



EB-2015-0003

PowerStream Inc.

**Application for electricity distribution rates for the
period from January 1, 2016 to December 31, 2020.**

**PROCEDURAL ORDER NO. 4
September 25, 2015**

PowerStream Inc. (PowerStream) filed a custom incentive rate application with the Ontario Energy Board (OEB) on May 22, 2015 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 PowerStream charges for electricity distribution, to be effective January 1, 2016 and for each following year through to December 31, 2020.

On July 10, 2015, the OEB issued Procedural Order No. 1 establishing initial steps in this proceeding. These steps included:

- (1) That OEB staff was to file a proposed issues list, or alternatively advise the OEB in writing that the parties and OEB staff had been unable to reach an agreement on a draft issues list by September 16, 2015, and
- (2) That a settlement conference among the parties was to be convened on September 28, 2015 and, if necessary, would continue on September 29 and 30, 2015 as well as related subsequent steps.

On September 16, 2015, as directed by Procedural Order No. 1, OEB staff filed a letter with the OEB which attached a proposed agreed issues list containing non-disputed issues. OEB staff's letter noted that there was one disputed issue related to the announced merger between PowerStream, Enersource Hydro Mississauga Inc., Horizon Utilities Inc. and Hydro One Brampton Networks Inc.

On September 18, 2015, the OEB issued Procedural Order No. 3 which stated that the OEB considered the proposed merger as a threshold question related to this application

and also considered it expedient to retain the schedule for the settlement conference established in Procedural Order No. 1.

The OEB accordingly stated that it would find it useful to receive submissions from parties on the threshold question as to what, if any, consideration should be given by the OEB to the announced merger between PowerStream, Enersource Hydro Mississauga Inc., Horizon Utilities Inc. and Hydro One Brampton Networks Inc. as part of its review of the application. Interested parties were requested to explain to the OEB why they believed the issue of the merger is in scope or out of scope in this proceeding.

The OEB stated that it would require these submissions by Wednesday September 23, 2015 in order to allow this matter to be resolved prior to the commencement of the Settlement Conference.

The OEB has now reviewed the submissions received from parties on the threshold question and has concluded that it will not be in a position to release a decision on the threshold question before the commencement of the settlement conference. The OEB considers that it would be of little value to have the parties commence settlement discussions without the OEB having reached a determination on the threshold question.

The settlement conference scheduled to commence on September 28, 2015 is accordingly postponed until further notice as are all other dates related to the settlement conference established in Procedural Order No. 1.

THE OEB ORDERS THAT:

- 1 The settlement conference scheduled to commence on September 28, 2015 is postponed until further notice as are all other dates related to the settlement conference established in Procedural Order No. 1.

DATED at Toronto, September 25, 2015

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary