c)	VECC seeks to understand why rent that will be charged for affiliates use of the New Facility is unknown.
VECC-5 (a)	There is no cost benefit analysis. In VECC's view more information is required to assess if the benefits of the project outweigh the costs.
VECC-5 (b)	Follow-up questions on the Business Case.
VECC-6	Explore opportunities to recognize the savings on rent charges within the ICM application.
VECC-10 (a)	Further details on hiring and role of consultant Nelson Dawley and POW Engineering.

VECC-10 (b)	Further details on pre-cast design option.
SEC -2	Further information on Building Costs.
SEC-4 (b)	An explanation of why leasehold improvements related to building structural issues are the responsibility of EARTH Power.
SEC-4 (e)	Further details on Change Order Process, Contingency and Additional Cash Allowance and potential impact on costs.

In VECC's view a Technical Conference will ensure clarification questions are discussed and answered, and intervenors have adequate information to assess the ICM against the OEB's ICM criteria: Materiality, Need and Prudence. This additional procedural step is proportionate to the size of the project (\$33.4M) and the distribution bill impacts for customers in the Main and Goderich Rate Zones.

Best Regards,



Consultant for VECC