



EB-2014-0159

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 Algoma Power Inc. Inc. for an order approving or fixing just and reasonable distribution rates effective January 1, 2014.

AND IN THE MATTER OF a Motion to Review and Vary by Algoma Power Inc. pursuant to the Ontario Energy Board's *Rules of Practice and Procedure* for a review of the Board's Decision and Order in proceeding EB-2013-0110

**NOTICE OF MOTION TO VARY
AND PROCEDURAL ORDER NO. 1
May 6, 2014**

Algoma Power Inc. ("API") filed with the Ontario Energy Board (the "Board") on April 8, 2014 a Motion to Review and Vary (the "Motion") the Board's Rate Order dated March 6, 2014 in EB-2013-0110 in respect of API's Price Cap Incentive Regulation ("IR") application for rates to be effective January 1, 2014. The Board has assigned the Motion file number EB-2014-0159.

The Motion seeks a review and variance of the Rate Order in which the Board approved the Rural or Remote Electricity Rate Protection ("RRRP") funding for the year commencing January 1, 2014 in the amount of \$12,130,404.

API raised the Motion due to an alleged error in the RRRP calculation that affected the approved 2014 Rate Order.

The Motion also asks that the Board extend the time for filing the Motion. Pursuant to the Board's Rules of Practice and Procedure a motion to review and vary should

be brought within twenty days of the date that the Decision and Order is issued. If the motion is brought outside the time period the Board has discretion as to whether or not to hear the motion. In this case the motion was brought as soon as the alleged error became evident to API and was only thirteen days after the twenty day period. The Board will hear the motion and will proceed by way of a written hearing.

THE BOARD ORDERS THAT:

1. Board staff may file written submissions with the Board and deliver them to API no later than **May 14, 2014**.
2. API may file a written reply submission with the Board no later than **May 23, 2014**.

All filings to the Board must quote the file number, **EB-2014-0159**, 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, Maureen Helt at maureen.helt@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, **May 6, 2014**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary