



EB-2017-0290

Independent Electricity System Operator / Smart Metering Entity

Application for approval of smart metering charge for 2018-2022

REVISED PROCEDURAL ORDER NO. 1 October 27, 2017

The Independent Electricity System Operator (IESO), in its capacity as the Smart Metering Entity (SME), filed an application with the Ontario Energy Board (OEB) on August 31, 2017 under subsections 78(2.1), (3.0.1), (3.0.2) and (3.0.3) of the *Ontario Energy Board Act, 1998*, seeking approval for its 2018-2022 smart metering charge.

A Notice of Hearing was issued on October 4, 2017. The following parties applied for intervenor status:

- Building Owners and Managers Association (BOMA)
- Electricity Distributors Association (EDA)
- Niagara-on-the-Lake Hydro Inc. (NOTL)

BOMA also applied for cost award eligibility.

No objections were received from the IESO in relation to any of the intervention requests.

Intervenor status is hereby granted to each of BOMA, the EDA and NOTL. BOMA is eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*. A list of intervenors is attached as Schedule A to this Procedural Order.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party,

unless a compelling reason is provided when cost claims are filed. The OEB also expects that intervenors will combine their interventions with those of similarly interested parties, will co-operate with all other parties to the extent possible and will be mindful to avoid duplication.

Issues List

Attached as Schedule B to this Procedural Order is a draft issues list, prepared by the IESO. Parties will have an opportunity to review the draft issues list and provide any comments or additions to this list. The IESO will also be given an opportunity to respond to any comments or additions received to the draft issues list. The OEB will determine the final issues list and only those issues on the approved issues list will be considered during the review.

Interrogatories

Parties should consult sections 26 and 27 of the OEB's *Rules of Practice and Procedure* regarding required naming and numbering conventions and other matters related to interrogatories.

It is necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and intervenors may file submissions on the draft issues list in Schedule B to this Procedural Order with the OEB and deliver them to all parties by **November 6, 2017**.
2. The IESO may file a response to the submissions of intervenors and OEB staff on the draft issues list in Schedule B to this Procedural Order with the OEB and deliver it to all parties no later than **November 13, 2017**.
3. OEB staff and intervenors shall request any relevant information and documentation from the IESO that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **November 27, 2017**.
4. The IESO shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by **December 18, 2017**.

5. OEB staff or any intervenor that wishes to file evidence shall notify the OEB by **January 5, 2018**, and shall include a description of the intended scope of the evidence and an estimate of any incremental costs including assumptions regarding the participation of any expert(s) and any incremental costs associated with time spent by counsel or any other consultant(s) in relation to the evidence. The OEB may re-schedule subsequent case steps to allow for the filing of evidence.
6. A Settlement Conference among the parties and, if provided for by the OEB in accordance with the *Practice Direction on Settlement Conferences*, OEB staff will be convened on **January 16, 2018** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **January 17, 2018**.
7. Any settlement proposal arising from the Settlement Conference shall be filed with the OEB on or before **January 31, 2018**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating with reasons whether the parties believe those issues should be dealt with by way of oral or written hearing.
8. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties within 7 days from when a settlement proposal is filed.
9. If there is no settlement proposal arising from the Settlement Conference, the IESO shall file a statement to that effect with the OEB by **January 23, 2018**. In that event, parties shall file and serve on the other parties by **January 30, 2018** any submissions on which issues could be heard in writing, and for which issues the OEB should hold an oral hearing.

All filings to the OEB must quote the file number, **EB-2017-0290**, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address, 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.oeb.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, Michael Bell at Michael.Bell@oeb.ca and OEB Counsel, Ian Richler at Ian.Richler@oeb.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

E-mail: boardsec@oeb.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **October 27, 2017**

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original Signed By

Kristi Sebalj
Registrar

Schedule A

Applicant and List of Intervenors To
Procedural Order No. 1

Independent Electricity System Operation/Smart Metering Entity
EB-2017-0290

October 27, 2017

**Independent Electricity System Operation/Smart Metering Entity
EB-2017-0290**

Applicant & List of Intervenors

October 27, 2017

Applicant

Rep. and Address for Service

**Independent Electricity System
Operator**

Miriam Heinz
Senior Regulatory Advisor
Independent Electricity System Operator
1600-120 Adelaide St. W.
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Tel: 416-969-6045
Fax: 416-969-6383
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Applicant

Rep. and Address for Service

APPLICANT COUNSEL

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5300 Commerce Court West
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Fax: 416-947-0866
pduffy@stikeman.com

**Independent Electricity System Operation/Smart Metering Entity
EB-2017-0290**

List of Intervenors

October 27, 2017

Intervenors

Rep. and Address for Service

**Building Owners and Managers
Association**

Thomas Brett
Partner - Fogler, Robinoff LLP
77 King Street West
Suite 3000
Toronto ON M5K 1G8
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Marion Fraser
President, Fraser & Company
65 Harbour Square, Suite 1005
Toronto ON M5J 2L4
Tel: 416-941-9729
Fax: Not Provided
Marion.Fraser@rogers.com

Electricity Distributors Association

Joyce Mankarios
Policy Advisor
Electricity Distributors Association
3700 Steeles Ave. W., Suite 1100
Vaughan ON L4L 8K8
Tel: 905-265-5334
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jmakarios@eda-on.ca

Allan H. Mark
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Bay Adelaide Centre
333 Bay St. Suite 3400
Toronto ON M5H 2S7
Tel: 416-597-4264
Fax: Not Provided
amark@goodmans.ca

**Independent Electricity System Operation/Smart Metering Entity
EB-2017-0290**

List of Intervenors

October 27, 2017

Intervenors

Rep. and Address for Service

Niagara-on-the-Lake Hydro Inc.

Tim Curtis

President, Niagara-on-the-Lake Hydro Inc.

PO Box 460

8 Henegan Road

Virgil ON L0S 1T0

Phone: 905-468-4235 (ext. 550)

Fax: 905-468-3861

tcurtis@notlhydro.com

Schedule B
Draft Issues List

Independent Electricity System Operation/Smart Metering Entity
EB-2017-0290

October 27, 2017

SME 2018 Fee Application

Draft issues List

EB-2017-0290

1. Is the SME's proposed \$178.1 million revenue requirement for the January 1, 2018 to December 31, 2022 period appropriate?
2. Is the proposed SME fee of \$0.59 per smart meter per month appropriate?
3. Is the proposed January 1, 2018 effective date for the SME fee appropriate?
4. Is the proposal to include the \$7 million projected uncollected SME debt (projected December 31, 2017 balance) in the SME costs appropriate?
5. Are the projections for installed smart meters appropriate?
6. Are the forecast staffing levels appropriate and reasonable?
7. Is the proposal to establish the Balancing Variance Account appropriate?
8. Is the proposal to continue the three existing variance accounts as sub accounts of the Balancing Variance Account appropriate?
9. Is the proposal to continue to carry the balances in the existing Costs variance and Revenue variance accounts forward appropriate?
10. Is the proposal to clear the balance in the Service Level Credits Account appropriate?
11. Is the proposal to retain \$2.5 million in the Balancing Variance Account as an operating reserve for the SME appropriate?
12. Is the proposal to return to ratepayers any year –end balance in the Balancing Variance Account, exceeding \$2.5 million and which results in a rebate to ratepayers of \$0.05 per meter or greater, three months after the filing of the SME's annual report with the Board on April 30th appropriate?