

1 **RESPONSES TO ONTARIO ENERGY BOARD STAFF INTERROGATORIES**

2
3 **INTERROGATORY 5-STAFF-312**

- 4 **References: Exhibit 5, Tab 1, Schedule 1, Page 7**
- 5 **EB-2009-0084, Report of the Board on the Cost of Capital for Ontario’s Regulated**
- 6 **Utilities, December 11, 2009, Page 57**
- 7 **EB-2018-0165, 2020 Custom IR, Decision and Order, December 19, 2019, Page 153**
- 8 **Excel Appendix OA-OB, November 17, 2023**
- 9 **Excel Revenue Requirement Workforms (2025, 2026, 2027, 2028, and 2029),**
- 10 **November, Tab 7 Cost of Capital, November 17, 2023**
- 11 **OEB Letter, 2024 Cost of Capital Parameters, October 31, 2023**

12
13 Preamble:

14 Toronto Hydro stated that its short-term debt rate for ratemaking purposes is based on a “One-

15 Month Banker’s Acceptance rates (Bloomberg L.P.)”, plus a five-basis point administration fee.

16
17 Toronto Hydro provided the following table in its evidence.

18 **Table 5-1: Short-Term Rates**

Year	Short Term Rates
2023	5.15%
2024	5.40%
2025	5.40%

19 OEB staff notes that Toronto Hydro has calculated its short-term debt rate for ratemaking purposes

20 in a different manner than that set for electricity distributors in the Report of the Board on the Cost

21 of Capital for Ontario’s Regulated Utilities. However, the OEB accepted Toronto Hydro’s different

22 approach in its last Custom IR proceeding.

23
24 In Appendix-OA filed November 17, 2023, Toronto Hydro proposes a short-term debt rate of 5.25%.

25 A short-term debt rate of 5.25% is also reflected in Toronto Hydro’s Excel revenue requirement

26 workforms for the rate years 2025 through 2029.

1 The deemed short-term debt rate of 6.23% for electricity distributors was issued by the OEB on
2 October 31, 2023.

3

4 **QUESTION (A) – (F):**

- 5 a) Please confirm that to determine the final revenue requirement for 2025 and the
6 subsequent years (i.e., 2026-2029), Toronto Hydro intends to use a short-term rate of
7 5.25%, or a different rate as updated through interrogatories. If this is not the case, please
8 explain.
- 9 b) Please explain why a short-term debt rate of 5.40% is reflected in Toronto Hydro's Table 6,
10 but a different rate of 5.25% is used in Appendix-OA and the Excel revenue requirement
11 workforms for the rate years 2025 through 2029.
- 12 c) Please provide the supporting calculations for the short-term debt percentages shown in
13 Toronto Hydro's Table 6 and Appendix-OA, including which Bloomberg ticker(s) was used.
- 14 d) Please confirm that the manner in which Toronto Hydro has calculated its short-term debt
15 rate and to determine the final revenue requirement for 2025 and the subsequent years
16 (i.e., 2026-2029), is consistent with that approved by the OEB in Toronto Hydro's 2020
17 Custom IR proceeding. If this is not the case, please explain.
- 18 e) Please explain why it is appropriate for Toronto Hydro to continue to depart from using the
19 deemed short-term debt rate approved by the OEB (which is generally used by other
20 electricity distributors).
- 21 f) Please explain the impact on Toronto Hydro's 2025 through 2029 revenue requirements if
22 Toronto Hydro used the deemed short-term debt rate of 6.23% issued by the OEB on
23 October 31, 2023.

24

25 **RESPONSE (A) – (F):**

26 To determine the final revenue requirement for the purpose of setting rates, at the time of Draft
27 Rate Order, Toronto Hydro intends to update the short-term rate based on the deemed short-term
28 debt rate to be issued by OEB in October 2024.

1 Table 6 provided forecasted short-term rates for the respective years. For the year 2023,
2 forecasted rate was provided based on short-term rates that prevailed in Q3, 2023. For the years
3 2024 and 2025, an additional 25 basis points were added to factor in the possibility of an interest
4 rate hike. However, given the uncertainty related to future monetary policy changes, for the 2025-
5 2029 revenue requirement workforms included in the pre-filed evidence, Toronto Hydro applied
6 the most recent actual short-term rate in Appendix-OA.

7

8 The utilization of the 6.23% rate issued by OEB will change the cost of capital from 6.17% to 6.21%
9 and it will result in an increase of \$2.3M in revenue requirement. Toronto Hydro notes that the
10 rate issued by the OEB was not applied in the pre-filed evidence because the revenue requirement
11 evidence was already locked-down by that point in time.

1 **RESPONSES TO ONTARIO ENERGY BOARD STAFF INTERROGATORIES**

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3 **INTERROGATORY 5-STAFF-313**

- 4 **References: Exhibit 5, Tab 1, Schedule 1 , Pages 4, 6**
5 **Excel Appendix OA-OB, November 17, 2023**
6 **Exhibit 1C, Tab 3, Schedule 6**
7 **OEB letter, 2024 Cost of Capital Parameters, October 31, 2023**
8 **Excel Revenue Requirement Workforms (2025, 2026, 2027, 2028, and 2029),**
9 **November, Tab 7 Cost of Capital, November 17, 2023**

10

11 Preamble:

12 Toronto Hydro stated that is had an all-in coupon rate of 4.93% on Toronto Hydro Corporation’s
13 (THC) 30-year issuance on August 28, 2023. However, OEB staff could not find this bond listed in
14 Toronto Hydro’s Appendix OB Debt Instruments for the rate year 2025.

15

16 In Appendix OB, Toronto Hydro indicated that on October 2, 2023, it had issued a debenture for
17 \$200,000,000 with a rate of 5.25%, however, no promissory note was filed in Toronto Hydro’s
18 evidence in Exhibit 1C. Also, “Table 5: Forecasted Long-Term Debt Issues” on page 6 of Exhibit 5
19 shows a forecasted rate of 5.00% and not 5.25% for the debt issued in October 2023.

20

21 The deemed long-term debt rate of 4.58% for electricity distributors was issued by the OEB on
22 October 31, 2023.

23

24 Toronto Hydro has calculated a long-term debt rate of 3.95% in Appendix OB for the 2025 rate
25 year. A long-term debt rate of 3.95% is also reflected in Toronto Hydro’s Excel revenue
26 requirement workforms for the rate years 2025 through 2029.

1 **QUESTION (A):**

2 a) Please reconcile the debt that Toronto Hydro stated was issued on August 28, 2023 with
3 the debt issuances shown in Appendix OB.

4

5 **RESPONSE (A):**

6 The all-in coupon rate of 4.93% for 30-year THC debt issuance as at August 28, 2023 was an
7 indicative rate mentioned in the context of comparing credits spreads and absolute all-in-yields
8 between 2022 and 2023. There was no actual issuance of THC debt on August 28, 2023.

9

10 **QUESTION (B):**

11 b) Please provide the promissory note for the debenture issued October 2, 2023 for
12 \$200,000,000, explain whether the rate was 5.00% or 5.25%, and update the evidence as
13 required.

14

15 **RESPONSE (B):**

16 The promissory note issuances mentioned in Table 5 were forecasted long-term debt issuances.
17 There was no THC promissory note issuance on October 2, 2023. Toronto Hydro issued \$200M
18 promissory note at an all-in coupon rate of 5.18% on October 12, 2023. Toronto Hydro has updated
19 Appendix OA-OB to reflect the same, which is attached as Appendix A to this interrogatory
20 response.

21

22 **QUESTION (C):**

23 c) If any debt instruments have been issued since the preparation of the pre-filed evidence
24 for the current proceeding, please update the relevant evidence (including Appendix OA
25 and Appendix OB), and provide a copy of the relevant promissory note(s).

26

27 **RESPONSE (C):**

28 Please see the attached Appendix A and B to this response.

1 **QUESTION (D) AND (E):**

- 2 d) For each promissory note shown on Appendix OB with rates greater than the current
 3 deemed long-term debt rate of 4.58%. please provide the following:
 4 i. The start date of the debt.
 5 ii. The deemed long-term debt rate in place at the time the debt was issued
 6 iii. The need for the debt and rationale supporting taking the debt at the rate offered
 7
 8 e) Please provide rationale supporting the need for the forecasted debt issues shown in
 9 Appendix OB, including any specific capital project(s) that the debt funding is for.
 10

11 **RESPONSE (D) – (E):**

12 Toronto Hydro is assigned debt through promissory notes from its parent, Toronto Hydro
 13 Corporation. These promissory notes are written on the same market terms as the parent debt
 14 applicable to Toronto Hydro Corporation (plus an additional five basis points for an administration
 15 fee). Toronto Hydro has the following promissory notes with rates greater than 4.58 percent:
 16

Description	Amount (\$)	Rate (%)	Start Date of the debt	Deemed long-term debt rate at the time of issuance (%)	Issuance - Actual/ Forecast
2022 Series 19	300,000,000	5.00%	13-Oct-22	3.49%	Actual
2023 Series 20	250,000,000	4.66%	14-Jun-23	4.88%	Actual
2023 Series 21	200,000,000	5.18%	12-Oct-23	4.88%	Actual
2024 Series 22	200,000,000	5.85%	01-Nov-24	4.58%	Forecast
2025 Series 23	300,000,000	5.45%	07-Jul-25	NA	Forecast

17
 18 Toronto Hydro issues debt to fund its capital and operational requirements and to refinance its
 19 maturing debt. For actual issuances, the rate reflects market conditions at the time of issuance.
 20 The variance to the deemed long-term debt rate issued by OEB is mainly due to timing differences,
 21 as OEB issued rates are calculated based on bond yields during the month of September for the
 22 prior year.

1 **QUESTION (F):**

2 f) Please confirm that to determine the final revenue requirement for 2025 and the
3 subsequent years (i.e., 2026-2029), Toronto Hydro intends to use a long-term rate of
4 3.95%, or a different rate as updated through interrogatories. If this is not the case, please
5 explain.

6

7 **RESPONSE (F):**

8 To determine the final revenue requirement for the 2025-2029 rate period, the utility intends to use
9 a single long-term ("LT") debt rate, which is currently 3.95% as supported by the evidence in Exhibit
10 6, Tab 1, Schedules 2-6. If during the course of the proceeding there are any updates or material
11 changes to the evidence supporting the deemed LT rate during the course of the proceeding, Toronto
12 Hydro intends to update the rate accordingly and flow through the impact to the revenue
13 requirement impacts at the time of the Draft Rate Order process.

/C

PROMISSORY NOTE

Principal Sum Cdn\$200,000,000.00

FOR VALUE RECEIVED, the undersigned hereby unconditionally promises to pay to the order of Toronto Hydro Corporation (“THC”) on October 12, 2028 (the “Due Date”) the principal sum of **Two Hundred Million Dollars (\$200,000,000.00)** (the “Principal Sum”) in lawful money of Canada at 14 Carlton Street, Toronto, Ontario M5B 1K5, or such other place as THC may designate by notice in writing to the undersigned and to pay interest on the Principal Sum at the rate of **5.18%** per annum calculated and accruing from the date hereof to the Due Date and thereafter until the Principal Sum is repaid to THC.

Interest shall be calculated and payable semi-annually in arrears in equal instalments on the 12th of April and the 12th of October in each year at the same address where the 12th of April or the 12th of October is a Business Day. Where the 12th of April or the 12th of October is not a Business Day, then the interest shall be payable on the following Business Day. For the purpose of this Promissory Note, a “Business Day” shall mean a day on which banks are open for business in the City of Toronto, Ontario but does not include Saturday, Sunday, or a statutory holiday in the Province of Ontario. Interest both before and after default and judgment on the principal amount and overdue interest shall be payable at the aforementioned rate.

All payments or any part thereof may be extended, rearranged, renewed or postponed by THC. On or after September 12, 2028 (1 month prior to the Due Date), THC may demand payment of the Principal Sum outstanding, together with accrued and unpaid interest to the date of the demand at its option, in whole at any time or in part from time to time, on not more than 60 and not less than 10 days prior notice, and the undersigned shall make payment of such amount as demanded. No delay or failure by THC to exercise any right or remedy against the undersigned shall be construed as a waiver of that or any right or remedy nor shall any waiver hereunder be deemed to be a waiver of subsequent default.

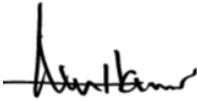
The undersigned hereby waives presentment, demand, protest or other notice of every kind in the enforcement of this promissory note. All amounts owing hereunder will be paid by the undersigned without regard for any equities between the undersigned and THC or any right of set-off or cross-claim.


In the event of a default hereunder the undersigned agrees to pay all expenses, including without limitation, reasonable legal fees (on a solicitor and his own client basis), incurred by THC in endeavoring to enforce its rights hereunder.

This promissory note is non-negotiable and non-assignable without the prior written consent of the undersigned.

DATED at Toronto, Ontario, effective as of the 12th day of October, 2023.

**TORONTO HYDRO-ELECTRIC SYSTEM
LIMITED**

By: 
Name: Anthony Haines
Title: President and Chief Executive
Officer

By: 
Name: Celine Arsenault
Title: EVP and Chief Financial Officer

1 **RESPONSES TO ONTARIO ENERGY BOARD STAFF INTERROGATORIES**

2

3 **INTERROGATORY 5-STAFF-314**

4 **References: Exhibit 5, Tab 1, Schedule 1, Page 1**

5 **EB-2009-0084, OEB Report, Report of the Board on the Cost of Capital for**

6 **Ontario’s Regulated Utilities, December 11, 2009, Page 50**

7 **Filing Requirements For Electricity Distribution Rate Applications - 2023 Edition**

8 **for 2024 Rate Applications, Chapter 2 Cost of Service, December 15, 2022, Page**

9 **36**

10

11 Preamble:

12 Toronto Hydro proposes to set its capital structure for ratemaking purposes in accordance with the
13 OEB’s cost of capital policy (EB-2009-0084) issued on December 11, 2009 (OEB Report). Toronto
14 Hydro’s debt to equity split for the test years is set at 60:40, with the debt component including a
15 deemed 4% short-term debt component.

16

17 The OEB’s filing requirements require explanations for material changes in actual capital structure
18 or material differences between actual and deemed capital structure.

19

20 **QUESTION (A) - (C):**

21 a) Please provide Toronto Hydro’s actual debt to equity ratio for each year 2020 to 2023.

22 b) Please explain any material differences between the actual debt to equity ratio for each
23 year 2020 to 2023 and the deemed ratio of 60:40 previously used to set rates.

24 c) Please explain any material changes in the actual capital structure for the period 2020 to
25 2023, year-over-year.

26

27 **RESPONSE (A) – (C):**

28 Please see the table below for Toronto Hydro Consolidated (THC) debt-to-capital and debt-to-equity
29 ratios. Toronto Hydro manages these ratios at the consolidated company level for the purpose of

1 enabling public debt issuances. As shown below, the average ratios over the current rate period are
 2 aligned with the OEB deemed capital structure.

3

4 **Table 1: Toronto Hydro Consolidated Debt-to-Capital and Debt-to-Equity Ratio**

	2020	2021	2022	2023	Average
Debt-to-Capital	57.1%	57.8%	60.0%	61.5%	59.1%
Debt-to-Equity	1.33	1.37	1.50	1.60	1.45

5 For the 2025-2029 rate period, Toronto Hydro proposes to continue to set its capital structure with
 6 a deemed debt-to-capital split of 60:40, with the debt component continuing to reflect a 4% short-
 7 term debt and 56% long-term debt structure.

} /C

1 **RESPONSES TO ONTARIO ENERGY BOARD STAFF INTERROGATORIES**

2
3 **INTERROGATORY 5-STAFF-315**

4 **Reference: Exhibit 5, Tab 1, Schedule 1, Pages 1, 2**
5 **EB-2009-0084, OEB Report, Report of the Board on the Cost of Capital for**
6 **Ontario’s Regulated Utilities, December 11, 2009, p. 50**

7
8 Preamble:

9 Toronto Hydro proposes to set its capital structure for ratemaking purposes in accordance with the
10 OEB Report. Toronto Hydro’s debt to equity split for the test years is set at 60:40, with the debt
11 component including a deemed 4% short-term debt component.

12
13 Toronto Hydro also stated that to determine the final revenue requirement for 2025 and the
14 subsequent years (i.e., 2026-2029), Toronto Hydro intends to rely on the ROE set by the OEB in the
15 final quarter of 2024.

16
17 **QUESTION (A):**

- 18 a) Under current and forecasted macroeconomic conditions, what are the key business risks
19 and financial risks faced by Toronto Hydro?

20
21 **RESPONSE (A):**

22 As detailed through the evidence in this application, Toronto Hydro faces existing and emerging
23 business and financial risks including, but not limited to:

- 24 • Operational risk with respect to aging infrastructure, technical obsolescence and other
25 critical asset risks that can result in failure and service interruptions.
26 • Protecting against rising cybersecurity threats is a critical business risk that Toronto Hydro
27 must continue to manage as the grid and utility operations become more interconnected
28 and digitized.

- 1 • The need for significant investments in infrastructure and human capital, coupled with a
2 regulatory framework that does not permit full and sufficiently timely cost recovery, puts
3 pressure on Toronto Hydro’s balance sheet and financial metrics which the utility must
4 continue to manage effectively to maintain its credit rating and favourable market
5 borrowing costs.
- 6 • Fluctuations in interest rates can impact borrowing costs and financial stability, as Toronto
7 Hydro continues to incur and carry a significant amount of debt to finance its capital work
8 program.
- 9 • Macroeconomic uncertainty (e.g. as observed with the pandemic), shifts in energy
10 consumption patterns, the proliferation of distributed energy resources, and changes in
11 customer behavior driven by policy and technology evolutions affect the predictability of
12 year-over-year customer demand and revenue.
- 13 • The adoption of new technologies, such as grid automation, energy storage systems, and
14 advanced metering infrastructure carries implementation and operational risks, including
15 ensuring that the workforce has the necessary skills to operate and maintain these
16 technologies.
- 17 • Labour market shortages and high-demand for specialized skills creates competition for
18 top talent, and places incremental risk on the ability to attract and retain skilled
19 employees.
- 20 • Maintaining a productive working environment that is necessary to deliver customer
21 outcomes requires effective employee relations strategies to maintain high employee
22 engagement and satisfaction, and to avoid labour unrest which can disrupt operations,
23 impact business continuity and lead to service interruptions.
- 24 • Supply chain disruptions and fluctuations in the prices of critical materials and services
25 observed in recent years pose incremental risks to the execution of the utility’s capital
26 program.
- 27 • Navigating changing consumer needs and preferences as more customers automate and
28 digitize their homes and businesses, and adopt electrified technologies such as EVs and
29 heat pumps, increasing their dependence on electricity for day-to-day energy needs.

