



EB-2018-0243

Ontario Power Generation Inc.

**Application for 2019 Hydroelectric Payment Amount
Adjustment and Recovery of Deferral and Variance
Account Balances effective January 1, 2019**

**PROCEDURAL ORDER NO. 3
December 13, 2018**

Ontario Power Generation Inc. (OPG) filed an application with the Ontario Energy Board (OEB) on August 9, 2018 under section 78.1 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) seeking approval for an order or orders related to deferral and variance accounts, including disposition of account balances related to its nuclear generating facilities and most of its hydroelectric generating facilities as at December 31, 2017. OPG has also applied to increase the amount it charges for the output of most of its hydroelectric generating facilities effective January 1, 2019 using an OEB-approved formula that is tied to inflation and other factors intended to promote efficiency.

The OEB issued Procedural Order No. 1 (PO1) on October 16, 2018, which set out a schedule for various steps in this proceeding. Among other items, PO1 noted that OPG filed a draft issues list as part of its application¹ and that OPG, OEB staff and the intervenors should use OPG's draft issues list as a starting point to develop a proposed issues list, which OEB staff would file for the OEB's consideration. PO1 further noted that the OEB would approve an issues list prior to the settlement conference and would identify any issues that would be excluded from settlement. Alternatively, OEB staff would advise the OEB in writing that the parties and OEB staff had been unable to reach an agreement on a draft issues list.

¹ EB-2018-0243, Application, Exhibit A1, Tab 2, Schedule 3

On December 12, 2018, OEB staff advised the OEB that the parties have been unable to reach an agreement on a draft issues list.

The OEB is therefore making provision for written submissions on the draft issues list. The parties will have the opportunity to make written submissions on the draft issues list and propose changes for the OEB's consideration. In proposing additional issues, parties should provide justification and give consideration to whether the item is already included under one of the proposed issues. Similarly, parties proposing to remove, change or limit the scope of an issue on the draft issues list should provide justification.

The OEB finds it necessary to remove issue No. 5 from the draft issues list as filed by OPG since the Hydroelectric Payment Amount Adjustment portion of application has been bifurcated as per Procedural Order No. 2. See Schedule A.

IT IS THEREFORE ORDERED THAT:

1. OPG, OEB staff and intervenors may make submissions on the draft issues list at Schedule A to this Procedural Order, and shall file any submissions with the OEB and deliver them to all parties no later than **December 19, 2018**.
2. OPG, OEB staff, and intervenors may respond to the submissions of any other party. Those responses shall be filed with the OEB and delivered to all parties no later than **December 21, 2018**.

All filings to the OEB must quote the file number, **EB-2018-0243** and be made electronically in searchable/unrestricted PDF format through the OEB's web portal at <https://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 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 <https://www.oeb.ca/industry/tools-resources-and-links/e-filing-services>. If the web portal is not available, electronic copies of filings may be filed by email at registrar@oeb.ca. Those who do not have internet access are required to submit all filings on a USB stick 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 Registrar 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, Georgette Vlahos at Georgette.Vlahos@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
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Attention: Registrar

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

DATED at Toronto, **December 13, 2018**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Schedule A

Ontario Power Generation Inc.

Draft Issues List

OEB File No.: EB-2018-0243

DRAFT ISSUES LIST

1. Are the amounts recorded in the applicable deferral and variance accounts appropriate?
2. Are the balances for recovery in each of the deferral and variance accounts appropriate?
3. Are the proposed rate riders and disposition periods for the account balances appropriate?
4. Does OPG's proposed treatment of pension and OPEB costs appropriately reflect the OEB's Decision in EB-2013-0321 and OEB policy as set out in the Report of the OEB: *Regulatory Treatment of Pension and Other Post-employment Benefits (OPEBs) Costs*, issued in the generic proceeding EB-2015-0040?
- ~~5. Has OPG accurately applied the OEB-approved price-cap adjustment formula in its 2019 hydroelectric rate adjustment proposal?~~