



EB-2013-0110

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

AND IN THE MATTER OF a Motion to Review by Algoma
Power Inc. pursuant to the *Report of the Board: Rate Setting
Parameters and Benchmarking under the Renewed
Regulatory Framework for Ontario's Electricity Distributors*
("Board Report") for a review of the Board's Decision in
proceeding EB-2010-0137.

BEFORE: Marika Hare
Presiding Member

Allison Duff
Member

PROCEDURAL ORDER No. 2

December 19, 2013

Algoma Power Inc. ("API") filed supplemental evidence with the Ontario Energy Board (the "Board") on October 28, 2013 related to the stretch factor for its Price Cap Incentive Rate-Setting ("Price Cap IR") calculation used to adjust API's 2014 rates. On November 15, 2013, API filed a Reply Submission and Notice of Motion (the "Motion") requesting that the Board make provision for further interrogatories and written submissions on API's supplemental evidence. API also requested an order making API's current distribution rates interim. API proposed that the Motion be heard orally.

The grounds for the Motion relate to the Board's Draft Report on Rate Setting Parameters and Benchmarking under the Renewed Regulatory Framework for Ontario's Electricity Distributors (EB-2010-0379) which indicated distributors could claim

extenuating circumstances making them eligible for specific treatment related to stretch factor assignments.

The Board will grant the Motion and finds it does not need to hear submissions with respect to the Motion. Given the narrow scope of the Motion, the Board will allow for one round of written interrogatories and written submissions on the supplemental evidence regarding the stretch factor assignment. The Board panel is particularly interested in understanding the interaction, if any, between Algoma's eligibility for the Rural and Remote Rate Protection subsidy and the metrics used to assess Algoma's efficiency category. The Board expects Board staff to pursue this issue and for Algoma to present its case in a comprehensive manner to allow the Board to make a determination on the stretch factor.

The Board will continue to proceed by way of a written hearing.

The Board will also make API's existing rates interim as of January 1, 2014 and emphasizes that this order for interim rates should not be construed as predictive, in any way whatsoever, of the final determination of this current application.

THE BOARD THEREFORE ORDERS THAT:

1. The currently approved rates of Algoma Power Inc. are declared interim as of January 1, 2014 and until such time as a final rate order is issued by the Board.
2. Board staff shall request any information and material from API that is in relation to API's supplemental evidence filed with the Board on October 28, 2013, and that is relevant to the hearing, by written interrogatories filed with the Board and served to API on or before **December 20, 2013**.
3. API shall file with the Board complete written responses to the interrogatories on or before **January 17, 2014**.
4. Board staff may file written submissions with the Board and deliver it to API no later than **January 31, 2014**.
5. API may file a written reply submission with the Board no later than **February 14, 2014**.

All filings to the Board must quote file number **EB-2013-0110**, be made through the Board's web portal at 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 shall use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at 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, Maureen Helt at Maureen.Helt@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, December 19, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary