VIA RESS and EMAIL

June 8, 2026

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

Dear Ritchie Murray:

Re: Independent Electricity System Operator (IESO)
2026-2028 Fees
Consumers Council of Canada (CCC) Comments on Draft Issues List and Hearing Process
OEB File No. EB-2026-0142

The Consumers Council of Canada's (CCC) intervention request was filed through the OEB's portal earlier today.

In accordance with the OEB's Notice of Hearing, dated April 25, 2026, CCC provides its comments on the IESO's proposed draft issues list and hearing process below.

CCC notes that, in the IESO's draft issues list, all of the issues related to the revenue requirement, operating costs, capital spending and the operating reserve ask whether the proposals are "aligned with the Minister's approved Business Plan."[1] This is a departure from previous iterations of the issues list for the IESO's fees proceeding. In EB-2022-0318 (the IESO's 2022-2025 Fees proceeding), the revenue requirement, operating cost, capital expenditure and operating reserve-related issues all asked whether the amounts are "appropriate."[2] CCC submits that the correct language for the issues list is whether the proposed amounts are appropriate (not if they are aligned with the Minister's approved business plan). The OEB is responsible for determining whether the requested amounts are appropriate.

With respect to the IESO's proposed process as set out in the cover letter to its application[3], CCC has very significant concerns. The IESO proposed a process whereby

[1] IESO Application, Cover Letter, April 22, 2026, Appendix A, p. 1.
[2] EB-2022-0318, Decision on Confidentiality and Issues List, May 19, 2023, Schedule A, p. 1.
[3] IESO Application, Cover Letter, April 22, 2026, pp. 1-2.

OEB staff would file interrogatories and intervenors may suggest that additional questions be added to the list (subject to what appears to be OEB staff "approval" of those questions). After the interrogatory responses are provided, the evidentiary record would be closed, and the next step in the process would be the issuance of a decision by the OEB.[4]

The IESO states, in its cover letter, that it "recognizes that it is also important that the streamlined review maintains transparency, fairness and provides an opportunity for interested parties to undertake a substantive review of the IESO's evidence."[5] CCC submits that its proposed process is not fair nor does it allow for a substantive review of the evidence.

CCC submits that the IESO's proposal that OEB staff determine whether intervenors questions should be put forward to the IESO for response limits intervenors' ability to substantively review the application. It is entirely unclear why OEB staff would have the final say on whether intervenors' questions should be put forward to the IESO.

CCC also submits that the IESO's proposed process is in no way an actual hearing of the application. There is no opportunity for intervenors (or OEB staff) to file argument. The opportunity to file argument, if necessary, is foundational to a hearing process.

Overall, CCC submits that the IESO's proposed process should be rejected. The IESO has filed an application for a significant increase to its revenue requirement.[6] The application requires a substantive hearing process.

We have had the opportunity to review a draft of the School Energy Coalition's (SEC) letter, dated June 8, 2026. We agree with its suggestions regarding the potential to streamline the hearing process by addressing the IESO's 2026-related requests separately from its requests for 2027 and 2028. We also agree that the OEB may want to offer the opportunity for settlement discussions and apply a version of its Small Distributor Process to the current proceeding to allow for a more efficient process.

[4] Ibid.
[5] Ibid., p. 1.
[6] Exhibit B-1-1, p. 17.

Yours very truly,

Lawrie Gluck

Lawrie Gluck
Consultant for the Consumers Council of Canada