



**EB-2011-0021**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c. 15, (Schedule B);

**AND IN THE MATTER OF** an application pursuant to  
section 74 of the *Ontario Energy Board Act, 1998* by Hydro  
One Remote Communities Inc. to amend its Electricity  
Distribution Licence ED-2003-0037.

**PROCEDURAL ORDER No. 4**  
**July 20, 2012**

Hydro One Remote Communities Inc. ("Remotes") filed an application with the Ontario Energy Board for a licence amendment under section 74 of the *Ontario Energy Board Act, 1998*. Remotes sought exemptions from the following sections of the *Distribution System Code* ("DSC"): 2.7.1.2; 2.7.2; 2.8.1; 4.2.2.3; 4.2.3.1(a); 6.1.2.1; 6.1.2.2 and 7.10. Remotes also requested an exemption from the proposed section 2.7.1.3 of the DSC in anticipation of this section being added to the DSC. The above noted sections of the DSC deal generally with collection practices, treatment of arrears, payment arrangements and disconnection procedures for low income customers.

The Board issued a Notice of Application and Written Hearing for the application and granted a request for intervention and cost eligibility from Nishnawbe Aski Nation ("NAN"). Pursuant to two procedural orders, Remotes answered interrogatories from Board staff and NAN, and all three parties filed submissions on the application.

NAN, in its submission dated July 4, 2011, opposed the granting of the DSC exemptions requested by Remotes and submitted that Remotes' collection and disconnection practices, among other things, had never been presented to NAN communities for consideration, comments or approval. NAN proposed that the Board issue an interim order directing consultation and discussions between Remotes and NAN representatives; such discussions to occur over a six to eight month period.

On October 12, 2012, the Board issued Interim Decision and Procedural Order No. 3 in which the Board granted Remotes an exemption from compliance with the sections of the DSC on an interim basis for a period of one year, pending the final disposition of the application. In addition, the procedural order required Remotes to discuss with NAN representatives its collection practices, treatment of arrears, payment arrangements and disconnection procedures for low income customers in NAN communities and the practical effect of the DSC exemptions sought in this application. On June 28, 2012, in accordance with the procedural order, Remotes filed a letter with attachments summarizing its discussions with NAN and the Big Trout Lake community, as well as a copy of the results of a Chief and Council survey that Remotes undertook in November and December 2011.

Remotes initiated discussions with NAN in January 2012, and met with NAN representatives on April 11, 2012. Remotes presented its existing practices and discussed the DSC exemptions sought in this application. The notes from the meeting indicate that NAN was contemplating preparing a proposal and forwarding it to Remotes. NAN was also interested in having further discussions on the exemptions sought by Remotes and the proposal NAN intended to make. As stated in the letter filed by Remotes on June 28, 2012, no proposal from NAN has yet been received by Remotes.

The Board will provide for a final opportunity to conclude discussions between NAN representatives and Remotes. If NAN wishes to provide a proposal to Remotes, it must do so by August 20, 2012 and file a copy with the Board. If a proposal is filed, Remotes shall continue discussions with NAN and file a summary of the discussions, along with any update that needs to be made to the application as a result of the discussions, no later than September 17, 2012. Both parties must be diligent in undertaking discussions so that these timelines can be met. If no proposal is received from NAN by August 20, 2012, the Board will consider the record of this application closed.

#### **THE BOARD ORDERS THAT:**

1. If Nishnawbe Aski Nation chooses to present a proposal to Hydro One Remote Communities Inc. regarding the subject matter of this application, it must do so, and file a copy of the proposal with the Board, no later than August 20, 2012.

2. If a proposal is filed, Hydro One Remote Communities Inc. must continue discussions with Nishnawbe Aski Nation and file a summary of the discussions, along with any update that needs to be made to the application as a result of the discussions, no later than September 17, 2012.

All filings to the Board must quote the file number, EB-2011-0021, consist of two paper copies and one electronic copy in searchable / unrestricted PDF format, made through the Board's web portal at [www.errr.ontarioenergyboard.ca](http://www.errr.ontarioenergyboard.ca). 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.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca). If the web portal is not available you may email your document to the address below.

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.

## ADDRESS

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**DATED** at Toronto, July 20, 2012

## ONTARIO ENERGY BOARD

*Original Signed By*

Kirsten Walli  
Board Secretary