



**EB-2010-0279**

**IN THE MATTER OF** sections 25.20 and 25.21 of the  
*Electricity Act, 1998*;

**AND IN THE MATTER OF** a Submission by the Ontario Power  
Authority to the Ontario Energy Board for the review of its  
proposed expenditure and revenue requirements and the fees  
which it proposes to charge for the year 2011.

## **PROCEDURAL ORDER NO. 4**

### **BACKGROUND**

On November 2, 2010, the Ontario Power Authority (the “OPA”) filed with the Ontario Energy Board (the “Board”) its proposed 2011 expenditure and revenue requirement and fees for review pursuant to subsection 25.21(1) of the *Electricity Act, 1998* (the “Act”). Pursuant to subsection 25.21(2) of the Act, the OPA is seeking the following approvals from the Board:

- approval of a net revenue requirement comprised of the proposed 2011 operating budget of \$64.1 million and a number of adjustments that result in a net amount of \$79.861 million;
- approval of a \$0.523/MWh usage fee, which is a decrease from the approved usage fee of \$0.551/MWh for 2010 and to recover its usage fees from export customers, in addition to Ontario customers;

- if necessary, interim approval of the usage fee described above, or such further or other interim orders as the Board may deem appropriate;
- approval of registration fees of up to \$10,000 per proposal for electricity supply and capacity procurements;
- approval of non-refundable application fees for the Feed-in-Tariff program of \$0.50/kW of proposed Contract Capacity, having a minimum of \$500 and to a maximum of \$5,000;
- approval of proposed 2011 capital expenditures of \$2.2 million;
- approval of its proposal to recover through fees the balances of the 2010 Forecast Variance Deferral Account;
- approval to continue to recover the balance of Retailer Settlement Deferral Accounts over three years;
- approval of establishment of the 2011 Retailer Contract Settlement Deferral Account, of the 2011 Retailer Discount Settlement Deferral Account, of the 2011 Government Procurement Costs Deferral Account and of the 2011 Forecast Variance Deferral Account, and approval or continuation of such further or other deferral accounts as the Board may deem appropriate; and
- all necessary orders and directions, pursuant to the *Ontario Energy Board Act, 1998* and the Board's Rules of Practice and Procedure, as may be necessary in relation to this submission, and execution of the approvals requested in the Business Plan.

The Board issued a Notice of Application dated November 24, 2010 with respect to this proceeding.

On December 13, 2010, the Board issued its original Decision on intervenor requests and Cost Eligibility. Supplemental Board Decisions on intervenor requests and Cost Eligibility were issued on December 14, 16 and 21, 2010.

On January 11, 2011, the Board issued its Board Approved Issues List and Procedural Order No. 2. Procedural Order No. 2 outlined the dates for written interrogatories and a settlement conference.

On January 20, 2011, the Board issued Procedural Order No. 3 that outlined the dates for the filing of intervenor evidence and interrogatories on the intervenor evidence.

On February 7, 2011, the OPA requested an extension on filing of the interrogatory responses that are due February 8, 2011. The OPA requested a revised date of February 11, 2011.

The Board considers it necessary to make provision for the following procedural matters. The Board may issue further procedural orders from time to time.

**THE BOARD ORDERS THAT:**

1. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors and observers no later than **February 11, 2011**.
2. Board staff and intervenors who wish to file evidence shall file such evidence with the Board and serve on all other parties, on or before **March 11, 2011**.
3. Written interrogatories on any Board staff or intervenor evidence shall be filed with the Board and delivered to the intervenors and the applicant on or before **March 18, 2011**.
4. Responses to interrogatories on intervenor evidence shall be filed with the Board and delivered to all parties on or before **March 29, 2011**.
5. The Settlement Conference will be held at 2300 Yonge, Toronto on the 25<sup>th</sup> floor in the West Hearing Room commencing **March 30, 2011 at 9:30 a.m. to 4:00 p.m.** and, if necessary, continuing on **March 31 and April 1, 2011 at 9:30 a.m.** at the same location.
6. If there is a settlement or a partial settlement agreement forthcoming from the Settlement Conference then that agreement shall be filed with the Board no later than 4:00 p.m. on **April 8, 2011**.

If you have a user ID, please submit your interrogatories or submission through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca) in searchable/unrestricted PDF format. 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). You may also send your submission by e-mail to the following address: [boardsec@oeb.gov.on.ca](mailto:boardsec@oeb.gov.on.ca). Additionally, two paper copies are required and should be sent to the addresses below. Those who do not have Internet access are asked to submit their interrogatories or submissions on a CD in PDF format, along with two paper copies by 4:00pm on the date indicated, and copy all parties. Parties must also include the Case Manager, Michael Bell [michael.bell@oeb.gov.on.ca](mailto:michael.bell@oeb.gov.on.ca) and Board Counsel, Michael Millar [michael.millar@oeb.gov.on.ca](mailto:michael.millar@oeb.gov.on.ca) on all electronic correspondence related to this case.

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**DATED** at Toronto, February 8, 2011.  
**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary