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July 16, 2026

EB-2025-0014

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, ON M4P 1E4

Attn: Ritchie Murray, Registrar

Dear Mr. Murray:

Re: OEB File No. EB-2025-0014
Oshawa PUC Networks Inc. (Oshawa Power)
2026 Cost of Service Application
Intervenor Cost Claims

Pursuant to the Ontario Energy Board's (OEB) decision on May 28, 2026, enclosed are Oshawa Power's objections to certain cost claims filed by intervenors in the above noted proceeding. For convenience, below is a table summarizing the costs claimed by intervenors in this proceeding, with the highest claim highlighted in each stage:

Intervenor	Hours	Costs
Stage: Discovery		
AMPCO	37.25	\$ 15,111.22
CCC	43.00	\$ 14,722.78
CCMBC	10.50	\$ 4,259.54
DRC	6.90	\$ 1,779.41
PP	37.50	\$ 15,212.64
SEC	60.80	\$ 24,455.91
VECC	41.00	\$ 15,298.93
Average	33.85	\$ 12,977.20
Stage: Procedural		
AMPCO	2.50	\$ 1,014.18
CCC	2.00	\$ 684.79
CCMBC	3.00	\$ 1,217.01
DRC	7.60	\$ 1,683.25



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PP	2.50	\$	1,014.18
SEC	19.50	\$	7,872.60
VECC	1.25	\$	466.43
Average	5.48	\$	1,993.21
Stage: Settlement Conference			
AMPCO	26.00	\$	10,547.42
CCC	26.50	\$	9,073.34
CCMBC	18.00	\$	7,302.07
DRC	30.60	\$	6,777.28
PP	22.50	\$	9,127.59
SEC	20.20	\$	8,194.54
VECC	31.75	\$	11,847.34
Average	25.08	\$	8,981.37
Stage: Written Argument			
AMPCO	36.25	\$	14,705.54
CCC	43.50	\$	14,893.97
CCMBC	10.00	\$	4,056.70
DRC	7.70	\$	1,705.40
PP	16.00	\$	6,490.72
SEC	54.40	\$	22,068.45
VECC	34.75	\$	12,966.77
Average	28.94	\$	10,983.94
Stage: Oral Argument			
AMPCO	4.25	\$	1,724.10
CCC	43.50	\$	14,893.97
CCMBC	25.00	\$	10,141.75
DRC	33.50	\$	7,419.58
PP	29.00	\$	11,764.43
SEC	64.20	\$	23,889.00
VECC	26.25	\$	9,795.05
Average	32.24	\$	11,375.41
Stage: Decision			
AMPCO	0.75	\$	304.25



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CCC	1.00	\$	342.39
CCMBC	1.00	\$	405.67
DRC	3.90	\$	863.77
PP	1.00	\$	405.67
SEC	5.10	\$	2,068.92
VECC	6.25	\$	2,332.15
Average	2.71	\$	960.40
Stage: Other			
CCMBC	1.00	\$	405.67
DRC	1.10	\$	243.63

Oshawa Power recognizes and appreciates the contributions of intervenors in this proceeding. Oshawa Power values their engagement and recognizes that a collaborative, transparent process plays a key role in establishing just and reasonable rates. However, the OEB must balance the approval of cost claims with ratepayer interests to ensure a prudent and efficient use of resources.

Oshawa Power's proceeding was included in the OEB's pilot to minimize duplication in interrogatories, part of an OEB the 10-point action plan to improve the adjudicative process and reduce regulatory burden. Two intervenors noted in their cost claims letter that as a result of the pilot, they increased, rather than decreased, the time they spent on interrogatories. In addition, duplication was not significantly reduced, since numerous intervenors took similar positions on the major issues in their Final Arguments.

Oshawa Power notes that cost claims totaling \$331,550 and 900 hours, without any intervenor expert evidence, appears to be excessive for a utility with a revenue requirement of \$38 million and implementation of an OEB interrogatory collaboration pilot intended to reduce duplication. As a comparison, the cost claims in EB-2022-0200 totaled \$3.7 million for Enbridge with an applied for revenue requirement of approximately \$3.1 billion for a similar scope of proceeding that involved a partial settlement and subsequent oral hearing.¹ The ratio of intervenor costs to revenue requirement for Oshawa Power is 0.0087 whereas the ratio for Enbridge is 0.0012, meaning that intervenor costs in Oshawa Power's case were 7.25 times higher than Enbridge when compared based on revenue requirement.

The requested intervenor cost claims amount significantly exceeds the \$76,000 forecast by Oshawa Power in its Application, which was estimated based on other mid-sized LDCs who have recently rebased. Cost awards approved above this forecast amount are not included in current

¹ EB-2022-0200, Decision and Order on Cost Awards, June 14, 2024.



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rates and results in a further reduction to income. Oshawa Power notes this variance is above its materiality threshold of \$195,000 and therefore Oshawa Power is investigating options to fund this unexpected expenditure. Oshawa Power notes the difficulty utilities face in reliably forecasting this budgetary number as it is highly sensitive to the number of intervenors, which is not known until after the application is filed.

For the reasons set out below, Oshawa Power submits that the cost claims of the School Energy Coalition and the Association of Major Power Consumers in Ontario should be reduced.