- 1 • An incentive-based regulatory framework which places a greater degree of risk on Toronto
2 Hydro’s profitability based on the achievement of performance outcomes that provide
3 value to customers.
- 4 • Climate change-related events, such as storms and floods, can damage infrastructure and
5 disrupt operations, leading to increased maintenance and repair costs.
- 6 • Inherent safety risks for employees and the public arising from the nature of the electricity
7 distribution business.
- 8 • Legal challenges, such as lawsuits related to environmental issues, safety concerns, or
9 contractual disputes, can lead to financial losses and damage the company’s reputation.
- 10 • Failure to comply with regulatory requirements, safety standards, financial reporting
11 obligations, or environmental regulations can result in administrative fines and penalties
12 and reputational risk.

13

14 **QUESTION (B):**

- 15 b) Please identify and explain how all risk factors were considered by Toronto Hydro, including
16 energy transition risk, volumetric risk (i.e., energy and demand), financial risk, operational
17 risk, and regulatory risk. Has Toronto Hydro taken into account these risks in its evaluation
18 of its business risk and financial risk, its requested allowed ROE, and its requested deemed
19 capital structure?

20

21 **RESPONSE (B):**

22 With respect business enterprise risks as outlined in part (a) above, Toronto Hydro’s proposed ROE
23 and deemed capital structure is aligned with existing OEB policy as set out in reference 2, and the
24 follows the guidance articulated in section 2.5 of the OEB’s Chapter 2 of the Filing Requirements. In
25 this application, Toronto Hydro is not proposing a distributor-specific cost of capital and/or capital
26 structure, as the utility believes that the current cost of capital parameters continue to be
27 appropriate for setting its 2025-2029 rates on a just and reasonable basis.

28

1 Toronto Hydro’s Custom Rate Framework as outlined in Exhibit 1B, Tab 2, Schedule 1, appropriately
2 allocates risk and benefit between the utility and the ratepayers with respect to the execution of the
3 proposed 2025-2029 Investment Plan, the ability to recover prudent and necessary costs to deliver
4 the plan and maintain a fair return, and the achievement of productivity and performance outcomes
5 that provide demonstrable value to customers.

6

7 **QUESTION (C):**

8 c) Please explain whether Toronto Hydro’s view is that OEB regulation can mitigate all business
9 risks and financial risks, including the risk associated with the energy transition, or that there
10 are certain business risks and financial risks that cannot be mitigated by regulation.

11

12 **RESPONSE (C):**

13 Toronto Hydro’s view is that OEB regulation should be responsive to the existing and evolving business
14 conditions that Toronto Hydro faces, and contemplate how to use existing and evolved regulatory
15 mechanisms to enable and incent the utility to effectively manage its business and deliver its outcome-
16 based multi-year plan within these business conditions. All of this should be done in harmony with the
17 OEB’s statutory objectives and the principles of performance-based regulation, including (i) protecting
18 consumers with respect to price and service quality outcomes in the near and long-term, (ii) aligning
19 and balancing the interests of ratepayers and utilities, and (iii) safeguarding financial viability
20 by maintaining the opportunity for the utility and its shareholder to earn a fair return on
21 investment.

/C

1 **RESPONSES TO ONTARIO ENERGY BOARD STAFF INTERROGATORIES**

2

3 **INTERROGATORY 5-STAFF-316**

4 **References: Exhibit 5, Tab 1, Schedule 1, Pages 1, 2**

5 **Exhibit 1C, Tab 3, Schedule 7, Appendix A and Appendix B**

6

7 Preamble:

8 OEB staff requests further information from Toronto Hydro that relates to its requested allowed
9 ROE and deemed capital structure and other utility comparables.

10

11 Toronto Hydro has provided its rating agency reports in Exhibit 1C, as follows:

- 12 • Appendix A: S&P, May 11, 2023
- 13 • Appendix B: DBRS, May 1, 2023

14

15 **QUESTION (A):**

- 16 a) Please provide any subsequent rating agency reports from S&P and DBRS issued after May
17 2023.

18

19 **RESPONSE (A):**

20 There are no Toronto Hydro specific subsequent rating agency reports.

21

22 **QUESTION (B):**

- 23 b) Please explain whether any rating agency has expressed concerns with Toronto Hydro's
24 requested allowed ROE and requested deemed capital structure.

25

26 **RESPONSE (B) :**

27 The credit rating agencies have not expressed any concerns about Toronto Hydro's requested
28 allowed ROE or requested deemed capital structure.

