



EB-2013-0123

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 E.L.K. Energy Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2014.

PROCEDURAL ORDER NO. 1
December 13, 2013

E.L.K. Energy Inc. (“E.L.K. Energy”) filed a complete application (the “Application”) with the Ontario Energy Board (the “Board”) on October 25, 2013 under section 78 of the *Ontario Energy Board Act, 1998* (“the Act”) and the Board’s Filing Guidelines for an Incentive Regulation Mechanism. E.L.K. Energy is seeking approval for changes to the rates that E.L.K. Energy charges for electricity distribution, to be effective May 1, 2014. The Board assigned the Application file number EB-2013-0123.

The Board issued a Notice of Application and Hearing on October 20, 2013. No party applied for intervenor status in this proceeding.

Prior to the filing of the Application, and as authorized by the Board in proceeding EB-2011-0099, the Board’s Regulatory Audit and Accounting group (“Regulatory Audit”) conducted an audit of E.L.K. Energy. On October 31, 2013, Regulatory Audit filed a letter with the Board Secretary summarizing the findings of the audit and expressing thanks to E.L.K. Energy for its assistance and support during the audit. The letter also stated that Regulatory Audit intends to file the full audit report (the “Audit Report”) on the record in this proceeding. The Board intends to accept the filing of the Audit Report on the public record of this proceeding, pursuant to section 111(1)(a) of the *Ontario Energy*

Board Act, 1998, as it is required in connection with the Board's administration of the Act. Pursuant to section 110(3) of the Act, the Board will provide E.L.K. Energy with an opportunity to make representations with respect to the intended introduction of the Audit Report. The Board will respond to any representations as may be required.

The Board has also decided to make provision at this time for written interrogatories, interrogatory responses, submissions and reply submissions. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. If E.L.K. Energy wishes to make a representation with respect to the intended introduction of the Audit Report on the record of this proceeding, it shall do so by filing its representation in writing with the Board by **December 20, 2013**.
2. Board staff shall request any information and material from E.L.K. Energy that is in addition to E.L.K. Energy's pre-filed evidence with the Board, and that is relevant to the hearing, by written interrogatories filed with the Board and served on E.L.K. Energy on or before **January 17, 2014**.
3. E.L.K. Energy shall file with the Board complete written responses to the interrogatories on or before **January 31, 2014**.
4. Board staff wishing to file a written submission shall do so by **February 14, 2014**. Any submission should be filed with the Board and delivered to E.L.K. Energy.
5. E.L.K. Energy may file a written reply submission with the Board by **February 28, 2014**.

All filings to the Board must quote the file number, EB-2013-0123, be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, 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, Marc Abramovitz at Marc.Abramovitz@ontarioenergyboard.ca and Board Counsel, Richard Lanni, at Richard.Lanni@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, **December 13, 2013**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary