



BY EMAIL and RESS

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2300 Yonge Street
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December 16, 2024
Our File: EB20240022

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2024-0022/EB-2024-0096 – EPLC 2025 – PowerShare Changes

We are counsel to the School Energy Coalition (“SEC”). SEC writes on its own behalf, and on behalf of the Vulnerable Energy Consumers Coalition (“VECC”), to request the OEB require Essex Powerlines Corporation (“EPLC”) to provide information regarding changes to the PowerShare pilot.

SEC and VECC are in receipt of a letter from EPLC dated December 13, 2024, in which EPLC seeks to update its Reply Submission and revise the terms of the approved PowerShare DVA. EPLC’s letter states that it has received a draft of an amended Contribution Agreement with the IESO, which indicates that funding will end by the end of 2025, and that the funding for energy payments will be significantly reduced. As part of its requested revisions to the PowerShare DVA, EPLC asks that the end date be revised to February 28, 2025. This seems to suggest that the pilot is being ended much earlier than expected.

The positions of SEC and VECC on the PowerShare DVA and unsettled issue, as well as the OEB’s decision on the PowerShare DVA, were based on evidence regarding the scope of the pilot and the funding arrangement with the IESO, that now appears to be inaccurate.

EPLC says that it noted in its Reply Submission that it was working with the IESO to amend the Contribution Agreement to reflect changes in scope. This is correct, however the premise appeared to be to adjust the “overall budget by removing the large Battery Energy Storage System (~1 MW) that was initially proposed and replace it with a smaller mobile battery solution.”¹ The change in scope appears to go well beyond that.

The proposed changes to the PowerShare pilot and the IESO funding arrangement constitute a material change to the evidence.² The proposal to amend the terms of the approved PowerShare DVA is a motion to vary based on new circumstances.³ EPLC should be required to provide full details of the changes in scope and costs of the pilot, the reasons for the changes, a copy of the draft amended Contribution Agreement, and all other relevant information.

¹ Reply Submissions, p.3

² [Rules of Practice and Procedure](#), Rule 11.02

³ [Rules of Practice and Procedure](#), Rule 41(a)(ii)



Yours very truly,
Shepherd Rubenstein P.C.

Mark Rubenstein

cc: Brian McKay, SEC (by email)
Applicant and intervenors (by email)