

From: [Ryan MacDonald](#)
To: [Nicole McKenna](#); scampbell@stewartmckelvey.com; [Lynn Murray](#); michael.drake@mcinnescooper.com; cherallee.gomez@mcinnescooper.com
Subject: RE: MECL Rate Design Application (Docket UE22503)
Date: Tuesday, May 27, 2025 9:54:46 AM
Attachments: [~WRD0526.jpg](#)
[image001.gif](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)

Hi Nicole –

We are responding on behalf of the Federation of Agriculture in relation to the procedural timelines established by the Commission in this matter.

We have discussed the timelines with our client and its expert, and are requesting that some extensions be considered. Given our client's experts existing workload and prior engagements, they are not able to prepare an expert report for filing by the June 13, 2025 date set by the Commission. Further, the expert has questioned the use of any such expert report given the passage of time for some of the underlying data that it would be commenting on.

We recognize that this matter is somewhat dated in terms of the original order, the materials filed to date, some of the costing information provided by MECL as part of its filing and the IR exchanges. Subject to the Commission's directive, and the other parties willingness, we would be open to discussing a path forward to ensure that this matter does proceed in a timely manner and with the relevant information that the Commission would need to fully assess this matter.

By way of a brief comment, at the time of the original filings, the latest Cost Allocation study was from 2017. MECL did file an updated Cost Allocation from 2020, but did not include its results in the original application. An updated Cost Allocation study for years past 2020 has not been provided, though reference to a 2023 study has been made in the IR's. Additionally, the Farm Study data is based only on information collected between 2018 and 2020 and no updated farm load information from continued monitoring has been made available. Having this information updated is something that we see as relevant for the Commission to fully assess and consider this matter in 2025.

In the meantime, material new investment has occurred in capacity resources (e.g, transmission), and this is ongoing (e.g., further new capital budget requests for capacity investment). In the capital budget application for the On-Island Capacity for Security of Supply Project, MECL notes (section 5.2.1-5.2.2) that energy use has increased by 27% during 2014-2023, but demand requirements have increased 60%. Given that these shifts from 2020 to 2025 are material to determining if the rate class being considered has changed from the time of the filing to the present, we believe that updated information should be filed as part of this matter.

We trust that this gives some rationale for the position of the Federation of Agriculture in seeking to work with the Commission and the other parties to ensure that updated information is available to all parties in this matter and to have this matter considered on the basis of current information.

We recognize that the Commission, MECL and the Province may or may not share this view. However, at a minimum, we do request the ability to have this discussion with all of the parties, to determine if additional material should be filed in this matter or not, before proceeding to set dates for the filing of expert reports. Should this conversation occur through a Planning Conference at IRAC or through its mediation abilities, we welcome the comments of the other parties to this matter.

We look forward to hearing from you on this matter.

Ryan

Ryan MacDonald*

Partner

tel +1 (902) 368-7825 (direct) | fax +1 (902) 368-3762

80 Grafton Street, Suite 200

PO Box 875

Charlottetown PE C1A 1K7

asst Jennifer Gurszki | +1 (902) 894-7051

*Practising through a professional corporation



This e-mail, including any attachments, is confidential and may be protected by solicitor/client privilege. It is intended only for the person or persons to whom it is addressed. If you have received this e-mail in error, please notify the sender by e-mail or telephone. Les informations contenues dans ce courriel, y compris toute(s) pièce(s) jointe(s), sont confidentielles et peuvent faire l'objet d'un privilège avocat-client. Les informations sont dirigées au(x) destinataire(s) seulement. Si vous avez reçu ce courriel par erreur, veuillez en aviser l'expéditeur par courriel ou par téléphone.

