



EB-2012-0168

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an application by Tillsonburg
Hydro Inc. for an order approving just and reasonable rates
and other charges for electricity distribution to be effective
May 1, 2013.

**DECISION AND ORDER ON CONFIDENTIAL FILINGS
AND PROCEDURAL ORDER NO. 3
February 7, 2013**

Tillsonburg Hydro Inc. (“THI”) filed an application (the “Application”) with the Ontario Energy Board (the “Board”) on November 8, 2012 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that THI charges for electricity distribution, to be effective May 1, 2013.

On January 23, 2013 the Board issued Procedural Order No. 2 in which the Board granted THI an extension to the filing date of responses to written interrogatories and established a timeline for submissions regarding the confidential treatment of responses to Energy Probe interrogatory #1c) and VECC interrogatory #22c). In accordance with section 5.1.4 of the Board's *Practice Direction on Confidential Filings* (the “Practice Direction”), THI requested confidential treatment for responses to those interrogatories as they contained “individual wages and other employee sensitive data.”

In correspondence dated January 30, 2013, VECC indicated that it did not intend to sign a Declaration and Undertaking with respect to the confidential documents and, though it had not reviewed un-redacted versions of the evidence provided by THI, it did accept

that the publication of an individual's employment history is generally not appropriate in a public proceeding.

In correspondence dated January 30, 2013, Energy Probe indicated that it had filed Declarations and Undertakings with respect to the confidential information but, it had not yet received a copy of the confidential documents to review. Energy Probe noted that it had reviewed VECC's correspondence and that it supported the submissions of VECC as contained in its letter.

THI filed no further comments.

The Board finds that it is appropriate to grant confidential status to the documents filed by THI, specifically responses to VECC interrogatory #22c) and Energy Probe interrogatory #1c).

The Board has decided to make provision at this time for a Technical Conference and a Settlement Conference. The Board is also making provision for written submissions for any unsettled issues. The Board will reassess the appropriateness of written submissions as the record develops and as the results of the Settlement Conference are known.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. The responses to VECC interrogatory #22c) and Energy Probe interrogatory #1c) will be treated as confidential. Following the end of the proceeding, parties in receipt of confidential information shall either return the subject information to the Board for destruction, or destroy the information and execute a Certificate of Destruction. The Certificate of Destruction, that is in Appendix D of the Practice Direction, must be filed with the Board.
2. A transcribed Technical Conference shall be convened on **February 27, 2013**, starting at 9:30 a.m. The Technical Conference will be held in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto. Parties participating in

the Technical Conference are requested to file with the Board and copy THI and all other parties, by **February 15, 2013**, the topics on which they will address or seek clarification on at the Technical Conference.

3. THI shall respond to any undertakings given at the Technical Conference on or before **March 1, 2013**.
4. A Settlement Conference will be convened on **March 4, 2013**, starting at 9:30 a.m., with the objective of reaching a settlement among the parties on the application. The Settlement Conference will be held in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto, and may continue on **March 5, 2013**, if needed.
5. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board not later than **March 15, 2013**.
6. Should there be any unsettled issues arising from the Settlement Conference, written submissions by Board staff must be filed with the Board, and copied to all other parties, by **March 25, 2013**. Written submissions by intervenors must be filed with the Board, and copied to all other parties, by **March 28, 2013**. If THI wishes to respond to the submissions, its written response must be filed with the Board and delivered to all other parties by **April 8, 2013**.

All filings to the Board must quote the file number, EB-2012-0168, be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Stephen Vetsis at Stephen.Vetsis@ontarioenergyboard.ca and Board Counsel, Maureen Helt at Maureen.Helt@ontarioenergyboard.ca.

ADDRESS

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Attention: Board Secretary

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DATED at Toronto, **February 7, 2013**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary