

April 30, 2024

**VIA RESS**

Ontario Energy Board  
2300 Yonge Street  
27th Floor  
Toronto, Ontario  
M5P 1E4

**Attention: Ms. Nancy Marconi, Registrar**

Dear Ms. Marconi:

**Re: OEB File No. EB-2023-0195, Toronto Hydro-Electric System Limited  
("Toronto Hydro") 2025-2029 Custom Rate Application for Electricity  
Distribution Rates and Charges – Motions Resolution**

This letter documents the resolution reached on April 26 between Toronto Hydro, SEC and AMPCO of the motions brought by SEC and AMPCO in their notices of motion dated April 25, 2024 pursuant to Procedural Order No. 4. This letter is being filed jointly by these parties.

The SEC and AMPCO motions have been fully resolved and will not be proceeding to a motions hearing on the following basis:

**SEC's Motion**

1. Interrogatory 2B-SEC-57 – Toronto Hydro will provide annual budgeted capital expenditures by program for each year between 2020 to 2024.
2. Interrogatory 4-SEC-90 – For each year from 2020 to 2024, Toronto Hydro will provide envelope level budgeted OM&A amounts. Toronto Hydro will also provide a detailed explanation of any material variances between the budget and actuals. And in the response Toronto Hydro will confirm that it does not internally budget on the basis of the Appendix 2-JC program categories.
3. Interrogatory 1B-SEC-5 – In respect of the Accenture 2021 Utility Grid Modernization Benchmark Study, the study document at issue on the motion (a pdf slide deck report) will be produced on the basis that Toronto Hydro and SEC agree that one slide which contains a listing of the study participants is confidential (i.e. the portion of the slide with participant names is confidential) and request that confidential treatment accordingly be granted in respect of that slide.

4. Interrogatory 1B-SEC-6 – In respect of this request for budget guidance documents, Toronto Hydro will provide the requested documents to the extent they exist and are not already on the record.
5. Interrogatory 1B-SEC-20(a) – By way of an updated response to this request for disclosure of any alternative PIM measures considered, Toronto Hydro will provide a more fulsome objection to this request. As part of the resolution of the motion, SEC is no longer pursuing this request.

**AMPCO’s Motion**

1. Undertaking JT.3.18 – Toronto Hydro will provide the further requested information (project variance reports in respect of these 27 projects and information regarding the approval process).

While Toronto Hydro has agreed to provide the information noted above, it does so without prejudice to its position regarding relevance. Similarly, by agreeing to the resolution of the motions, SEC and AMPCO are not necessarily agreeing that any of Toronto Hydro’s objections to the interrogatories are appropriate.

Yours truly,



Arlen Sternberg

cc: Daliana Coban, *THESL*; all parties to EB-2023-0195