

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*;

AND IN THE MATTER OF an Application by Ontario Power Generation Inc. for an order or orders relating to impacts from the Market Renewal Program on prescribed generating facilities, and the disposition of balances in its deferral and variance accounts as of December 31, 2022.

APPLICATION

1. The applicant, Ontario Power Generation Inc. ("OPG") is a corporation, incorporated under the *Ontario Business Corporations Act*, with its head office in the City of Toronto. The principal business of OPG is the generation and sale of electricity in Ontario.
2. In this Application, OPG applies to the Ontario Energy Board ("OEB") pursuant to section 78.1 of the *Ontario Energy Board Act, 1998* (the "Act"), for:
 - (i) an order or orders approving changes to the calculation of amounts for the Hydroelectric Surplus Baseload Generation Variance Account ("SBGVA") and the Hydroelectric Incentive Mechanism ("HIM"), and approving the treatment of real-time make whole payments, resulting from the implementation of the Independent Electricity System Operator's ("IESO") Market Renewal Program ("MRP"); and
 - (ii) an order or orders approving the disposition of audited December 31, 2022 deferral and variance account balances less amortization amounts previously approved by the OEB in EB-2020-0290 for the 2023-2026 period, together with the income tax impacts associated with the recovery of the Pension & OPEB Cash Versus Accrual Differential Deferral Account, as set out in Ex. H1-1-1 and Ex. H1-2-1. To recover these amounts, OPG seeks two separate payment riders for the regulated hydroelectric and nuclear generating facilities prescribed under *Ontario Regulation*

(iii) 53/05 ("O. Reg. 53/05"). OPG seeks to recover the amounts described above over a 30-month period from July 1, 2024 through December 31, 2026.

3. To disposition the balances in the deferral and variance accounts, and income tax impacts associated with the recovery of the balance in the Pension & OPEB Cash versus Accrual Differential Deferral Account, as described above, OPG is seeking payment riders for the output of the regulated hydroelectric facilities of \$2.75/MWh for the period from July 1, 2024 to December 31, 2026; and for the output of the nuclear facilities of \$3.25/MWh for the period from July 1, 2024 to December 31, 2024, \$3.55/MWh for the period from January 1, 2025 to December 31, 2025, and \$5.04/MWh for the period from January 1, 2026 to December 31, 2026.

4. The specific approvals sought in this Application are set out in Ex. A1-2-2.

5. The Application will be supported by written evidence. The written evidence filed by OPG may be supplemented or amended from time to time by OPG prior to the OEB's final decision on the Application.

6. OPG further applies to the OEB pursuant to the provisions of the Act and the OEB Rules of Practice and Procedure for such orders and directions as may be necessary in relation to the Application and the proper conduct of this proceeding.

7. OPG requests that pursuant to section 32.01 of the OEB "Rules of Practice and Procedure", this proceeding be conducted by way of a written hearing.

8. The persons affected by this Application are all electricity consumers in Ontario. It is impractical to set out the names and addresses of the consumers because they are too numerous.

9. OPG requests that copies of all documents filed with the OEB by each party to this Application along with copies of all comments filed with the OEB in accordance with Rule 24 of the OEB Rules of Practice and Procedure be served on the applicant and the applicant's counsel as follows:

1
2 (a) The applicant: Matt Kirk
3 Ontario Power Generation Inc.

4
5 Mailing address: H19
6 700 University Avenue
7 Toronto ON M5G 1X6

8
9 Telephone: 416-592-8541

10 Facsimile: 416-592-8519

11 Electronic mail: opgregaffairs@opg.com
12

13 (b) The applicant's Counsel: Charles Keizer
14 Torys LLP

15
16 Mailing address: 79 Wellington St. W.
17 PO Box 270
18 Toronto Dominion Centre
19 Toronto ON M5K 1N2

20
21 Telephone: 416-865-0040

22 Facsimile: 416-865-7380

23 Electronic mail: ckeizer@torys.com
24

25 (c) The applicant's Counsel: Peter Cuff
26 Ontario Power Generation Inc.

27
28 Mailing address: H19
29 700 University Avenue
30 Toronto ON M5G 1X6

Telephone: 416-420-5511

Facsimile: 416-592-1466

Electronic mail: peter.cuff@opg.com

Dated at Toronto, Ontario, this 13th day of December, 2023.

Ontario Power Generation Inc.

Charles Keizer

Torys LLP