

City of London - Application for Appointment to a City of London Board or Commission

Application

Please choose the Board or Commission you are interested in serving on: **London Hydro**

Contact Information

Name: **Tom Brett**

City: **London**

Province: **ON**

Postal Code: **N6K 4K9**

Experience and Qualifications

If you have experience on a London Board or Commission, please provide dates and details. (max. 3000 characters):

While I have not been a member of a London board or commission, I have worked closely with Electric Utilities on their regulatory matters for thirty years.

What do you hope to contribute or learn as part of a Board or Commission? (max. 3000 characters):

I will assist the board to ensure that all energy regulatory submissions meet the needs of London Hydro's customers, employees and shareholder and reflect London Hydro's historical experience with the Ontario Board and the Government of Ontario. I expect to learn the structure of the utility and its affiliates including information on the regulatory, personnel, financial and engineering functions, as well as the talents and capabilities of the senior utility managers and other board members.

How will you support the work of a Board or Commission? (max. 3000 characters):

I will work in a collaborative manner with the other members of the board to ensure that London Hydro's regulatory submissions mesh with and advance the priorities of London Hydro.

I will help ensure that LH has the necessary resources from the Ontario Energy Board to continue to achieve best in class performance.

I will contribute my detailed knowledge of regulatory practices in Canada and a review of recent London Hydro rates and other submissions and OEB decisions on those submissions, to help the utility achieve optimal results.

I would try to engage with all of the active participants in London Hydro regulatory hearings and meetings to encourage their support of London Hydro submissions.

Please describe additional experience, training, or community involvement that will help you in your role as a Board or Commission Member. (max. 3000 characters):

My experience as set out in the attached CV would help me contribute to the work of the board and board committees.

I received a BA and MA in Political Economy and LLB from The University of Toronto.

My legal practice and related jobs over the next fifty years, focused on the Canadian energy sector. From 1985-2020 my legal practice focused on representing various clients before the Ontario Energy Board and the National Energy Board (now the Canadian Energy Regulator). Since 1985 I have appeared in over one hundred public hearings before the OEB, including rates cases, generic and policy proceedings. My clients have included gas and electric utilities, both distributors and transmitters, energy marketing and trading companies, co-generators and IPPs, First Nations, regulators and large energy consumer groups.

During my career I have also:

- Spent eight years with the federal government in Ottawa, most of those years in senior

management at the Treasury Board Energy Group and as the Director of renewable energy at Energy Mines and Resources.

- Served as General Manager of a start-up company focused on energy efficiency retrofit construction and finance.
- Spent 18 months as Chief of Staff to The Right Honourable Paul Martin Senior.
- Spent 18 months in the energy corporate finance group at AE. Ames & Co, a Toronto investment bank.
- I was a founder and director of The Association of Power Producers in Ontario for twenty years, and a founder and director of The Canadian Association of Energy Service Companies for many years.

We value the contributions of Londoners with diverse experiences and welcome applications from individuals who share our commitment to reconciliation, equity and inclusion. Please describe how your work, community or lived experience will enhance these efforts through Board and Committee work. (max. 3000 characters):

I have represented First Nations in the negotiation of joint ventures with other partners, including utilities to develop energy projects in Ontario and Saskatchewan. I served on the Indigenous Law Committee at my law firm. I have advised many companies on renewable energy projects and have negotiated joint ventures with engineering firms to develop, build and finance energy efficiency retrofits in commercial, institutional and industrial buildings in several provinces.

Attach resume or other document here, if needed: **Brett Tom CV.pdf**

Attach more files here, if needed:

Confirmations

I declare the following: **I am a resident of London. ; I am at least 18 years old.; I am not a City employee or Council member.; I understand that my application and any attachments will be included on a public agenda that is published on the City website.**

To help inform our outreach activities, please tell us how you heard about this opportunity: (optional):

If you selected 'Other', please specify:

Submitted on: **5/14/2023 12:49:09 PM**

J. Thomas Brett

1. Educational Background

University of Toronto B.A. Political Science 1963

University of Toronto M.A. Political Economy 1965 (led undergraduate seminar in macroeconomics for the late professor, Don Forster; awarded university fellowship for Ph.D. in Economics at Harvard University, 1965) on the recommendation of Professor J.S. Dupre (Declined).

University of Toronto LL.B. 1968 – Medal in Contract Law; CMHC Fellowship in Planning law; top 10% of class.

2. Professional and Employment Background

2009 – present, Partner, Fogler, Rubinoff LLP. Specialist in Energy Regulation Transactions. Clients include energy consumers, First Nations Consortia, local distribution companies, independent transmission companies, solar power developers/customers/equipment manufacturers, wind power developers, water power developers, US gas utilities; Expertise in Green Energy Act; Chairman of International Bar Association Energy Committee Biennial Meeting in Toronto, May 2010; mentor to other lawyers; many projects require close collaboration with Ontario Energy Board staff. I have advised solar, wind and water power developers, on power purchase agreements, including FIT and microFIT contracts, O&M agreements, interconnection agreements, construction agreements, and related agreements. I have been a member of the Board of Directors of the Association of Power Producers of Ontario for fourteen years, and am familiar with all aspects of Ontario's electricity industry.

