

Damien A. Côté
CHIEF COMMISSIONER | COMMISSAIRE EN CHEF

BY EMAIL

November 3, 2025

To: All Rate-Regulated Gas Distributors
All Licensed Electricity 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, Fiscal 2025/2026

With the first half of the fiscal year behind us, and the issuance in recent days of our twice-yearly Adjudicative Dashboard, I would like to take the opportunity to share a few updates with our stakeholder community. This letter builds on what is communicated in the Ontario Energy Board's (OEB) mid-year letter from CEO Carolyn Calwell and provides updates about major adjudicative activities.

Since joining the OEB in late March, I have been deeply impressed with the organization's commitment to efficiency, timeliness and dependability of adjudication, and to protecting the public interest. It is my goal to uphold and strengthen those attributes during my tenure. I intend to ensure that Ontario's energy regulator is dependable at this important juncture, when economic security is key for our province, and that our province's energy is secure, affordable, reliable and clean.



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Adjudication: Guidance and Transparency

Dependable adjudication is more readily achieved when a regulated sector understands clearly what is expected of it. During my tenure I intend to refine and improve the OEB's adjudicative guidance to help maximize clarity and efficiency, and minimize redundancy. Guidance should generally be easy to locate and to navigate; it should also be accessible and usable to all stakeholders. As part of this initiative, I also hope to establish and disclose the review cycle planned for different types of adjudicative guidance, thereby increasing predictability and transparency of future consultations. Such an approach is consistent with another enhancement I introduced in recent months: disclosing the members of assigned panels early in all adjudicative proceedings.

Additionally, we will soon publish revisions to the [Rules of Practice and Procedure](#), including in respect of the use of Artificial Intelligence in preparing filings.

Adjudicative Dashboard & Analysis

The OEB issued its fiscal 2025/2026 mid-year [Adjudicative Reporting Dashboard](#) on October 17, 2025. The Dashboard provides the metrics and targets we set to measure the efficiency of adjudication.

Summary of Total Cycle Time and Decision Writing Time Metrics

Metric	Target	FY2025/26 Mid-Year Actual	FY2024/25 Mid-Year Actual
No. of Decisions Issued	--	109	116
By panels of Commissioners	--	16	30
By Delegated Authority	--	93	86
% Decisions issued within Total Cycle Time	90%	93%	100%
By panels of Commissioners	85%	75%	90%
By Delegated Authority	95%	97%	100%
% Decisions issued within Decision Writing Time	--	--	--
By panels of Commissioners	--	88%	95%
By Delegated Authority	--	97%	--



In the first half of the fiscal year, 109 decisions were issued. Of these, eight missed the targets; of these eight, half were rates related (two electricity and two natural gas) and the other half consisted of natural gas franchise or certificate related proceedings.

During the reporting period, the OEB navigated a dynamic adjudicative environment marked by complex procedural considerations and substantive developments. While these factors extended timelines in some cases, they also reflected a commitment to thoroughness, procedural fairness and consistency of adjudicative decisions:

- Late-stage intervenor participation and procedural steps ensured broader input.
- Co-ordinated decision issuance leveraged issue similarities in the interest of consistency.
- Shift from a delegated authority to a panel decision-maker enhanced oversight and enriched deliberation.

Adjudicative Process: 10-Point Action Plan

We continue to advance the 10-point Action Plan outlined in our September [2024 Report Back to the Minister on Intervenors and Regulatory Efficiency](#). This work supports the priorities set out in the 2024 Letter of Direction, which emphasizes regulatory efficiency to enable growth as a priority for the OEB.

- We updated the cost award tariffs under the OEB's [Practice Direction on Cost Awards](#) to ensure alignment with other jurisdictions and reflect the value provided by intervenors.
- We concluded our Intervenor Budget Pilot and Very Small Utilities Pilot (VSU) projects and are currently assessing the outcomes in each case. Building on the VSU pilot, the OEB will expand the approach to include small utilities through the "Small Utilities Process." The criteria for eligible utilities will be outlined in upcoming updates to Chapter 2 of the *Filing Requirements for Electricity Distribution Rate Applications*.
- We are piloting the use of intervenor categories and technology solutions to support more efficient collaboration on interrogatories. In addition, I am revising the [Rules of Practice and Procedure](#) to clarify the criteria for granting status to individuals wishing to participate as intervenors and advance their interests.



As we conclude the work outlined in the 10-point Action Plan next year, we will report on outcomes. We remain committed to always finding new opportunities to further strengthen the dependability and efficiency of adjudication.

Relations with Indigenous Peoples

We are preparing to engage directly with Indigenous Peoples in the coming months, particularly where Aboriginal or treaty rights may be affected by applications submitted to the OEB. In alignment with Calls to Action 57 and 92 of the Truth and Reconciliation Commission, the OEB is committed to meaningful consultation, building respectful relationships and ensuring that the voices of Indigenous Peoples are heard in our processes.

As part of this commitment, we intend to pilot an Oral Indigenous Knowledge sharing session within the adjudicative process to meaningfully hear firsthand from Indigenous Peoples. To support this initiative and build intercultural competency among Commissioners and staff, the OEB has engaged an Elder-in-Residence to guide our preparations. This reflects our dedication to fostering respectful engagement, enhancing understanding of the rights and histories of Indigenous Peoples, and embedding reconciliation principles into our core activities.

I would like to thank my colleagues for their continued service and the dedicated OEB staff who support Commissioners with deep expertise and dedication. I would also like to acknowledge our stakeholder community, which contributes meaningfully to advancing our shared objectives of efficiency, timeliness and dependability of adjudication in Ontario's energy sector.

Please note that I am always keen to receive comments and ideas from the sector to optimally improve adjudicative processes at the OEB. Please do not hesitate to [contact me through the Registrar's Office](#) at any time.

Sincerely,

Damien A. Côté
Chief Commissioner, Ontario Energy Board



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