

JOHN D. TODD

Founded Econalysis Consulting Services, Inc., (ECS) in October, 1980

ECS has specialized in government regulation for 25 years, addressing issues related to price regulation and deregulation, market restructuring to facilitate effective competition, and regulatory methodology. Sectors of primary interest have included energy, telecommunications, housing and the financial industry. John has assisted counsel in more than 175 regulatory proceedings and provided expert evidence in over 60 hearings. His clients include customer groups, regulated companies, competitors, regulators and government.

Web address: www.econalysis.ca

Founded the Canadian Energy Regulation Information Service (CERISE) in 2002

CERISE is a web-based service providing a decision database, regulatory monitoring and analysis of current issues on a subscription basis.

Web address: www.cerise.info.

Selected Regulatory/Legal Proceedings Before the Ontario Energy Board

- 2001 - Union Gas, Further Unbundling of Rates (RP-2000-0078)
(Evidence: Regulatory Framework and Cost Responsibility)
- Hydro One Networks, Cost Allocation and Rate Design for RP-2000-0023
(Evidence: Cost Allocation Model (with Bruce Bacon))
- 1999 - Propose Electric Distribution Rate Handbook
(Evidence: Comments on Staff Proposals)
- Standard Supply Service Code, (RP-1999-0040)
(Evidence: Comments and Alternate Proposal)
- 1997 - Ten Year Market Review Working Group
- 1996 - Ontario Hydro, Review of 1997 Rates (HR-24)
- 1995 - Ontario Hydro, Review of 1996 Rates (HR-23)
- 1994 - Ontario Hydro International Hearing (EBRLG - 36)
- Ontario Hydro Corporate Restructuring and 1995 Rates (HR-22)
- 1993 - Joint Hearing on Direct Purchase Issues (EBRO 474-B/476/483/484/485)
(Evidence: Return-to-System Policies for Ontario LDCs)
- Union Gas, 1994 Test Year Rate Case (EBRO 476-03)
(Evidence: Equity Effects of Union's Depreciation Study)
- 1991 - Consumers' Gas, 1992 Test Year Rate Case (EBRO 473)
(Evidence: Direct Purchase Issues)
- Centra Gas, 1992 Test Year Rates Application (EBRO 474)
(Evidence: Direct Purchase Issues)

Before the Canadian Radio-television and Telecommunications Commission

- 2001 - Implementation of Price Cap Regulation for Québec-Téléphone & Télébec (PN 01-36)
(Evidence: Designing a Consistent Price Cap Regime)
- Price Cap Review (PN 01-37)
(Evidence: The Second Generation Price Cap Regime)
- Recovery of 2000 and 2001 Income Tax Expense (PN 00-108)
(Evidence: Appropriate Recovery of MTS Income Tax Expense)

- 2000 - Review of Contribution Collection Mechanism (PN 99-6)
(Evidence: [Review of Contribution Collection Mechanism](#))
- 1999 - Review of Frozen Contribution Rate Policy (PN 99-5)
(Evidence: Comments on the Frozen Contribution Rates Policy)
- 1997 - Implementation of Price Caps (PN 97-11)
- 1996 - Price Cap Regulation and Related Issues (PN 96-8)
(Evidence: Evidence addressing the design of the price cap system)
- Local Interconnection and Network Component Unbundling (PN 95-36)
(Evidence: Mechanisms for Collecting Contribution)
- Local Services Pricing Options (PN 95-49/95-56)
(Evidence: Mechanisms for Pursuing the Goal of Universally Available Basic Telephone Service in Low-Penetration Exchanges)
- 1995 - Split Rate Base Hearing (PN 94-52, 94-56 and 94-58)
(Evidence: Applicability of the Decision 94-19 Regulatory Framework to MTS)
- 1990 - Maritime Telegraph & Telephone, Review of Revenue Requirement 1990-91
(Evidence on the impact of modernization)
- Island Telephone Company, Review of Revenue Requirement 1990-91
(Evidence on the impact of modernization)
- Review of Cable Television Regulations
(Evidence on alternative forms of regulation)

Before the Public Utilities Board of Manitoba

- 2002 - Manitoba Hydro, Integration Proceeding
(Evidence: Assessment of Manitoba Hydro/Centra Man. Integration (with W. Harper))
- 2001 - Manitoba Public Insurance, 2002 General Rate Application
(Evidence: Rate Stabilization Issues)
- Centra Gas Manitoba, Primary Gas Rates
(Evidence: Centra Gas Manitoba's Rate Setting Methodology)
- 2000 - Manitoba Public Insurance, 2001 General Rate Application
(Evidence: MPI's Rate Stabilization Reserve Surplus)
- 1999 - Centra Gas Manitoba, Western T-Service and Agency Billing and Collection Service
(Evidence: Assessment of the Proposals of the Company)
- Manitoba Public Insurance, 2000 General Rate Application
(Evidence: Rate Stabilization Reserve Risk Analysis)
- Manitoba Hydro Purchase of Centra Manitoba
(Evidence: Implications for Rates and the Regulatory Regime)
- 1998 - Manitoba Public Insurance, 1999 General Rate Application
(Evidence: Rate Stabilization Reserve, Allocation of Costs and IT Expenditures)
- Centra Gas Manitoba, Feasibility Cost Assumptions Application
(Evidence: Comments on Centra's Proposed Changes to the Feasibility Test)
- Centra Gas Manitoba, 1998 Test Year General Rate Application
(Evidence: Comments on Centra's Proposed Customer Information System)
- 1996 - Generic Hearing on the Role of the LDC in Manitoba
(Evidence: The Future Role of Centra Manitoba in the Supply of Natural Gas)
- 1995 - Manitoba Hydro, Review of Prospective Cost of Service Study (GRA)
(Evidence: Comments on the Prospective COSS Methodology)
- Centra Gas Manitoba, 1995 General Rate Application
(Evidence: Review of Centra's Weather Normalization Methodology)
- 1994 - Centra Gas Manitoba, Rural Expansion Hearing

- (Evidence: Rural Mains Expansion Feasibility Test)
- Centra Gas Manitoba, Future Test Year Application
(Evidence: Comparison of the Future and Historic Test Year methods of rate-base rate-of-return regulation)
- 1992 - Manitoba Telephone System, 1992 General Rate Application
(Evidence: The appropriate debt ratio for a crown corporation)
- 1990 - Manitoba Hydro, Major Capital Projects
(Evidence: Hydro's 1000MW Ontario Sale and system planning risks)
- ICG Utilities (Manitoba) Ltd., Generic Hearing on Rate Setting
(Evidence: Implications of using a future versus historic test year)

Before the British Columbia Utilities Commission

- 2002 - Pacific Northern Gas West and Northeast, General Rate Application.
- 2001 - Utilicorp Networks Canada (formerly West Kootenay Power), Annual Review, 2001
- 2000 - Pacific Northern Gas, 2000-01 General Rate Application (negotiated)
- West Kootenay Power, Annual Review, 2000
- 1999 - West Kootenay Power, Transmission Access Application
- 1998 - Pacific Northern Gas, 1998-99 Revenue Requirement/Rate Design
(Evidence on PNG 's Cost of Service Methodology)
- 1997 - BC Gas, Southern Crossing Pipeline Application
(Evidence on the impact of ratepayer risks related to the SCP due to developments in the competitive environment in the natural gas sector)
- Retail Access and Unbundling Tariff Hearing (suspended)
(Evidence on the impact of market restructuring on costs and rates)
- 1996 - BC Gas - 1996 Rate Design (negotiated settlement)
(Evidence: Alternative Methods for Allocating Distribution Mains Costs to Customer Classes)
- West Kootenay Power - General Rate Application/IRP (negotiated settlement)
- 1994 - BC Hydro, 1994 Rate Increase Application
- West Kootenay Power, 1994/95 Rates and Integrated Resource Plan
(Evidence: Review of WKP's Integrated Resource Plan)
- 1993 - BC Hydro, 1993 Rate Increase Application
- BC Gas, Rate Design Hearing
(Evidence: Analysis of BC Gas' cost studies and their use in setting rates)

Before the Régie de l'énergie

- 2001 - Hydro Québec, Transmission Rates (R-3401-98)
(Evidence: HQT's Transmission Tariff Rate Design Methodology, with B. Bacon)
- Inclusion of Operating Costs in the Gasoline Price Floor Set By the Régie
(Evidence: Review of Principles) (Régie File R-3457-2000)
- 2000 - SCGM Unbundling of Tariffs (R-3443-2000)
(Evidence: SCGM's Unbundling Tariff Proposal, with R. Higgin)
- Gazifère, Rates (R-3446-2000)
(Evidence: Cash Working Capital and Other Issues, with G. Morrison)
- 1999 - Operating Costs Borne by Gasoline or Diesel Fuel Retailers (R-3399-98)
(Evidence: Methodology for Determining Operating Costs)
- Small Hydro within Hydro Quebec's Resource Plan (R-3410-98)
(Evidence: Determining the Purchase Price for Small Hydro)

- Gazifère, Year 2000 Rate Case
(Evidence: Assessment of Cost Allocation and Revenue Sharing Proposals)
- 1998 - Hydro Québec, Rate-Setting Methodology Under s. 167 of the Régie de l'énergie Act.
(Evidence: Recommendations on Regulatory Framework)
- Hydro Québec, The Role of Wind Power in the Quebec Energy Portfolio
(Evidence: Issues Related to Establishing a Set-Aside)

Before the Alberta Energy and Utilities Board

- 2001 - Generic, Gas Rate Unbundling (2001-093)
(Evidence: Canadian Experience and Approaches)
- Generic, Gas Cost Recovery Rate Methodology (2001-040)

Before the National Energy Board

- 1999 - BC Gas, Southern Crossing Project

Selected Non-Hearing Regulatory Processes

- 2001 - BC Gas, Second Generation Performance Based Regulation Negotiation
- Telecommunications Industry, Price Cap Review Negotiation
- 2000 - Ontario Energy Board, Distribution Access Rule Task Force (Facilitator)
- 1999 - PBR Task Force (Electricity), Ontario Energy Board
- Market Unbundling Group (BC Gas), British Columbia Utilities Commission
- Western Supply Transportation Service (Centra Gas Manitoba), Manitoba PUB
- 1998 - Market Design Task Force, Ontario Energy Board
- 1997 - Ten Year Market Review, Ontario Energy Board

Selected Papers and Research Projects

- *The Impact of Complete Deregulation on Market Efficiency of the Gas and Electric Industry in Alberta Post-2005 Assuming Current Market Dominance.*
- *Analysis of a Possible Equity Infusion for Ontario Hydro: Potential Implications for Financing Costs.*
- *Volatility in the Ontario Electricity Market, by ECS with Snelson International Energy.*
- *An Assessment of Price Volatility in the Ontario Electricity Market.*
- *Comments on the Issues Identified in the December 1995 Working Paper of the Advisory Committee on Competition in Ontario's Electricity System, A submission on behalf of The Power Workers' Union.*
- (1992) *Technology, Competition and Cross-subsidization in the Canadian Telecommunications Industry*, (Ottawa: Public Interest Advocacy Centre).
- (April 1990) *Paying for What You Need: Technological Advances and Competition in Telecommunications*, (Ottawa: Public Interest Advocacy Centre).
- with Andrew Roman and Robert Horwood, (1989) *Insurance Retailing by Financial Institutions in Canada*, (Ottawa: Public Interest Research Centre).
- with Douglas G. Hartle (1983) "The TAX-2 Model and Results" in *A Separate Personal Income Tax for Ontario: An Economic Analysis*, Special Research Report, (Toronto:

Ontario Economic Council).

- (1982) "Commentary" in *Inflation and the Taxation of Personal Investment Income: An Analysis and Evaluation of the Canadian 1982 Reform Proposals* (edit. D.W. Conklin), Special Research Report (Toronto: Ontario Econ. Council).

Selected Presentations

- "Location Based Marginal Pricing: Will it Happen?" Ontario Energy Contracts, Insight Conference, Toronto, October 1, 2002.
- "The Evolution of the North American Energy Market" Canadian Gas Association Executive Conference, Vancouver, June 2002.
- "Alternate Dispute Resolution: Can Everyone Win?" Canadian Gas Association Breakfast, Whistler, British Columbia, May 7, 2002.
- "Incentive Regulation and Commodity Competition Impacts on Quality of Service and Rates", CAMPUT Regulatory Educational Conference, Whistler, British Columbia, May 7, 2002.
- "Energy Deregulation Developments and Impacts on the HVACR Industry", HRAI's 33rd Annual Meeting, August 23-25, 2001 Huntsville, Ontario
- "Natural Gas Delivery Regulation in Canada", HRAC Conference on Natural Gas in Nova Scotia, Halifax, Nova Scotia, August 25, 1999.
- "Licensing as a Regulatory Approach" Thirteenth Annual CAMPUT Regulatory Educational Conference, Saint John, New Brunswick, May 4, 1999.
- "The Impact of Restructuring Electricity Markets on Customers", West Kootenay Power 1998 Annual Conference, The Dawn of Customer Choice, Kelowna, B.C., December 2, 1998.
- "Gaining Access to the Retail Customer", *Electricity Competition in Ontario, New Rule, New Opportunities, New Players* (Canadian Institute Conference), Toronto, October 1998.
- "The Future: Mega-BTU Inc.?" (Plenary session) Twelfth Annual CAMPUT Regulatory Educational Conference, Banff, Alberta, April 27, 1998.
- "Protecting Low Income Consumers' Access: Lessons Learned From Other Countries," Twelfth Annual Energy Affordability Conference, National Consumers Law Center, Washington, D.C, February 26-27, 1998.
- "Competition: What happens downstream of the meter?" (Plenary) Eleventh Annual CAMPUT Regulatory Educ. Conference, Whistler, B.C., May 6, 1997.
- "Brokers, Marketers and the Public Interest" Eleventh Annual CAMPUT Regulatory Educational Conference, Whistler, B.C., May 6, 1997.
- "Separation of Gas Supply, Merchant Functions & Other Alternatives," Tenth Annual CAMPUT Regulatory Educ. Conf., Niagara-on-the Lake, May 1, 1996.
- "The Impact of Deregulation on the Public Interest," Tenth Annual CAMPUT Regulatory Educational Conference, Niagara-on-the Lake, April 30, 1996.
- "Marketing to Low and Moderate Income Consumers in the New Competitive Market: Lessons Learned From Other Industries," Tenth Annual Energy Affordability Conference,

National Consumers Law Center, Washington, D.C, February 22, 1996.

- "Where Should We be Going?" Ontario Energy Board, Ten Year Market Review Workshop, Toronto, January 31, 1996.
- "Restructuring the Electrical Power Industry in Ontario" for the Board of Directors of Ontario Hydro on behalf of the Power Workers' Union, August, 1995.
- "A New Vision for Ontario's Electric Demand/Supply Future" panel presentation, Opening Plenary Session of the Canadian Independent Power Conference, Toronto, December 1993.
- "Price Caps - An Alternative to Rate of Return Regulation?" at the Canadian Association of Members of Public Utility Tribunals/Centre for the Study of Regulated Industries, Annual Regulatory Studies Training Programme, McGill University, May 14-18, 1989.

Other Activities

- Chairman of the Board of Directors of the Ontario Energy Marketers Association (formerly the Direct Purchase Industry Committee) and Executive Director of the Association.
- Invited participant in the Ontario Energy Board's External Advisory Committee.