
BY EMAIL and RESS

June 25, 2026

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

Dear Mr. Murray:

EB-2024-0115 Hydro Ottawa Limited 2026-2030 Custom Rate Application for Electricity Distribution Rates - Building Owners and Managers Association Ottawa (BOMA Ottawa) Response to Hydro Ottawa Limited's Cost Claim Objection

The Building Owners and Managers Association Ottawa (BOMA Ottawa) has reviewed Hydro Ottawa Limited's (Hydro Ottawa) June 18, 2026 letter objecting to intervenor cost claims, including its proposed reduction of 20 hours from BOMA Ottawa's claim. This is BOMA Ottawa's response. For the reasons set out below, BOMA Ottawa submits that Hydro Ottawa's objection is without merit and should be rejected, and asks that it be awarded the full amount of its claim.

The Comparison to the 2021-2025 Application Is Not a Fair Benchmark

Hydro Ottawa's objection framework rests on comparing the hours intervenors spent in this proceeding to those spent in its previous application, EB-2019-0261, on the premise that the two applications "featured similarly sized evidentiary records (pre-filed evidence) and comparable complexity." BOMA Ottawa submits that this premise is flawed, and that the comparison cannot bear the weight Hydro Ottawa places on it.

Hydro Ottawa notes that "*Ultimately, the volume of original evidence was similar across both applications, and both were established using a custom framework with growth and custom stretch factors....*" and concludes that these two applications are somewhat comparable. The defining feature of an application is not the thickness of the binder but the scale and nature of what is being asked of customers. On that measure the two applications are not comparable. The capital plan in this proceeding was more than double that of the last (approximately \$1.2 billion against roughly \$500 million), and the

proposed OM&A and bill impacts increased by a similar order of magnitude. Treatment and impact of non-wires solutions, distributed energy resources and electrification made this proceeding materially more complex in substance than the last one. It should not be surprising that intervenors need to spend more time to properly examine this complex application.

BOMA Ottawa Specific

Hydro Ottawa makes four specific criticisms of BOMA Ottawa's claim and proposes a total reduction of 20 hours. Each should be rejected.

As a threshold matter, BOMA Ottawa's claim should be assessed as a whole and on its own merits. It is quite common that intervenors allocate their time somewhat differently than its peers across individual sub-categories and sub-activities, and such differences tend to balance out when a claim is viewed as a whole. Hydro Ottawa's objection instead isolates individual categories; and while it identifies areas it regards as high, it offers no methodology connecting those observations to the specific 20-hour reduction it proposes. In any event, each of the four criticisms fails on its own terms.

Evidence Review and Interrogatory Preparation Hydro Ottawa observes that BOMA Ottawa claimed approximately 25 hours to review evidence and prepare interrogatories while submitting 21 questions, and compares this unfavourably to other intervenors on a per-question basis. The number of interrogatories is not a meaningful proxy for the time properly required to review an application. BOMA Ottawa's questions were focused principally on the revenue and load forecast, an area that is both technically demanding and central to the bill impacts borne by the commercial and institutional building owners BOMA Ottawa represents. Reviewing the application to the depth necessary to identify a small number of well-targeted questions is itself the work; penalizing BOMA Ottawa for asking fewer questions would reward volume over focus and runs contrary to the OEB's own efficiency objectives, which encourage intervenors to limit duplicative and unnecessary interrogatories.

Oral Hearing Preparation Hydro Ottawa characterizes BOMA Ottawa's 8.63 hours of oral hearing preparation as excessive because BOMA Ottawa did not file a compendium and ultimately asked a limited number of questions at the hearing. The preparation required to participate responsibly in a multi-day oral hearing on a record of this size is not measured by the number of questions ultimately asked or whether a compendium was filed. An intervenor must prepare across the issues in order to participate, to avoid duplication, and to be in a position to pursue matters not adequately covered by others. That BOMA Ottawa ultimately asked fewer questions – in part because other

intervenors had already canvassed certain material – reflects precisely the efficient, coordinated and non-duplicative conduct the OEB encourages. Hydro Ottawa itself acknowledges that BOMA Ottawa’s preparation time was comparable to that of individual VECC consultants. The time claimed was reasonable and prudently incurred.

Settlement Conference Preparation Hydro Ottawa suggests that BOMA Ottawa’s settlement conference preparation of approximately 19 hours is disproportionate and duplicative, given that SEC took the lead during settlement. BOMA Ottawa’s acknowledgement of SEC’s leadership does not mean BOMA Ottawa could rely on others to protect its members’ distinct interests. As a represented party, BOMA Ottawa was required to prepare its own positions across the issues, review the evidence and the positions of other parties, and be ready to participate meaningfully in negotiations over the course of a lengthy and complex settlement conference. Moreover, the allocation of time among the various pre-settlement cost categories involves a degree of discretionary judgment, and preparation for settlement is frequently undertaken in conjunction with the review of evidence, interrogatory responses and technical conference materials. Comparing a single category in isolation, or comparing intervenors who took on different roles and focused on different aspects of the application, does not establish that any time was duplicative. The time was reasonably required for BOMA Ottawa to participate in the settlement process on behalf of its members.

Written Reply Submission Hydro Ottawa contends that BOMA Ottawa’s 14.5 hours to prepare a written reply spanning just over three pages is disproportionate to the length of the output. The time required to prepare a reply is a function of the breadth of the issues addressed and the analysis underlying the submission, not the page count of the final document. BOMA Ottawa’s reply addressed the full range of outstanding issues, which required reviewing the arguments of Hydro Ottawa and other parties across the record before distilling BOMA Ottawa’s position into a concise submission. A shorter, focused reply often reflects more preparation, not less, and is consistent with the efficient use of the Board’s and the parties’ time. Length is not a measure of effort or value.

Finally, Hydro Ottawa suggests that ratepayers should not absorb the costs of an “external learning curve” associated with BOMA Ottawa’s use of a new consultant. BOMA Ottawa was represented in this proceeding by an experienced regulatory consultant. He has extensive experience in OEB regulatory hearings, transmission and distribution cost allocation, rate design and load forecasting. The hours claimed reflect the work reasonably required to review and respond to an application of unprecedented scale on behalf of BOMA Ottawa’s members. The reasonableness of the claim should

be assessed on the work actually done in this proceeding, not on an assumption about onboarding costs for which there is no evidence on the record.

Summary

BOMA Ottawa submits that its participation in this proceeding was responsible, focused and non-duplicative, and was commensurate with both the scale of the application and the interests of the commercial building owners it represents. Hydro Ottawa's objection rests on an unsound comparison to a smaller and less complex application and on per-question and per-page metrics that do not reasonably measure the time required to participate effectively. BOMA Ottawa respectfully requests that Hydro Ottawa's proposed reduction of 20 hours be rejected and that BOMA Ottawa be awarded the full amount of its cost claim.

All of which is respectfully submitted.

Sincerely,

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

Clement Li

Consultant for BOMA Ottawa
Director, Policy & Regulatory Development
Enerlife Consulting Inc.
cli@enerlife.com