1 **QUESTION (C):**

2 c) Has Toronto Hydro performed any analysis that compares its business risk and financial
3 risk, its requested allowed ROE, and its requested deemed capital structure to other large
4 electricity distribution companies in Canada or the U.S.? If so, please provide that analysis.

5
6 **RESPONSE (C):**

7 Toronto Hydro has not performed such analysis for the reasons noted in 5-Staff-315(b) .
8

9 **QUESTION (D):**

10 d) Please confirm that Toronto Hydro has lower business risk and financial risk than most
11 other Ontario electricity distributors due it being able to leverage its sheer size (i.e.,
12 considering operational efficiencies and economies of scale). If this is not the case, please
13 explain.
14

15 **RESPONSE (D):**

16 No. This statement is incompatible with current OEB policy, as set out in EB-2009-0084 affirmed in
17 numerous rates proceedings since then, whereby the OEB determined that the business and financial
18 risks of local distribution companies (LDCs) in the province are sufficiently comparable for the
19 purposes of determining the cost of capital parameters to be applied for setting just and reasonable
20 distribution rates. Additionally, this statement is also contrary to the extensive evidence on record
21 in this application, including an empirical Total Cost Benchmarking study (Exhibit 1B, Tab 3, Schedule
22 3, Tab 3, Appendix A) as well the responses to interrogatories 2B-Staff-121 and 5-Staff-315, which
23 demonstrates that Toronto Hydro continues to face many existing and emerging business risks,
24 challenges and costs associated with maintaining and operating a complex and mature distribution
25 system, and serving the diverse needs of customers in a large urban service territory.
26

27 **QUESTION (E):**

28 e) Please explain whether Toronto Hydro has any problems attracting capital and provide a
29 comparison of the rates it has recently borrowed at, compared to its utility peers.

1 **RESPONSE (E):**

2 Toronto Hydro has successfully attracted equity and debt capital to date at rates consistent with
3 those established and funded through the OEB cost of capital framework.

4

5 **QUESTION (F):**

6 f) Please provide evidence that shows how Toronto Hydro's key actual financial metrics have
7 trended from 2016 through 2023.

8

9 **RESPONSE (F):**

10 The key financial metrics that Toronto Hydro monitors for capital structure purposes are debt to
11 capitalization (D/C) ratio and adjusted funds from operations to debt (AFFO/Debt).

12

13 **Table 1: 2016-2023 Key Financial Metrics for Credit Standing**

THC	2016	2017	2018	2019	2020	2021	2022	2023
Debt-to-Capital	62.2%	55.6%	54.1%	55.1%	57.1%	57.8%	60.0%	61.5%
AFFO-to-Debt (S&P)	18.4%	16.7%	17.3%	18.0%	12.6%	13.1%	10.3%	11.9%

1 **RESPONSES TO CONSUMERS COUNCIL OF CANADA INTERROGATORIES**

2

3 **INTERROGATORY 5-CCC-62**

4 **Reference: Exhibit 5, Tab 1, Schedule 1, Page 1**

5

6 Toronto Hydro sets its capital structure according to the OEB's Cost of Capital guidelines. The
7 debt/equity split included in the calculation of the revenue requirement is 60:40. Given that as
8 compared to Toronto Hydro's last Custom IR plan this plan reduces Toronto Hydro's business
9 risk by including the Demand-related Variance Account and cost of service treatment for OM&A
10 costs why does a 40% equity component remain appropriate for Toronto Hydro?

11

12 **RESPONSE:**

13 Please see the response to Interrogatory 5-EP-34(b).

1 **RESPONSES TO ENERGY PROBE RESEARCH FOUNDATION INTERROGATORIES**

2

3 **INTERROGATORY 5-EP-34**

4 **Reference: Exhibit 5, Tab 1, Schedule 1, Page 1, Capital Structure**

5 **Exhibit 9, Tab 1, Schedule 1, Page 27**

6

7

8 Preamble:

9 “Toronto Hydro’s sets its capital structure for ratemaking purposes in accordance with the OEB’s
10 Cost of Capital guidelines issued in EB-2009-0084, Report of the Board on the Cost of Capital for
11 Ontario’s Regulated Utilities (December 11, 2009) (“Report of the Board”). For Toronto Hydro, the
12 debt to equity split for the test years is set at 60:40. The debt component in each year includes a
13 deemed 4 percent short-term debt component”.

14

15 **QUESTION (A):**

16 a) Is Toronto Hydro’s debt to equity split of 60:40 the same as that of other electricity
17 distributors regulated by the OEB?

18

19 **RESPONSE (A):**

20 To the best of Toronto Hydro’s knowledge, and in keeping with the OEB Decision in its generic cost
21 of capital proceeding (EB-2009-0084), the OEB has consistently applied the 60:40 debt-to-equity split
22 to all electricity distributors in the province.

