



EB-2013-0155

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 Niagara-on-the-Lake Hydro Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2014.

PROCEDURAL ORDER NO. 3

February 12, 2014

Niagara-on-the-Lake Hydro Inc. (“NOTL Hydro”) filed a complete application with the Ontario Energy Board (the “Board”) on September 30, 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 NOTL Hydro charges for electricity distribution, to be effective May 1, 2014. The Board issued a Notice of Application and Hearing dated October 29, 2013.

The Board issued Procedural Order No. 2 dated December 20, 2013, in which the Board established an issues list for the proceeding and set dates for the filing of interrogatories and interrogatory responses.

At this time, the Board will make provision for a Settlement Conference.

Parties should be mindful that any settlement proposal must be supported with sufficient rationale for the settlement of every issue for which settlement is reached. Parties should indicate how the elements of the settlement proposal are consistent with the Board’s *Renewed Regulatory Framework for Electricity Distributors: A Performance-Based Approach* issued on October 18, 2012 (the “RRFE Report”) other Board policy, and prior Board decisions.

The Board considers it necessary to make provision at this time for the following procedural steps.

THE BOARD ORDERS THAT:

1. A Settlement Conference among the parties will be convened on **February 19, 2014** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **February 20, 2014**.
2. Any settlement proposal arising from the Settlement Conference shall be filed with the Board on or before **March 6, 2013**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating with reasons whether the parties believe those issues should be dealt with by way of oral or written hearing.
3. If there is no settlement proposal arising from the Settlement Conference, NOTL Hydro shall file a statement to that effect with the Board by **February 24, 2014**. In that event, parties shall file and serve on the other parties by **February 28, 2013** any submissions on which issues shall be heard in writing, and for which issues the Board should hold an oral hearing.
4. Any submission from Board staff on a settlement proposal shall be filed with the Board and served on all parties within 7 days from when a settlement proposal is filed.

All filings to the Board must quote the file number, EB-2013-0155 and 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.

Parties should also send all communications and materials for this proceeding to Board staff's case manager, Stephen Vetsis at Stephen.Vetsis@ontarioenergyboard.ca and Board counsel, Ljuba Djurdjevic at Ljuba.Djurdjevic@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, **February 12, 2014**

ONTARIO ENERGY BOARD

Original signed by

John Pickernell
Applications Administration