



EB-2013-0326

IN THE MATTER OF sections 25.20 and 25.21 of the *Electricity Act, 1998*;

AND IN THE MATTER OF a Submission by the Ontario Power Authority to the Ontario Energy Board for the review of its proposed expenditure and revenue requirements and the fees which it proposes for the year 2014.

**DECISION ON ISSUES LIST AND
PROCEDURAL ORDER NO. 2**

June 3, 2014

On March 6, 2014, the Ontario Power Authority (the “OPA”) filed with the Ontario Energy Board (the “Board”) its proposed 2014 expenditure and revenue requirement and fees for review.

The OPA is seeking approval for the fees charged through electricity rates to recover its proposed 2014 operating budget of \$60.3 million. The operating budget is based upon the OPA’s 2014-2016 Business Plan that was approved by the Minister of Energy on January 29, 2014.

The OPA proposes to charge a usage fee of \$0.439/MWh, an increase of \$0.001 from the 2014 interim approved fee of \$0.438/MWh, and a reduction of \$0.112/MWh from its 2013 approved usage fee of \$0.551/MWh.

The OPA proposes to hold its other fees (which are for registrations and applications that generally do not directly impact residential consumers) constant.

A record of all procedural matters that have been dealt with up to this point in this proceeding is available on the Board’s website and at the Board’s office.

Issues List

On May 6, 2014, the Board issued a Proposed Issues List and provided an opportunity for the intervenors and Board staff to file submissions. Submissions were received by Building Owners and Managers Association (“BOMA”), Canadian Manufactures Association (“CME”), Energy Probe and the Vulnerable Energy Consumers Coalition (“VECC”).

BOMA proposed that 6 additional issues be added and CME proposed that 15 additional issues be added to the Proposed Issues List. Energy Probe did not propose any additional issues and VECC supported the issues submissions of CME.

The OPA provided a reply submission and stated that the additional issues submitted by BOMA and CME are subsumed under the broad issues already contained in the Proposed Issues List. In its submission, the OPA mapped out where it thought each of the proposed issues would fit under the Proposed Issues List.

The Board has reviewed the submissions and the Proposed Issues List is now final. The OPA in its submission has stated the proposed issues are already contained within the Proposed Issues List. In light of the OPA submission, the Board does not see the need to add additional issues to this proceeding. The final Issues List is attached as Appendix A.

Large Renewable Procurement

On May 16, 2014, the OPA updated its evidence. The OPA’s updated evidence requested the approval of an interim order on the Large Renewable Procurement Request for Qualifications registration fee before July 2014.

The Board has reviewed the request and the Board approves the following interim fee:

1. The greater of: (a) \$2,000 for the first (or only, if only one renewable fuel is proposed) proposed renewable fuel submitted; or (b) \$1.00 per kW of estimated contract capacity for all large renewable project(s) to a maximum amount of \$30,000; plus
2. \$2,000 for each additional renewable fuel proposed; plus

3. GST on the total of (a) and (b) above.

This determination is made without prejudice to the Board's ultimate decision on the OPA's 2014 revenue requirement submission, and should not be construed as predictive, in any way whatsoever, of the Board's final determination of the OPA's 2014 fees which includes registration fees.

Proceeding

In Procedural Order No. 1, the Board asked for submissions regarding the Board proceeding by written or oral hearing.

BOMA, CME and Energy Probe supported proceeding by way of an oral hearing largely due to the fact that the Board has not had a hearing on the assessment of the OPA's fees since the OPA's 2011 application.

VECC recommended that the Board determine how to proceed after the interrogatory phase and Settlement Conference (if ordered by the Board) is complete.

The Board is satisfied to proceed by way of a written hearing at this stage and will be setting dates for interrogatories and a Settlement Conference. The Settlement Conference will have a facilitator. The Board will consider whether an oral hearing is necessary after the conclusion of the Settlement Conference.

At this time, the Board considers it necessary to make provisions for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Intervenors and Board Staff seeking further information that is in addition to the pre-filed evidence of the OPA shall request it by written interrogatories filed with the Board and served on all parties on or before **June 17, 2014**.
2. Interrogatories must reference the pre-filed evidence and be filed by issue. Interrogatories should be numbered consecutively throughout and not have new starting points for each issue, or section of issues.

3. The OPA shall file written responses to all interrogatories on or before **July 2, 2014**. The OPA shall file the responses with the Board and serve all parties.
4. The OPA shall file the responses to interrogatories by issue (instead of by intervenor). Interrogatory responses for each issue shall be grouped by intervenor.
5. A Settlement Conference for the purpose of settling Issues will be held in the Board's ADR Room on the 25th Floor of the Board's offices located at 2300 Yonge Street, Toronto on **July 8, 2014** beginning at **9:30 a.m.** and will continue on **July 9, 2014** if necessary.
6. If there is a settlement or partial settlement agreement forthcoming from the Settlement Conference then that agreement shall be filed with the Board no later than **July 16, 2014**.
7. An oral hearing for the purpose of presenting a settlement agreement, if any, will be held in the Board's West Hearing Room on the 25th Floor of the Board's offices located at 2300 Yonge Street, Toronto on **July 22, 2014** beginning at **9:30 a.m.**

All filings to the Board must quote the file number EB-2013-0326 and be made electronically through the Board's web portal at in searchable/unrestricted PDF format at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies and 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 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 4:00 p.m. on the required date.

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings:
<https://www.pes.ontarioenergyboard.ca/eservice/>
E-mail: boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, June 3, 2014

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A

ISSUES LIST

EB-2013-0326

ONTARIO POWER AUTHORITY

DATED: June 3, 2014

Ontario Power Authority
ISSUES LIST
2014 Revenue Requirement Submission
EB-2013-0326

1. CONSERVATION

1.1 2014 Operating Budget for Goal 1 – Conservation

- Is the Operating Budget of \$10,588 thousand allocated to Goal 1 reasonable?

2. POWER SYSTEM PLANNING

2.1 2014 Operating Budget for Goal 2 - Power System Planning

- Is the Operating Budget of \$5,749 thousand allocated to Goal 2 reasonable?

3. ELECTRICITY RESOURCES

3.1 2014 Operating Budget for Goal 3 – Electricity Resources

- Is the Operating Budget of \$15,028 thousand allocated to Goal 3 reasonable?

4. CORPORATE SUPPORT

4.1 2014 Operating Budget for Goal 4 – Organizational Capacity

- Is the Operating Budget of \$24,577 thousand allocated to Goal 4 reasonable?

5. COMMUNICATIONS

5.1 2014 Operating Budget for Goal 5 – Communications

- Is the Operating Budget of \$4,398 thousand allocated to Goal 5 reasonable?

6. GENERAL

6.1 Proposed Usage Fee

- Is the proposed usage fee reasonable?

6.2 Registration Fees

- Are the proposed registration fees reasonable?

6.3 Deferral and Variance Accounts

- Is the proposed disposition of the various Deferral and Variance Accounts reasonable and appropriate?
- Are the proposed Deferral and Variance Accounts appropriate?

6.4 Commitments from previous Settlement Agreements and Decisions

- Has the OPA responded appropriately to previous Settlement Agreements and Decisions?