



**EB-2010-0082**

**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 Essex  
Powerlines Corporation for an order approving just and  
reasonable rates and other charges for electricity distribution  
to be effective May 1, 2011.

### **PROCEDURAL ORDER NO. 1**

Essex Powerlines Corporation ("Essex") filed an application with the Ontario Energy Board (the "Board") on September 30, 2010 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 Essex charges for electricity distribution, to be effective May 1, 2011. The application was filed under the Board's guidelines for 3<sup>rd</sup> Generation Incentive Regulation, which provides for a mechanistic and formulaic adjustment to distribution rates between cost of service applications. The Board has assigned the application File Number EB-2010-0082.

The Board issued a Notice of Application and Hearing dated October 22, 2010. Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility. No objections were received. The Board granted VECC intervenor status.

The Board also determined that VECC is eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards* in relation to Essex's proposal for revenue-to-cost ratio adjustments.

On August 20, 2010, the Board issued two letters to all licensed electricity distributors on its website. The first letter made Microsoft Excel workbooks available for distributors to complete, where applicable, as part of their 2011 IRM rate applications. In the second letter the Board issued the 2011 Retail Transmission Service Rates ("RTSR") Adjustment Workform for distributors to complete as part of their 2011 electricity rate

application. It was expected that all 3<sup>rd</sup> Generation Incentive Regulation applicants would file the 2011 IRM3 Rate Generator, 2011 IRM Deferral and Variance Account Workform and 2011 RTSR Adjustment Workform.

Essex did not include, as part of its application, the 2011 IRM Deferral and Variance Account Workform and 2011 RTSR Adjustment Workform nor did it indicate in its Manager's Summary why these workforms were not filed.

The Board has decided to make provision at this time for Essex to complete and file the 2011 IRM Deferral and Variance Account Workform and 2011 RTSR Adjustment Workform. The Board will also make provision for additional written interrogatories, only with respect to 2011 IRM Deferral and Variance Account Workform and 2011 RTSR Adjustment Workform.

The Board will also alter the dates for final written submissions on Essex's pre-filed evidence, 2011 IRM Deferral and Variance Account Workform and 2011 RTSR Adjustment Workform.

If at the time of issuing this Procedural Order VECC has submitted their final submission with respect to Essex's pre-filed evidence, they may resubmit by the revised deadline for submissions, if they wish to do so.

This Procedural Order addresses the second round of interrogatory process and written final submissions.

**THE BOARD ORDERS THAT:**

1. Essex shall complete and file the 2011 IRM Deferral and Variance Account Workform and 2011 RTSR Adjustment Workform found on the Board's website on or before **January 24, 2011**.
2. Board staff or VECC who wish information and material from Essex that is relevant to the 2011 IRM Deferral and Variance Account Workform and/or 2011 RTSR Adjustment Workform, shall request it by written interrogatories filed with the Board and delivered to Essex and all intervenors on or before **January 26, 2011**.

3. Essex shall file with the Board complete responses to the interrogatories and deliver them to VECC on or before **January 31, 2011**.
4. Written final submissions by VECC or Board staff must be filed with the Board, and copied to all other parties on or before **February 7, 2011**.
5. If Essex wishes to respond to the submissions, its written responses must be filed with the Board and delivered to all other parties on or before **February 14, 2011**.

All filings to the Board must quote file number EB-2010-0082, be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca), 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. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to the [BoardSec@oeb.gov.on.ca](mailto:BoardSec@oeb.gov.on.ca). 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 seven paper copies. If you have submitted through the Board's web portal an e-mail is not required.

All communications should be directed to the attention of the Board Secretary and be received no later than 4:45 p.m. on the required date.

**DATED** at Toronto, January 19, 2011

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary