



**EB-2013- 0174**

**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 Veridian  
Connections Inc. for an order approving just and reasonable  
rates and other charges for electricity distribution to be  
effective May 1, 2014.

**PROCEDURAL ORDER NO. 4**

**February 25, 2014**

Veridian Connections Inc. ("Veridian") filed a complete application with the Ontario Energy Board (the "Board") on October 31, 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 Veridian charges for electricity distribution, to be effective May 1, 2014.

Pursuant to Procedural Order No. 2, Veridian filed its interrogatory responses with the Board on February 18, 2014.

On February 19, 2014 the School Energy Coalition ("SEC") filed a Notice of Motion ("Motion"). The Motion seeks the following relief:

1. An order requiring Veridian to provide full and adequate responses to Interrogatories 2.1-SEC-2 and 4.2-SEC-1, by producing the information requested.
2. Such further and other relief as the SEC may request and the Board may grant.

On February 20, 2014 the Board issued Procedural Order No. 3 which provided the opportunity for Board staff and the other intervenors to file submissions on the Motion, for Veridian to file a response and for SEC to file supporting material, if required, and a reply submission. The Board also indicated that it would issue a decision on the Motion by the end of day Tuesday February 25, 2014.

On February 20, 2014 Veridian notified the Board that Veridian would file the information that is the subject of the SEC's Motion (the "Information") on a confidential basis while at the Board for the technical conference to be held on February 21, 2014. Veridian indicated it would provide copies of the Information to those intervenors who signed the Board's form of Declaration and Undertaking for confidential information.

On February 22, 2014 SEC notified the Board that it was withdrawing its request for relief in regard to Interrogatory 4.2-SEC-11 since Veridian had provided the information. With regard to Interrogatory 2.1-SEC-2, SEC indicated that it was still seeking a Board order requiring production of the entire information requested in that Veridian had not provided all the information sought in response to the interrogatory. For purposes of this Procedural Order, the Board will refer to the information in question as the "requested information".

On February 24, 2014 Veridian submitted that the requested information was not relevant to this proceeding. In the event the Board orders Veridian to disclose the requested information, Veridian asked that it be treated on a confidential basis. Veridian also requested that should the Board order Veridian to disclose the requested information on the public record, that the order be delayed to allow the owner of the requested information an opportunity to seek alternative remedies.

On February 25, 2014 SEC filed its reply submission and re-iterated its request that Veridian provide the requested information. With respect to its confidential treatment, SEC indicated that most of the statistics analysed in the requested information appear to be publically available.

## **Finding**

Veridian shall provide a complete answer to 2.1-SEC-2 and produce the requested information.

The requested information includes the contextual background for conclusions reached in the information provided in response to Interrogatory 2.1-SEC-2 and is therefore clearly relevant. As this information is relevant to the proceeding, it must be produced.

The requested information will be treated at this time as confidential.

The Board directs Veridian to provide the confidential information directly to a requesting party that has executed a Declaration and Undertaking. If Veridian wishes to have the requested information deemed confidential on a permanent basis, it shall file such a request in accordance with the Board's Practice Direction on Confidentiality. Parties shall have an opportunity to make submissions in accordance with the schedule set out below.

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

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

1. Veridian shall provide a complete answer to 2.1-SEC-2 and produce the requested information by February 26, 2014.
2. Intervenors or Board staff who wish to object to Veridian's claim for confidential treatment of the required information shall file their submission with the Board and deliver it to all parties on or before March 3, 2014.
3. Veridian shall file its response, if any, to the submissions of parties regarding the confidential treatment of the required information with the Board and deliver it to all parties by March 7, 2014.

All filings to the Board must quote the file number, EB-2013-0174 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, Richard Battista at [Richard.Battista@ontarioenergyboard.ca](mailto:Richard.Battista@ontarioenergyboard.ca) and Board counsel, Maureen Helt at [Maureen.Helt@ontarioenergyboard.ca](mailto:Maureen.Helt@ontarioenergyboard.ca).

### **ADDRESS**

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**DATED** at Toronto, February 25, 2014

### **ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary