



EB-2011-0147

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 Brantford
Power Inc. for an order approving just and reasonable rates
and other charges for electricity distribution to be effective
May 1, 2012.

PROCEDURAL ORDER NO.1

Brantford Power Inc. ("Brantford") filed an application (the "Application") with the Ontario Energy Board (the "Board") on November 10, 2011 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 Brantford charges for electricity distribution, to be effective May 1, 2012. The Board has assigned file number EB-2011-0147 to the Application. The Board issued a Notice of Application (the "Notice") dated November 25, 2011.

In the Notice, the Board established certain filing dates for Interrogatories and Submissions for Board-approved intervenors or Board staff wishing information and material from Brantford that is in addition to the evidence filed with the Board and that is relevant to the hearing

On January 13, 2012, Brantford requested an extension of one week to the deadlines set out in the Notice in order for it to complete the filing in respect of its evidence for the disposition of Account 1562, Deferred Payments in Lieu of Taxes ("PILs").

The Board grants the extension requested by Brantford and hereby cancels the filing dates as established in the Notice. The Board has established new dates for the filing

of Interrogatories, Interrogatory Responses, Submissions and Reply Submissions, as set out below.

In its Decision in the EB-2008-0381 Combined PILs proceeding, the Board indicated that distributors will be expected to apply for final disposition of Account 1562 with their next general rates application, either IRM or cost of service. The Board also indicated in the Combined PILS Decision that if the distributor files evidence in accordance with the various decisions made in the course of the Combined PILS proceeding, including the use of the updated SIMPIL model, the determination of the final account balance will be handled expeditiously and in a largely administrative manner. However, if a distributor files on a basis which differs from what is contemplated by the Combined PILS Decision, the application can take some time to process, and therefore should not be included in an IRM application. Deviations from the Combined PILS Decision could include taking a different position on issues considered by the Board in the Combined PILs proceeding, addressing issues not arising in the Combined PILs proceeding or filing older SIMPIL models rather than the updated models containing the Excel worksheet 'TAXREC 3' as used by Halton Hills Hydro Inc.

In order to allow the Board to review the updated evidence that will be filed by Brantford supporting the disposition of Account 1562, and to determine whether the Board will proceed with the review and disposition of this account in this IRM proceeding, the Board will extend the deadline for the filing of interrogatories by two weeks.

The Board notes that the Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility in response to the Notice. The Board confirms VECC as an intervenor in the above noted proceeding. The Board has determined that VECC is eligible to apply for an award of costs under its *Practice Direction on Cost Awards* (the "Practice Direction") in relation to Brantford's proposal for lost revenue adjustment mechanism ("LRAM"). The Board's determination on whether the Board will hear the request for disposition of Account 1562 as part of Brantford's 2012 IRM application will be determined following the updated filing by Brantford. In the event the Board decides to hear the request as part of this application, the Board will not grant costs in relation to Account 1562 as this would indicate that the application does not contain material inconsistencies with the various decisions made in the course of the Combined PILS proceeding (EB-2008-0381) including the use of the updated models containing the Excel worksheet 'TAXREC 3' as used by Halton Hills Hydro Inc.

THE BOARD ORDERS THAT:

1. Board-approved intervenors or Board staff wishing information and material from Brantford that is in addition to the evidence filed with the Board and that is relevant to the hearing shall request it by written interrogatories filed with the Board and delivered to Brantford on or before **January 27, 2012**.
2. Brantford shall file with the Board complete responses to the interrogatories and deliver them to all intervenors no later than **February 10, 2012**.
3. Written final submissions by an intervenor or Board staff must be filed with the Board, and copied to all other parties, by **February 24, 2012**.
4. If Brantford wishes to respond to the submissions, its written response must be filed with the Board and delivered to all other parties by **March 2, 2012**.

All filings to the Board must quote the file number, EB-2011-0147, be made through the Board's web portal at <https://www.errr.ontarioenergyboard.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. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.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, Georgette Vlahos at Georgette.Vlahos@ontarioenergyboard.ca and Board Counsel, Ljuba Djurdjevic at Ljuba.Djurdjevic@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, January 13, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Brantford Power Inc.

EB-2011-0147

APPLICANT & LIST OF INTERVENORS

January 13, 2012

APPLICANT

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INTERVENORS

**Vulnerable Energy
Consumers Coalition**

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APPLICANT & LIST OF INTERVENORS

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January 13, 2012

**Vulnerable Energy
Consumers Coalition**

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