1999 – 2009, Partner, Gowling Lafleur Henderson LLP. Specialist in Energy Regulation and Transactions. Similar range of clients to Foglers. In addition, retained by State of Alaska with respect to all Canadian Regulatory aspects of The Alaska Northwest Gas Pipeline.

1985 -1999, Partner, Johnston & Buchan, Ottawa. Energy regulation and transactions. Leading Administrative Law Boutique Firm in Energy, Telecommunications, Broadcasting, Trade and Copyright. Clients mainly institutional, commercial, industrial energy consumers. Created some of initial buying groups for natural gas and electricity in Ontario, including Association of Municipalities of Ontario (AMO), various school board consortia, Ottawa Regional Consortium including schools, universities, colleges, municipalities and hospitals.

1982 – 1985, Vice-President and General Manager, Canertech Conservation Ltd. (a Petrocan subsidiary/energy services company, specializing in energy efficiency retrofit work in institutions, commercial buildings and industry. Managed Start-Up Energy Services Company specializing in Energy Efficiency Retrofit in buildings across Canada, established joint ventures with engineering firms across Canada (selected partners, negotiated joint ventures, prepared budgets, hired key staff). Highly collaborative decision-making style; built on government policy work in Conservation and Renewables; developed appreciation of practical business aspects of implementing Energy Efficiency projects.

1974 – 1982, Various senior executive positions with the Government of Canada, including:

1979 – 1982 – Dept. Dir. – Gen General Enercan – Conservation and Renewables: led policy development efforts in conservation and renewables sector of the federal energy ministry, including creation of federal-provincial programs for research, development and demonstration in renewables and conservation, grant programs, tax incentives, building code reform, and creation of a federal energy

services company called Canertech Conservation Inc., a national Crown corporation.

1977 – 1979 – Treasury Board Secretariat – Energy Division: particular expertise in financial aspects of large energy projects or companies, including formation of Petro-Canada, nuclear reactor exports and sales to Canadian utilities by Atomic Energy of Canada, off oil infrastructure programs; led and mentored a group of central agency calibre analysts, most of whom eventually became senior executives and leaders in the federal public service.

1974 – 1977 – Investment Canada – Energy Division: led a group of analysts in preparing regulations and guidelines and drafting cabinet memoranda on foreign takeovers of Canadian Companies.

1972 – 1974, A.E. Ames & Co. (Investment Bank), Corporate Finance Officer (Energy). Worked on financing various energy companies and merger and acquisition projects.

1970 – 1972, Blake Cassels Graydon, Toronto – Associate Lawyer (Business). Associate with leading Canadian business law firm; worked on various contracts, corporate transactions and financings.

1968 – 1970, Chief of Staff/Policy Advisor to Federal Cabinet Minister, Ottawa. Responsible for maintaining and organizing legislative agenda and procedures; general policy advice; staffing; media relations; speech writing.

3. Community Involvement

Member of Board of Directors, Castlehill Owners Association, 2006-2007.

Coach, Fisher Park Girls Baseball Association, Ontario, 1974-1977.

Managed federal election campaign in Broadview, Toronto, 1968.

Member, Institute for Research and Public Policy (current).

Founder and first Chairman of Canadian Association of Energy Services Companies, Board of Directors, 1985-1995.

Member of Board of Directors, The Association of Power Producers of Ontario, 1986-present. President and CEO for two years, Chairman of Executive Committee for five years.

Policy Advisor, Ontario election campaign of 1971.

4. Memberships in professional organizations

Canadian Bar Association, Ontario Bar Association.

Energy Bar Association (Washington, D.C.), member of renewables and transmission committees.

Legal Associates of the American Gas Association (Washington, D.C.)

SEERIL (Section on Energy, Environment, Natural Resources and Infrastructure Law) (gas regulatory specialists and in-house lawyer for gas LDCs), International Bar Association Chair, Toronto Host City Steering Committee, 20th Biennial Meeting of SEERIL on April 24, 2010.

5. Additional Information

I have practised energy law for over 25 years with leading law firms: Foglers, Gowlings, Smith/Lyons in Toronto, and Johnston & Buchan in Ottawa, and appeared in more than 50 Ontario Energy Board hearings, including rates, facilities, generic, and "policy hearings". Often represented energy consumer

interests. Have appeared many times before the National Energy Board, and on occasion, the Manitoba Public Utilities Board and have acted for the California Public Utilities Board. I was, for three years (2007-09), the International Articles Editor of the Energy Law Journal, published by the Energy Bar Association, in Washington, D.C., the leading English language legal journal on energy matters.

Was a member of the three person editorial board for the publication, "Electricity Law In Canada" (Carswell, 2009); authored chapter on Conservation and Demand Management.

Familiar with principal texts in regulatory economics, including Bonbright, Philips, Sidak, Nordhaus; have worked in three areas of public law, energy, foreign investment, and land use planning; familiar with principles of judicial review of administrative tribunals.

Co-authored a chapter on natural gas regulation in Canada for several years, for the US legal text "Natural Gas Regulation in North America".

Have spoken regularly, over the last 25 years, to many groups, in Canada and abroad on energy law topics, including, in Canada, APPrO, the Ontario Bar Association, Enercom (electricity distribution), the Canadian Petroleum Law Foundation, Insight and Canadian Institute Conferences and, outside Canada, to meetings of the Energy Bar Association, Legal Associates Committee of the American Gas Association (United States), and SEERIL (International Bar Association) (Abroad).