



EB-2013-0159

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 Oakville Hydro
Electricity Distribution Inc. for an order approving just and
reasonable rates and other charges for electricity
distribution to be effective May 1, 2014.

PROCEDURAL ORDER NO. 6

April 3, 2014

Oakville Hydro Electricity Distribution Inc. ("Oakville Hydro") filed a complete cost of service application with the Ontario Energy Board (the "Board") on October 1, 2013 under section 78 of the *Ontario Energy Board Act, 1998*), seeking approval for changes to the rates that Oakville Hydro charges for electricity distribution, to be effective May 1, 2014.

Oakville Hydro filed its interrogatory responses with the Board on February 21, 2014.

On February 27, 2014 the School Energy Coalition ("SEC") filed a Notice of Motion ("Motion"). The Motion seeks the following relief:

1. An order requiring Oakville Hydro to provide full and adequate responses to Interrogatory 2.1-SEC-3 by producing copies of two surveys/studies.
2. Such further and other relief as SEC may request and the Board may grant.

The Board issued Procedural Order No. 3 on February 28, 2014 which established a schedule for parties to make submissions on the Motion.

On March 4, 2014 the Canadian Electricity Association (CEA) filed a letter requesting intervenor status in order that it could make submissions on the Motion. The CEA indicated that it is the owner of copyright of benchmarking reports and data models that could be disclosed as a result of granting the Motion. The CEA also specified that, if granted intervenor status, it would make submissions on the Motion and also requested that Procedural Order No. 3 be amended to allow more time for submissions on the Motion.

The Board issued Procedural Order No. 4 on March 6, 2014 and granted the CEA intervenor status for the sole purpose of responding to the Motion and making submissions with respect to not only the request for production of the benchmarking report but also, if the report is ordered produced, whether it should be treated as confidential in whole or in part. Accordingly, the Board amended the deadlines for submissions. Any Settlement Proposal would be filed by April 3, 2014.

On March 13, 2014 the Board received a letter from the CEA which requested that the deadline for the filing of submissions from intervenors be extended from March 17, 2014 to March 24, 2014. The CEA also advised that it would be filing a Notice of Constitutional Question pursuant to section 38.01 of the Board's Rules of Practice and Procedure at the time it files its submission on the SEC Motion.

On March 14, 2014, the Board issued Procedural Order No.5 amending the submission dates regarding the SEC Motion.

The CEA filed its response to the SEC Motion and Notice of Constitutional Question on March 24, 2014.

On April 2, 2013 SEC filed a letter indicating that it was no longer seeking an order requiring disclosure of the benchmarking survey and material prepared by the CEA. While withdrawing the Motion with regard to the CEA survey and material, SEC confirmed that it is still seeking disclosure of the second, currently unidentified benchmarking study/survey in which Oakville Hydro participated. Also on April 2, 2014, the CEA informed the Attorneys General of both Ontario and Canada that it was withdrawing its Notice of Constitutional Question.

The Board has determined that Oakville immediately provide the outstanding study referenced in response to 2.1-SEC-3 on a confidential basis. The information is relevant to the proceeding and necessary to determine Issue 2.1. The Board will declare

this study to be confidential on an interim basis. Oakville Hydro is directed to provide the confidential information directly to a requesting party that has executed a Declaration and Undertaking.

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. Oakville Hydro shall provide a copy of the remaining study requested in 2.1-SEC-3 on a confidential basis on or before end of day April 7, 2014.
2. Other intervenors or Board staff who wish to file submissions on the confidentiality of the study shall file their submission with the Board and deliver it to all parties on or before end of day April 9, 2014.
3. Oakville Hydro shall file its responding submission, if any, and deliver it to all parties on or before end of day April 14, 2014.

All filings to the Board must quote the file number, EB-2013-0159 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, Harold Thiessen at Harold.Thiessen@ontarioenergyboard.ca and Board counsel, Maureen Helt at Maureen.Helt@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
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, April 3, 2014

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary