Policy and Legal Foundations for the Proposed Ontario Fair Hydro Plan Act
April 4, 2017

Creating the Regulatory Framework

- Principles will link the benefit of the "Green Generation Initiative" with the regulatory cost that future rate payers will pay
- Need to name and articulate "Green Generation Initiative"

Fair Allocation Plan — framework for dealing with the curve

IESO? or can the Trust contract with IESO for the provision of plan?

- Policy direction around intergenerational funding will be established by the Minister of Energy
- The Fair Allocation Plan has been determined for the 1st four years, as set out in the March 2nd announcement — Minister? → not positive from market
- Should there be a process around the Fair Allocation Plan [or as necessary]?
- [Role for the OEB?]

Treasury Plan — ? any role for ? flexibility →

- Created by OPG to implement the Fair Allocation Plan
- Will pass through actual costs and expenses of funding obligations incurred
- 3 components:
    - Treasury Plan must be compliant with principles and parameters of the Fair Allocation Plan;
    - The Plan must match maturities to allocations under the Fair Allocation Plan, as well as achieve funding efficiencies and cost management articulated in the Fair Allocation Plan; and
    - Implementation
- Should [Minister?] [OEB?] review [and approve?] the Treasury Plan? At what point in process?

Establishment of the Regulatory Asset

- Right to recover from rate payers, through collection by LDCs and IESO, the regulatory charge, late fees, interest established by legislation
- IESO may dispose of (by assignment, transfer, sale, etc.) its right, title and interest in the Regulatory Asset
- Legislation will create property rights and allow for security interests in the Regulatory Asset
- [Role of the OEB in establishing the Regulatory Asset?]
- Role of OPG in acquiring the asset?

Ensuring Collectability

- Clearly defined class of rate payers that receive and pay for the benefit
- Charges are irrevocable
- LDCs have duty to invoice rate payers for the charge
- IESO and LDCs have duty to collect charges as agent and pay remittances to IESO
- IESO has duty to pay remittances to the Regulatory Asset Owner
- Non-by-passability – subject rate payers who opt to go off grid to a penalty (prepayment)?
- True up mechanism to reconcile collections with incurrences
- Province shall not take steps to reduce, alter, impair or terminate the Regulatory Asset or collection

OEB Role

- [Inspect books and records?]

- [Approve administrative costs?]
- [Prudence review of financing costs?]
- [Consequences of OEB review?]
    - Ability to review
    - Ability to review and make recommendations (non-binding)
    - Review and approve or refer back for reconsideration (binding)

Provincial Guarantee

- Scope / Triggers / Consequences / Form] legislation or commercial <u>document</u>

→

April 21st – <u>position</u>

→ <u>Strawman</u> →

WEEKLY RATE MITIGATION IMPLEMENTATION GROUP
March 30, 2017

<u>Agenda</u>

1) GA Refinancing
   - Legislative Drafting (LSB / Blakes) ✓
   - OPG Update ✓ → letters to initiate the process →
   - IESO Update ✓ → operations [illegible] →
   - OEB Update ✓ implementation

2) Affordability Fund (CRED) ✓

3) RRRP, OESP and FN (SNAP)
   - Mechanics and timing of moving RRPP from ratebase to taxbase

4) ICI (ESPD) { reg. [illegible] / commenter → 50 da → → full [illegible] → not distributed → CPC → [illegible]

5) Update on Action Items / Policy Matrix →

Notes: