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Our File No. 202969

VIA RESS AND EMAIL

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
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Attention: Christine E. Long,
Registrar and Board Secretary

Dear Ms. Long:

Re: EB-2020-0133: Consultation on the Deferral Account – Impacts Arising from the COVID-19 Emergency

1. Scope of the Issues List

BOMA supports the Proposed Issues List, subject to the addition of a fourth subaccount in Section C, Accounting Matters. The fourth subaccount should be "Account 1509: Impacts Arising From The COVID-19 Emergency Subaccount Capital, OM&A, Or Other Savings".

2. Advanced Policy Direction, Section 1(a)

In BOMA's view, the Board should not provide "Advanced Policy Direction" in the near term. It would be premature to do so in advance of the stakeholder consultation's plan for July and subsequent submissions by parties on the substance of each of the issues raised in the consultation (which would be the issues contained in the final Issues List), for several reasons.

First, the nature of the amounts eligible for recovery is a key issue in the consultation and "Advanced Policy Direction" would compromise or prejudice those discussions, parties' submissions, and the Board's ultimate decision.

Second, the Board should not establish such "Advanced Policy Direction" prior to obtaining the views of all stakeholders, including the utilities, through the consultations and subsequent submissions. In other words, the Board does not have sufficient information in the near term to issue policy direction.

Finally, and following from the above points, issuance of an "Advanced Policy Direction" introduces an unnecessary "moving part" into what is already a complicated discussion.

Yours truly,

FOGLER, RUBINOFF LLP

Albert M. Engel

AME/dd

cc: All Parties (*via email*)