23

24 **QUESTION (B):**

25 b) Please confirm that the proposed Custom IR lowers the business risk of Toronto Hydro. If
26 the answer is no, please explain why not?

1 **RESPONSE (B):**

2 No. Toronto Hydro's Custom Rate Framework as outlined in Exhibit 1B, Tab 2, Schedule 1,
3 appropriately allocates risk between the utility and the ratepayers with respect to the execution of
4 the proposed 2025-2029 Investment Plan, the ability to recover prudent and necessary costs to
5 deliver the plan, and the achievement of productivity and performance outcomes that provide
6 demonstrable value to customers.

7

8 Custom IR is a performance-based rate-setting ("PBR") approach that carries multi-year business risk
9 for utilities. The proposed framework focuses on outcomes: further shifting considerable business
10 performance and earnings risk onto the utility to the benefit of customers. As noted in the response
11 to 1B-EP-12(f) and demonstrated in the response to 1B-Staff-12(a), the utility faces a significant
12 revenue deficiency (earnings risk) of approximately \$81 million under the proposed rate framework,
13 which can only be mitigated through the attainment of productivity and performance objectives that
14 provide demonstrable benefits to customers in the next rate period and beyond. Please see the
15 response to 1B-SEC-13 for an analysis of the financial risk that the utility carries in the proposed
16 Custom Rate Framework relative to minimum direct customer benefits that the Performance
17 Incentive Mechanism delivers.

18

19 Please see the response to 5-Staff-315 for a discussion of the enterprise risks that Toronto Hydro
20 faces.

21

22 **QUESTION (C) :**

23 c) Please confirm that the recent OEB decision in EB-2023-0143 Getting Ontario Connected
24 Act Variance account lowers the regulatory risk of Toronto Hydro.

25

26 **RESPONSE (C):**

27 The variance account does not reduce regulatory risk, since the recovery of the costs tracked in this
28 variance account remain subject to a future, OEB prudence review, as affirmed in the OEB's
29 Decision and Order (October 31, 2023).

1 **QUESTION (D):**

2 d) If the OEB approves Toronto Hydro's Custom IR, should it adjust the debt to equity split
3 commensurate with the reduction in the business risk and regulatory risk? Please explain
4 your answer.

5
6 **RESPONSE (D):**

7 Respectfully, the question confuses two entirely separate constructs: (i) the Custom IR framework
8 and (ii) the OEB's cost of capital parameters.

9
10 With respect to (i) the OEB established the Custom Incentive Rate-setting (CIR) option through the
11 Renewed Regulatory Framework in October 2012. Neither the purpose, nor the effect, of CIR was to
12 alter business or regulatory risk for utilities. The public interest purpose and effect were to establish
13 a means of escalating utility investments required to meet rapidly growing grid and customer needs
14 more effectively and efficiently than other forms of OEB Performance-Based Rate-setting (PBR). As
15 noted in the response to (b) above, business and financial risk has not been reduced under the
16 proposed Custom Rate Framework. Through the PIM, the proposed framework places a significant
17 incremental business performance and earnings risk on the utility to the benefit of ratepayers.

18
19 With respect to (ii) the OEB established the cost of capital policy in EB-2009-0084, and determined
20 that the current deemed capital structure of 60% debt, 40% equity is appropriate for all electricity
21 distributors, and the use of a formula-based equity risk premium approach continues to meet the
22 Fair Return Standard (FRS). In 2016, the OEB affirmed that the 2009 cost of capital framework
23 remained appropriate for all distributors. To the best of Toronto Hydro's knowledge, the OEB has
24 consistently applied these cost of capital parameters to every electricity distributor in the province.

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RESPONSES TO SCHOOL ENERGY COALITION INTERROGATORIES

INTERROGATORY 5-SEC-117

Reference: Exhibit 5, Tab 1, Schedule 1, Page 1

With respect to its proposed capital structure, please provide a copy of any analysis undertaken by, or for, Toronto Hydro since 2016, regarding changes in its business and/or financial risk

RESPONSE:

Toronto Hydro has not undertaken specific analysis of its proposed capital structure since 2016 that is related to changes in its business and/or financial risk.

1 **RESPONSES TO SCHOOL ENERGY COALITION INTERROGATORIES**

2

3 **INTERROGATORY 5-SEC-118**

4 **Reference:** **Exhibit 5, Tab 1, Schedule 1, Page 6**

5

6 With respect to the forecast long-term debt issuances:

7

8 **QUESTION (A) :**

9 a) Please provide the basis for the corporate spread estimates.

10

11 **RESPONSE (A):**

12 The corporate spreads on the forecast long term debt issuances were based on credit spreads of A
13 rated utility companies. The average 10-year and 30-year credit spreads for A rated utilities during
14 the twelve months ended July 31, 2023 were ~145 basis points and ~165 basis points respectively.
15 The highest 10-year and 30-year credit spreads for A rated utilities during the same period were
16 ~165 basis points and ~185 basis points respectively.

17

18 A credit spread of 150 basis points was used for the 10-year \$200M Series-21 promissory note
19 planned in October 2023. A credit spread of 190 basis points, was used for the 30-year \$200M
20 Series-22 promissory note planned in November 2024 and a credit spread of 170 basis points was
21 used for the 10-year \$300M Series-23 promissory note planned in July 2025. The highest spreads
22 seen during the twelve-month period were used for both Series-22 and Series-23 to compensate
23 for market risks.

24

25 **QUESTION (B)**

26 b) Toronto Hydro states that the debt rates are based, in part, on the 10 and 30 year-
27 Government of Canada Bond Yield from Bloomberg L.P. Is this the current Bond Yields, or
28 forecast Bond Yields?

29

- 1 **RESPONSE (B):**
- 2 They are forecast bond yields.

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RESPONSES TO SCHOOL ENERGY COALITION INTERROGATORIES

INTERROGATORY 5-SEC-119

Reference: Exhibit 5, Tab 1, Schedule 1, Page 7

What is the interest rate that Toronto Hydro pays on its revolving credit facility?

RESPONSE:

Since there has been no draw down on the credit facility, Toronto Hydro pays no interest on the facility. However, if Toronto Hydro had to draw down on the facility, then the interest rate would be CORRA (Canadian Overnight Repo Rate Average) plus 80 basis points.

1 **RESPONSES TO VULNERABLE ENERGY CONSUMERS COALITION**

2 **INTERROGATORIES**

3
4 **INTERROGATORY 5-VECC-76**

5 **Reference:** **Exhibit 5, Tab 1, Schedule 1, Page 7**

6
7 **QUESTIONS (A) AND (B) :**

- 8 a) Please clarify whether it is THESL's intention to apply the Board's deemed short-term debt
9 rate (as updated in 204) or apply an updated forecast based on the methodology described
10 at the above reference, for the short term debt component of the cost of capital.
- 11 b) If the latter please explain the reasons it is reasonable for ratepayers to pay an additional 5
12 basis point administration fee for access to short-term debt.

13
14 **RESPONSE (A) AND (B):**

15 Yes, it is Toronto Hydro's intention to apply the Board's deemed short-term debt rate for the short-
16 term debt component of the cost of capital. Please refer to the response to 5-Staff-312(d).

1 **RESPONSES TO VULNERABLE ENERGY CONSUMERS COALITION**
2 **INTERROGATORIES**

3
4 **INTERROGATORY 5-VECC-77**

5 **Reference:** **Exhibit 5, Tab 1, Schedule 1, Pages 5-7**

6
7 **QUESTION (A):**

- 8 a) Please provide an update as to the actual rate to be applied for the \$200m note to be
9 issued October 15, 2023.

10
11 **RESPONSE (A):**

12 The Series-21 \$200M promissory note was issued on October 12, 2023 at a coupon rate of 5.18%
13 maturing October 12, 2028. The coupon rate included an underlying Government of Canada bond
14 yield of 4.16% and a credit spread of 102 basis points.

15
16 **QUESTION (B):**

- 17 b) Please explain why it is appropriate to include a basis point administration fee on this debt.

18
19 **RESPONSE (B):**

20 The 5 basis points administration fee on this debt is consistent with prior rate applications filed and
21 approved that included the same administration fee.

22
23 **QUESTION (C):**

- 24 c) Does the rate for all of the other notes shown in Table 4 all include a similar 5 basis point
25 administration fee?

26
27 **RESPONSE (C):**

28 Yes. All the promissory notes issued by Toronto Hydro include an additional spread of 5 basis
29 points.

1 **QUESTION (D):**

2 d) Please explain what costs administration fees recoup as distinct from the
3 various Finance Costs paid by ratepayers in OM&A and as shown in
4 Appendix 2-JC.

5
6 **RESPONSE (D):**

7 The costs included in the administration fee of 5 basis points include but are not limited to the
8 following: (i) Management's monitoring of market financial data to recommend the size, term, and
9 timing of any debt issuance(s) (ii) the preparation of materials for Audit and Board approval of the
10 recommendation to issue debt (iii) the selection of a lead bank dealer(s) to work with the Toronto
11 Hydro Corporation on the preparation of all due diligence materials and to advise on market timing
12 and execution, and (iv) the co-ordination of all documentation in order to successfully price and
13 close a transaction with investors. The nature of these costs is consistent with the costs included
14 and approved in Toronto Hydro's previous rate application (EB-2018-0165).