



By EMAIL and RESS

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October 2, 2025
Our File: 20250014

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
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Attn: Ritchie Murray, Acting Registrar

Dear Mr. Murray:

Re: EB-2025-0014 – Oshawa Power 2026 Rates – SEC Motion

We are counsel for the School Energy Coalition (SEC). Pursuant to the direction of the Commissioners on September 29, SEC has discussed the disclosure issues in detail with counsel for the Applicant, and writes to report that we have reached no agreement on the major items in dispute, but have resolved some more minor ones.

This letter is from SEC, and not joint, although it has been provided to the Applicant's counsel in advance to obtain input, and that input has been incorporated into this letter.

Resolved

In IRR 4-SEC-169, we sought the cost allocation model used to allocate costs between affiliates for shared services and corporate cost allocations. The Applicant has advised that they have this material, along with a description of how it is populated and used, but it will take about a week to remove personal information of individual staff members, and aggregate them to be anonymous.

SEC believes this is an appropriate resolution of this IRR.

Partially Resolved

In IRR 1-SEC/Staff/CCMBC-7(b), we sought the documentation of the initial plan to transform ("evolve") the utility, which preceded the hiring of a new CEO and management team.

The Applicant advises that our understanding of the evidence is incorrect. Step one was bringing in a new CEO, who hired a mostly new management team, and it was that CEO and new team that initiated and developed the business transformation plan.

Therefore, with respect to the “initial plan” that we requested, there is no such plan to disclose.

We are also advised that, during the development of the business transformation plan by the new management team, a risk register was prepared. Subject to ensuring it does not contain confidential information, the Applicant is prepared to file that.

There may be other documents that were created during the development of the business transformation plan. Subject, of course, to the determination of the Commissioners, SEC is prepared to wait until the hearing and assess through cross-examination whether any such documents should be requested.

In IRR 1-SEC/Staff/CCC/PP/CCMBC/VECC-9(a), (f), (g), and (h), we sought documentation associated with the new head office building. SEC believes that there are essentially five categories of documents that would be of assistance to the Commissioners in this proceeding:

- Documents discussing how the addition of the head office plan affects or should change the rest of the capital plan and/or the DSP
- Documents dealing with the impacts of the new head office on OM&A
- Analyses of options for premises, including both the proposed new head office and alternatives like leasing, renovating an existing building, etc.
- Benchmarking of the planned head office, its size and its costs, to premises of other organizations, including LDCs
- Analysis of the revenue requirement and rate impacts of the capital spending on the land, building, equipment, furniture, and any other capex associated with the project

We have run through this list with counsel for the Applicant, and they advise:

- With respect to the first category, all documents that relate to the development of the DSP are on the record already. SEC will therefore deal with this in cross-examination.
- With respect to the second category – impact of the new head office on OM&A - no such documents exist. SEC will therefore deal with this in cross-examination.
- With respect to the third and fourth categories – options analysis and benchmarking – the Applicant continues to object on the basis of relevance.
- With respect to the fifth category – revenue requirement and rate impacts – the Applicant has agreed to prepare, within one week, an analysis of the type requested, with explicit assumptions set out in the analysis. SEC believes that this is an acceptable resolution, and will also follow up in this regard in cross-examination.

SEC therefore requests that, with respect to this IRR 1-X-9, and with this additional information, and subject to the discretion of the Commissioners with respect to the proposed partial resolution of certain items, the Commissioners rule on unresolved aspects of the motion at their convenience.

Not Resolved

In IRR 1-SEC-17, we sought the financial statements of the various affiliates of the Applicant to or from whom services are provided back and forth. The Applicant continues to object to production of these documents on the basis that they are not relevant to the issues in this proceeding.

In IRR 1-SEC-26, we sought information on the business arrangements between the Applicant and its affiliates and Lakefront Utilities, a regulated LDC in Northumberland County. The



Applicant continues to object to production of documents related to affiliates on the basis that they are not relevant to the issues in this proceeding.

SEC therefore requests that, with respect to these two interrogatories, the Commissioners rule on the motion at their convenience.

In the case of each of these unresolved disclosure issues, both the Applicant and SEC have provided submissions to the Commissioners on September 29, 2025, and we both stand by those submissions.

All of which is respectfully submitted.

Yours very truly,

Shepherd Rubenstein Professional Corporation

A handwritten signature in black ink, appearing to read "Jay Shepherd", written over a light gray rectangular background.

Jay Shepherd

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