



Ontario Energy Board Commission de l'énergie de l'Ontario

DECISION ON CONFIDENTIALITY AND INTERVENTION REQUEST

EB-2016-0085

INNPOWER CORPORATION

**Application for electricity distribution rates and other charges
beginning July 1, 2017**

BEFORE: Allison Duff
Presiding Member

Lynne Anderson
Member

Michael Janigan
Member

October 2, 2017

1. INTRODUCTION

InnPower Corporation (InnPower) filed an amended cost of service application with the Ontario Energy Board (OEB) on May 11, 2017 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 InnPower charges for electricity distribution, to be effective July 1, 2017.

The OEB issued Procedural Order No. 1 on May 16, 2017, which provided for the filing of interrogatories and responses. Procedural Order No. 2 was issued on May 26, 2017 to provide further notice of the application for specific customer groups. Procedural Order No. 3 was issued on September 1, 2017 regarding a proposed issues list, an affidavit of service to specific customer or customer groups and the ability to request intervenor status with respect to the proposed pole attachment and/or microFIT charges. Decision and Procedural Order No. 4 was issued on September 20, 2017 in which the OEB approved the Issues List and requested submissions objecting to the confidential treatment for InnServices Utilities Inc. (InnServices) financial statements.

Rogers Communications Canada Inc. (Rogers) applied for intervenor status on September 27, 2017.

The OEB approves Rogers as an intervenor and the confidentiality request submitted by InnPower.

2. INTERVENTION REQUEST

Rogers applied for intervenor status on September 27, 2017 to address an order approving distribution rates, including approval of an interim pole attachment charge.

Rogers is approved as an intervenor. Rogers will not be considered as a late intervenor with respect to the proposed pole attachment charge, consistent with Procedural Order No. 3.

The OEB confirms that the oral hearing to commence on October 3, 2017 will address all issues on the approved Issues List, except issue 5.2 which is “are the proposed pole attachment charges and microFIT charges appropriate”. The OEB will issue further procedural direction with respect to the pole attachment and microFIT charges after the oral hearing.

3. CONFIDENTIALITY REQUEST

InnPower requested confidential treatment for the financial statements for InnServices, filed in response to undertaking JT1.1 filed on September 20, 2017. OEB staff filed a submission supporting InnPower's request, as public disclosure of InnServices' financial statements could prejudice InnServices' competitive position.

The OEB approves the confidential treatment of the undertaking response JT1.1. The OEB agrees with OEB staff that as InnServices is engaged in a competitive business, its financial statements should be given confidential treatment. Accordingly, undertaking response to JT1.1 will be provided only to participants that have signed the OEB's Declaration and Confidentiality Undertaking in accordance with the OEB's *Practice Direction on Confidential Filings*.

Further procedural orders will be issued by the OEB.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Fiona O'Connell at fiona.oconnell@oeb.ca and OEB Counsel, Ljuba Djurdjevic at ljuba.djurdjevic@oeb.ca.

ADDRESS

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DATED at Toronto, **October 2, 2017**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary