

ONTARIO ENERGY BOARD
IN THE MATTER OF the *Ontario Energy Board Act, 1998*;

AND IN THE MATTER OF an Application by Ontario Power Generation Inc. and DNNP LP by its general partner, DNNP GP Inc. for an order or orders approving payment amounts for prescribed generating facilities commencing January 1, 2027

April 21, 2026
Mr. Ritchie Murray
Acting Registrar, Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Re: EB-2025-0297 – Objection to Rescheduling of April 28, 2026 Motions Day

Dear Mr. Murray:

I am writing as an individual intervenor (ratepayer) in the above proceeding to respectfully object to the Applicants' April 20, 2026 request to move the Motions Hearing from April 28, 2026 to the week of May 11, 2026. My objection is procedural and focused on fairness.

I urge the OEB to maintain the Motions Day on April 28, 2026, preferably by proceeding with that hearing in a virtual format. In the alternative, if the Board grants a postponement, I request that it impose clear conditions to protect intervenors' rights (specifically, setting a new deadline for motion notices tied to the new date, and issuing a scheduling decision promptly to avoid confusion).

Reasons for Objection:

Prejudice to Intervenors: I (like other intervenors) have organized my participation around the Board's established schedule. The April 28 Motions Day has been in place since Procedural Order No. 2, and the OEB's letter of April 17, 2026 further cemented that timeline (by requiring any motion letters by April 24). I have already prepared accordingly, including filing my interrogatories ahead of the deadline to give all parties maximum time. Changing the Motions Day with only a week's notice would adversely impact under-resourced intervenors. Unlike the Applicants (who have a large team and

flexibility), I cannot easily reallocate time or absorb additional costs for a later hearing date. In short, a two-week delay would impose real prejudice on me in terms of scheduling and financial strain, contrary to the Applicants' suggestion that no party would be prejudiced.

No Compelling Justification: The reasons given for the adjournment are not, in my respectful submission, sufficiently weighty to outweigh the disruption. The timeline is admittedly tight, but this was anticipated. The Board's procedural direction of April 17 was designed to manage this tight timeline by having parties flag motions by April 24, giving the Applicants the weekend and April 25–27 to prepare. This process still seems workable. All interrogatory responses except a handful (from my late interventions) will be filed by April 22, and any remaining ones by April 24. The Applicants will know by April 24 which issues (if any) are being taken to motion. This is essentially the same situation we would have if the Motions Day were mid-May (just shifted earlier). In other words, nothing new or unforeseen has arisen that makes April 28 unmanageable. It is a matter of preference, not necessity. I submit that the normal discipline of the schedule should be maintained absent an emergency or truly unavoidable conflict, which has not been demonstrated here.

Virtual Hearing Solves the Issue: The only logistical uncertainty the Applicants noted is whether the hearing will be in-person or virtual, affecting their security arrangements. I fully appreciate the need for security if OPG staff are attending in person. However, there is a straightforward solution: conduct the April 28 Motions Hearing virtually (via videoconference). I confirm that I am ready and willing to participate virtually (should I be needed). A virtual format would eliminate the need for physical security planning and would be consistent with how the OEB has handled many procedural hearings in recent years. Given that a motions hearing is primarily legal argument (no cross-examinations of witnesses), a video hearing is equally effective and was likely contemplated as an option by the Board in any case. By moving to a virtual format, the Board can address the Applicants' concern without any delay. This represents a fair compromise, it gives the Applicants what they need (certainty and no security risk) while giving intervenors like me what we need (the ability to stick to the expected timetable).

Maintaining Procedural Integrity: From a broader perspective, keeping the schedule intact reinforces that all parties are expected to prepare and proceed as per the approved timeline. I am an independent intervenor with limited resources, yet I have met every deadline since admission (even filing materials early) because I respect the Board's process and stakeholders. I believe it's reasonable to expect the well-resourced Applicants to likewise manage their preparation within the existing schedule. Granting a late-stage extension in these circumstances could inadvertently signal that deadlines are flexible, which may not be the message the Board wishes to send. Conversely, by either denying the request or granting it only with conditions that ensure fairness, the Board will demonstrate its commitment to an efficient, timely hearing that does not unduly burden any participant.

Proposed Alternative Relief (if rescheduling is allowed): Should the Board decide that an adjournment is warranted, I respectfully request that the Board: (a) issue a decision as soon as possible (ideally by April 24, 2026) so that all parties know the plan and can adjust their preparations accordingly, and (b) set a new deadline for motion letters that is tied to the new hearing date (for example, if the motions day were in the week of May 11, set the deadline for motion notice letters to May 4, 2026). This will mirror the original process (giving the Applicants and other parties advance notice of motions) and avoid any participant being taken by surprise. These steps would mitigate the potential prejudice to intervenors by ensuring we have a clear and fair timeline going forward.

Conclusion and Request: In summary, I submit that the fairest and most efficient course is to proceed with the Motions Hearing on April 28, 2026, using a virtual format to address logistical concerns. This approach keeps the proceeding on track and respects the efforts intervenors have already made to meet the Board's deadlines. If the Board is inclined to grant the Applicants' adjournment request, then I ask that it be done in a manner that preserves procedural fairness, as outlined above (prompt decision, new deadlines).

Thank you for considering my perspective on this procedural matter. I raise this objection not to be obstinate, but to ensure that my ability (and that of similarly situated intervenors) to participate meaningfully is not inadvertently hampered. I remain fully prepared to argue or address any motions on April 28 (should that be necessary), and I will cooperate with whatever schedule the Board ultimately decides, provided it remains fair to all sides.

Yours truly,

Keith Pinto

Intervenor (Individual Ratepayer)
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April 21, 2026

ALL OF WHICH IS RESPECTFULLY SUBMITTED.