Schools Energy Coalition

SEC is requesting an overall cost award that is significantly higher than other intervenors who participated in this proceeding. SEC's cost claim is more than double the average of the other six intervenors. A table summarizing the hours claimed by SEC compared to the other six intervenors is provided below:

Stage	SEC Claimed Hours	Average Claimed Hours Excluding SEC	SEC Claimed Hours Above Average
Discovery	60.80	29.36	107%
Procedural	19.50	3.14	521%
Settlement	20.20	25.89	(-22%)
Written Argument	54.40	24.70	120%
Oral Argument	64.20	26.92	139%
Decision	5.10	2.32	120%

Oshawa Power believes that this is unreasonable for an experienced intervenor for the following reasons:

- **Discovery:** SEC's claimed hours were more than double the average number of hours for the other six intervenors.
- **Settlement:** SEC filed a motion minutes before the settlement conference² despite having several weeks prior to do so. Rather than facilitating the resolution of the proceeding, the timing created a significant distraction and detracted from the parties' efforts to focus on resolving the issues before them. Oshawa Power submits this is an example of conduct by SEC that tended to lengthen the process unnecessarily and increase the time spent by all intervenors.

² The settlement conference was scheduled for 9:30am on August 18. Mr. Shepherd's motion was filed at 9:06am.



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- **Procedural:** SEC claimed hours were more than five times the average number of hours for the other six intervenors. SEC's reasons for the higher procedural costs should be rejected:
 - SEC indicated that Oshawa Power filed an incomplete initial application. This is inaccurate. The OEB deemed the Application complete in May 2025,³ confirming there was no issue with Oshawa Power's plan to file an Incremental Capital Module for the new facility in July 2025.⁴
 - SEC claimed Oshawa Power took an adversarial approach to the process and sought to hide information.⁵ This is also inaccurate. Oshawa Power promptly complied with the OEB's direction throughout the proceeding, providing documentation within the directed timelines, including all requested information related to Oshawa Power's planned new Facility.⁶
- **Oral Argument:** Despite claiming more that double the hours of the other six intervenors, Mr. Shepherd provided compendium materials to the fact and expert witnesses after the hearing had already started.⁷
- **Written Argument:** SEC claimed more than double the average number of hours of the other six intervenors. SEC devoted considerable effort toward criticizing Oshawa Power and its management team rather than focusing on the material issues before the OEB. Notably, SEC itself described a significant portion of their Final Argument as a "lengthy diatribe on the behaviour of the Applicant."⁸
- **Decision:** SEC's claimed hours to review the Decision were more than double the average of the other six intervenors.

Oshawa Power recommends that SEC's claim be adjusted as follows:

- Mr. Shepherd's claimed hours should be reduced by 35% to better align SEC's total cost claim with VECC and CCC.
- JD Shepherd's claimed hours should be rejected. JD Shepherd was not qualified as an expert in this case, nor was he approved as part of SEC's team in Procedural Order No. 1.⁹
- Oshawa Power is not requesting a specific cost reduction in relation to Mark Rubenstein's claimed hours.

³ OEB Completeness Letter for Oshawa PUC, May 14, 2025.

⁴ Decision and Order, July 15, 2025, Decision and Order, p. 2.

⁵ SEC Final Argument, paragraphs 1.2.68 and 1.2.18.

⁶ OPUC Reply Argument, paragraphs 498 and 532.

⁷ Mr. Shepherd's compendium was received in electronic format only one hour before Mr. Shepherd's cross examination that same day (Day 1). As described in OPUC's Reply Argument, paragraph 308, insufficient time was also provided for compendium materials intended for Oshawa Power's expert witness Ms. Galli.

⁸ SEC Final Argument, paragraph 1.2.68, referring to section 1.2 (p. 3-18).

⁹ Procedural Order, June 13, 2025, Schedule A: List of Applicant and Intervenors, p. 4.



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Oshawa Power recommends that the OEB consider a further reduction to SEC's cost claim for the accusatory language used in its Final Argument. Examples include SEC accusing Oshawa Power of "seeking to game the rules"¹⁰ and being "knowingly misleading"¹¹. Throughout the proceeding, the tone adopted in SEC's submissions, correspondence, and Final Argument created and perpetuated the contentious atmosphere that SEC identifies in their cost claim.¹² Not only were these attacks unnecessary and unproductive, they detracted from meaningful assessment of Oshawa Power's evidence. A further reduction to SEC's claim would demonstrate that such language and tactics are not condoned by the OEB.

Association of Major Power Consumers in Ontario

Oshawa Power observes that AMPCO's cost claim seems high considering no AMPCO representative attended the oral hearing. Oshawa Power recommends that AMPCO's cost claim be reduced by 4.25 hours claimed for oral hearing preparation, as it is not clear what costs could be incurred in preparation for an oral hearing they did not attend. AMPCO's total cost claim should be reduced by an additional 36.9 hours, the average claimed by the other six intervenors for the oral hearing.

Other Intervenors

Oshawa Power is not requesting a specific reduction related to the cost claims of CCC, VECC, Pollution Probe, CCMBC or DRC.

All of which is respectfully submitted.

Sincerely,

Valerie Bennett

Valerie Bennett
VP, Regulatory & External Affairs
Oshawa Power | (905) 243-6449 | vbennett@oshawapower.ca

Cc: John Vellone, Borden Ladner Gervais LLP
Parties to proceeding EB-2025-0014

¹⁰ SEC Final Argument, paragraph 1.2.68.

¹¹ SEC Final Argument, paragraph 1.2.11.

¹² SEC Cost Claim Letter, July 9, 2026, p. 1.