

**BY RESS**

April 24, 2026

Mr. Ritchie Murray  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27th Floor  
Toronto, Ontario  
M4P 1E4

Dear Mr. Murray:

**EB-2025-0156 Consultation on the Regulatory Treatment of Local Electricity Demand-side Management (eDSM Stream 2) Programs - Building Owners and Managers Association Toronto's (BOMA Toronto) Submissions**

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**Introduction**

The Ontario Energy Board's (OEB) March 31, 2026 letter outlines the next steps of the regulatory treatment of local electricity demand-side management (eDSM Stream 2) programs consultation. In this letter, the OEB also invites comments from all interested parties on its updated Non-Wires Solutions (NWS) Guidelines. BOMA Toronto is providing the following comments.

**General Comments**

BOMA Toronto strongly supports local eDSM programs that target local distribution needs and support provincial energy system objectives in a coordinated, cost-effective manner. BOMA Toronto believes cost effective local eDSM programs that complement existing province-wide offerings will help optimize local (distribution level) and bulk (transmission and generation) electricity infrastructure, preparing the electricity grid for growth and electrification activities.

BOMA Toronto generally supports the OEB's proposed changes as reflected in the March 31, 2026 Draft NWS Guidelines.

## **Specific Comments**

### **1. Delegation of Authority**

The OEB has determined that review by delegated authority (DA) will not be the default approach for Stream 2 eDSM applications; instead the OEB will consider delegation of applications containing Stream 2 eDSM program funding requests on a case-by-case basis, with a determination made by the Chief Commissioner, informed by a list of considerations that the Chief Commissioner will take into account in making this determination. After a period of time, the Chief Commissioner may revise this approach in the interest of maximum adjudicative efficacy and efficiency.

BOMA Toronto believes this proposed change has generally addressed our initial concerns regarding this matter, as stated in our November 13, 2025 submissions. BOMA Toronto also recommends that, once the process is more understood, the OEB may consider establishing a “review type” guideline (based on the Chief Commissioner’s rationales of decisions) to assist distributors and parties to understand the criteria of DA review vs. OEB Panel review.

### **2. Performance Standards**

The OEB has determined that its existing Complex IRM performance standard (165-day cycle time) will apply to Stream 2 local eDSM program funding requests, whether filed as stand-alone applications or as part of an annual rate adjustment application.

BOMA Toronto supports this determination. There is no significant benefit to have a separate performance standard for Stream 2 local eDSM program applications.

### **3. Incrementality of eDSM Spending**

The OEB notes that for NWS funding applications filed outside of rebasing, the existing NWS Guidelines (section 3.4) require a distributor to identify whether any funding to address the identified system need is already included in existing rates (similarly, incrementality of costs is also assessed by the OEB in IRM applications that include a Z-factor claim). The OEB has determined that it will not remove this evidentiary requirement for Stream 2 local eDSM program applications.

BOMA Toronto supports this determination as it has appropriately addressed our initial concerns regarding this matter, as stated in our November 13, 2025 submissions.

#### 4. Program Term

The OEB has determined that it will limit the initial term of approval for a Stream 2 local eDSM program to a maximum of three years, or five years if filed as part of a cost of service application. While safeguards regarding underperforming Stream 2 local eDSM programs are built into the OEB's guidance, broader system conditions, such as load forecasts, system needs, and the value of bulk savings will also change over time. Requiring distributors to seek approval to extend a program beyond this term length, through an application, will allow the OEB to review whether continued funding remains appropriate.

BOMA Toronto supports this determination as this approach strikes a balance among safeguarding underperforming programs, changing system conditions and program stability.

#### 5. Benefit-Cost Analysis Framework

The Stream 2 eDSM Appendix (chapter 3) encompasses the BCA filing requirements described in the BCA Framework and notes specific considerations in for Stream 2. The OEB has determined that - broader changes to the BCA Framework should be considered separate from the Stream 2 local eDSM consultation. The OEB currently has a separate active consultation on Phase Two of the BCA Framework, which includes consideration of a non-energy benefits adder (EB-2023-0125).

While BOMA Toronto agrees with the OEB's determination, we also recommend that a holistic approach is used to ensure the BCA consultation (EB-2023-0125) and this consultation (EB-2025-0156) are in-sync and they support each other.

DSM is very relevant to BOMA Toronto's primary policy interests, which include energy transition, electrification and conservation and demand management. As such, BOMA Toronto appreciates the opportunity to participate in this important OEB consultation. We would be delighted to participate in any local eDSM working groups, providing a voice for commercial property owners throughout the Greater Toronto Area and Ontario.

Respectfully submitted on behalf of BOMA Toronto,

A handwritten signature in black ink, appearing to read "Clement Li".

**Clement Li**

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