

LYNNE ANDERSON
CHIEF COMMISSIONER | COMMISSAIRE EN CHEF

BY EMAIL

October 21, 2024

To: All Licensed Electricity Distributors
All Rate-Regulated Gas Distributors
All Licensed Transmitters
All Licensed Gas Marketers
All Licensed Electricity Retailers
All Licensed Unit Sub-Meter Providers
Independent Electricity System Operator
Ontario Power Generation
All Other Interested Parties

Re: Chief Commissioner Mid-Year Update 2024-25

With the first half of fiscal year 2024-25 complete, and as a follow-up to the mid-year review letter sent to you by Ontario Energy Board (OEB) CEO Susanna Zagar on October 10, I am pleased to provide a mid-point update on the OEB's adjudicative work.

Our [Adjudicative Dashboard](#), launched three years ago and updated twice yearly, remains a key indicator of the rigour of our adjudicative processes. It openly and transparently keeps the OEB accountable and stakeholders up to date on adjudicative efficiency by reporting on adjudicative activity and how we are meeting our performance standards.

The dashboard posted on our website includes a number of metrics and a full narrative. I am pleased to report, for the period April 1 to September 30, 2024, that:

- **116** decisions were issued.
- **100%** of panel and delegated decisions met or surpassed OEB performance standards for total cycle time.
- **77%** of all decisions were issued more than 14 days in advance of the decision metric date.
- The OEB **met all of its decision-writing timelines**.
- On average, **41** key regulatory documents were issued each month.

Beyond the Dashboard, I'd like to share several other important adjudicative activities underway over the past six months.

We've continued delivering against the **Intervenor Action Plan**, as requested of us in the Letter of Direction (LoD) we received last November. The Minister asked the OEB to expand the scope of work to include consideration of a dedicated consumer advocate and capping intervenor costs. We delivered our report to the Minister of Energy and Electrification in late September. We are now proceeding with work to enhance our adjudicative processes and are looking forward to feedback from the Minister. As part of this work, we are piloting a budget for intervenors participating in cost-of-service applications for electricity distributors with fewer than 30,000 customers and a new adjudicative process for the very small distributors.

We issued **Phase One of the Benefit-Cost Analysis Framework for Addressing Electricity System Needs** in the spring. The document provides guidance, methodologies and tools for electricity distributors to use in identifying impacts of non-wires solutions on their systems. Work on Phase Two of this project, which will consider broader energy system impacts, is commencing this fall.

In June, the OEB launched the **Vulnerability Assessment and System Hardening project** to develop policies and a framework to address three items in the LoD: incorporating climate resiliency into asset and investment planning for regulated entities, engaging in regular assessment of vulnerabilities in their distribution system and operations in severe weather, and prioritizing value for customers when investing in system enhancements for resilience. A report on this topic is planned for June 2025, followed by enhancements to the OEB's cost-of-service filing requirements by fall 2025.

We also issued a **revised Handbook to Electricity Distributor and Transmitter Consolidations** following a review of our Mergers, Amalgamations, Acquisitions and Divestitures policy in July. The review leveraged our experience with consolidation-related decisions, and the updated policies will help facilitate planning and decision-making by ensuring a more predictable regulatory environment for applicants considering consolidation.

In September, and following amendments made on June 27 to sections 90 and 95 of the *Ontario Energy Board Act, 1998*, the OEB issued **new filing requirements for natural gas leave to construct applications**. Exemptions are now available for relocation or reconstruction of natural gas pipelines needed to facilitate certain priority transit projects, projects by road authorities and for hydrocarbon lines projected to cost



between \$2 million and \$10 million. The central issue to be determined by the OEB is whether the duty to consult Indigenous peoples has been adequately discharged. The OEB was also proactive in issuing updated **filing requirements for Ontario Power Generation's payments** in advance of their next major application.

Consistent with our generic hearings protocol, our **cost of capital generic hearing** is currently underway. This major proceeding was discussed at last year's Policy Day and feedback from stakeholders confirmed the importance of this initiative. The proceeding launched at the end of the 2023-24 fiscal year and an oral hearing recently concluded. Stakeholders also provided feedback at Policy Day that the OEB should prioritize the review of the Incremental Capital Module policy. The OEB recently initiated this review as part of our ongoing commitment to ensure that our regulatory framework remains robust, transparent and responsive to the evolving needs of the electricity sector.

I am delighted to welcome **our newest Commissioner**, Dr. Vinay Sharma, former CEO of London Hydro, and to congratulate Dr. Robert Dodds on his reappointment. I look forward to working with both of them. We are expecting to welcome another Commissioner in the near future, so please be on the lookout for that. I would also like to express my gratitude to Michael Janigan and Dr. Emad Elsayed for their many years of service as they finish off their terms. It has been a pleasure working with them.

Finally, and as you may know, my term expires at the end of our fiscal year, March 31, 2025, so this is my last report to you. I have been honoured to serve as the OEB's first Chief Commissioner and to work with the exceptional team of Commissioners and OEB staff. I am more than confident in the ability of our team to continue the important work of the OEB and, particularly, to continue the proven track record of adjudicative excellence.

Sincerely,

Lynne Anderson
Chief Commissioner



Additional Resources:

- [Adjudicative Reporting Dashboard](#)
- [Framework for Review of Intervenor Processes and Cost Awards](#)
- [Benefit-Cost Analysis for Addressing Electricity System Needs](#)
- [Vulnerability Assessment and System Hardening](#)
- [Handbook to Electricity Distributor and Transmitter Consolidations](#)
- [New Filing Requirements for Natural Gas Leave to Construct Applications](#)
- [Filing Requirements for Ontario Power Generation](#)
- [Cost of Capital Generic Hearing](#)
- [Incremental Capital Module](#)
- [Commissioners](#)

