



**EB-2013-0122**

**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 Cooperative  
Hydro Embrun Inc. for an order approving just and  
reasonable rates and other charges for electricity distribution  
to be effective January 1, 2014.

**PROCEDURAL ORDER NO. 1**  
**September 4, 2013**

Cooperative Hydro Embrun Inc. ("CHEI") filed an application with the Ontario Energy Board (the "Board") on May 13, 2013 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 CHEI charges for electricity distribution, to be effective January 1, 2014. The Board has assigned the application file number EB-2013-0122.

The Board issued a Notice of Application and Hearing dated June 28, 2013. The Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility. No objection was received.

The Board approves VECC as an intervenor. The Board has also determined that VECC is eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

On August 7, 2013 the Board issued a letter requiring CHEI to file as soon as possible specific information related to the updated *Filing Requirements for Electricity Distribution Rate Applications*, dated July 17, 2013.

On August 23, 2013, CHEI filed the updated information.

The Board will make provision at this time for written interrogatories and further procedural steps related to this matter. The Board reminds parties that interrogatories must reference the pre-filed evidence and, in accordance with Chapter 1 of the Filing Requirements, parties must sort their interrogatories and responses by topics as outlined in the exhibits in the Filing Requirements. Parties must use a continuous numbering system to facilitate subsequent referencing of the interrogatories, as described in Chapter 1 of the Filing Requirements. Parties shall use the following acronyms for labelling interrogatories: “VECC” for the Vulnerable Energy Consumers Coalition and “Staff” for Board staff.

After its review of the interrogatory responses, the Board will determine whether further discovery is required.

The Board notes the requirement in the Filing Requirements that parties carefully consider the relevance and materiality of information before requesting it through interrogatories.

The Board will also make provision for a Settlement Conference in this matter. In so providing, the Board is cognizant of the fact that there is only one intervenor of record in this case. As indicated in the Board’s Settlement Conference Guidelines (the “Guidelines”):

In proceedings in which there are not or very few intervenors, the holding of a settlement conference may not be appropriate. However, in such circumstances Board staff may negotiate with the applicant on the issues.

Board staff will be a party to the Settlement Conference and will participate by putting forward the public interest position consistent with the Board’s statutory mandate, as well as with Board staff’s role more commonly found in the Board’s rate setting context. For the purposes of the negotiation and settlement of any issues at the Settlement Conference, Board staff will have all of the rights and obligations of a party to the proceeding, including the responsibility to participate in the drafting of any Settlement Proposal intended to be filed with the Board. As a party to the Settlement Conference, Board staff will be required to abide by the Guidelines and, in particular, will not communicate with the Board panel hearing this matter with respect to any Settlement Proposal filed with the Board except in a hearing.

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

**THE BOARD ORDERS THAT:**

1. VECC shall request any information and material from CHEI that is in addition to CHEI's pre-filed evidence with the Board, and that is relevant to the hearing, by written interrogatories filed with the Board and served to CHEI on or before **September 18, 2013**. Interrogatories from Board staff shall be submitted on or before **September 13, 2013**.
2. CHEI shall file with the Board complete written responses to the interrogatories and serve them to VECC on or before **October 9, 2013**.
3. A Settlement Conference among CHEI, VECC and Board staff will be convened on **October 24, 2013** starting at 9:30 a.m., at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, with the objective of reaching a settlement among the parties on the issues. If necessary, the Settlement Conference will continue on **October 25, 2013**.
4. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board on or before **November 15, 2013**. In addition to outlining the terms of any settlement, the Settlement Proposal should contain a list of any unsettled issues, identifying those issues that the parties believe must be dealt with by way of oral or written hearing.

All filings to the Board must quote the file number, EB-2013-0122, be made electronically through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, in searchable / unrestricted PDF format. Two paper copies must also be filed at the Board'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 <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, Daniel Kim at [daniel.kim@ontarioenergyboard.ca](mailto:daniel.kim@ontarioenergyboard.ca) and Board Counsel, Kristi Sebalj at [kristi.sebalj@ontarioenergyboard.ca](mailto:kristi.sebalj@ontarioenergyboard.ca).

**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary

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

**DATED** at Toronto, **September 4, 2013**

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

**Appendix A**  
**List of Applicant and Intervenors**  
**Cooperative Hydro Embrun Inc.**  
**EB-2013-0122**  
**September 4, 2013**

**Cooperative Hydro Embrun Inc.  
EB-2013-0122**

**APPLICANT & LIST OF INTERVENORS**

September 4, 2013

**APPLICANT**

**Rep. and Address for Service**

**Cooperative Hydro Embrun  
Inc.**

**Benoit Lamarche**

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**INTERVENORS**

**Rep. and Address for Service**

**Vulnerable Energy  
Consumers Coalition**

**Michael Janigan**

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**Cooperative Hydro Embrun Inc.  
EB-2013-0122**

**APPLICANT & LIST OF INTERVENORS**

**September 4, 2013**

**Vulnerable Energy  
Consumers Coalition**

**Bill Harper**

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