



**EB-2014-0055**

**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. for an order approving just and reasonable rates and  
other charges for electricity distribution to be effective  
January 1, 2015.

**PROCEDURAL ORDER NO. 2**

**July 10, 2014**

Algoma Power Inc. ("Algoma Power") filed a complete cost of service application with the Ontario Energy Board (the "Board") on May 12, 2014 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 Algoma Power charges for electricity distribution, to be effective January 1, 2015. The Board has assigned the application file number EB-2014-0055.

The Board issued a Notice of Application and Hearing dated June 3, 2014. The Vulnerable Energy Consumers Coalition (VECC), Energy Probe Research Foundation (Energy Probe) and the Algoma Coalition applied for intervenor status and cost eligibility. No objection was received from Algoma Power.

The Board approves VECC, Energy Probe and the Algoma Coalition as intervenors. The list of parties in this proceeding is attached as Appendix A to this Procedural Order. The Board has also determined that VECC, Energy Probe and the Algoma Coalition are eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

Cost eligible intervenors should be aware that the Board will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed.

### **Issues List**

The Board will establish an issues list subsequent to the filing of interrogatory responses. It is the Board's expectation that parties will be best positioned to identify issues germane to Algoma Power's application at this stage of the hearing process. The final issues list will be approved by the Board prior to the settlement conference and hearing, to facilitate an efficient hearing process.

### **Interrogatories**

At this time, provision will be made for written interrogatories. The Board will review the single test year application both in the context of the projects and programs that are requested for the test year and from the perspective of the distributor's plans for the subsequent four years until the next scheduled rebasing application. Parties are encouraged to examine the value presented by the proposed investments as opposed to focussing only on the costs. Parties should also assess the fit between the applicant's plans and its stated objectives, and consider how the plans contribute to positive outcomes for customers, in particular those outcomes that arise from the asset management decisions reflected in the applicant's distribution system plan. The Board will consider the entire five-year distribution system plan to assess the planning and pacing proposals of the applicant and whether the test year requests are appropriately aligned with the distribution system plan. Productivity and benchmarking results will also be considered in assessing cost forecasts, bill impacts and distributor performance.

Parties are reminded not to engage in detailed exploration of items that do not appear to be material. The materiality thresholds documented in Chapter 2 of the Filing Requirements should be used to guide the parties. In making its decision on cost awards, the Board will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Finally, parties are reminded to consult sections 26 and 27 of the Board's Rules of Practice and Procedure (as revised April 24, 2014) regarding required naming and numbering conventions and other matters related to interrogatories.

The Board considers it necessary to make provision for the following matters related to this proceeding.

**THE BOARD ORDERS THAT:**

1. Board staff shall request any relevant information and documentation from Algoma Power that is in addition to the evidence already filed, by written interrogatories filed with the Board and served on all parties on or before **July 21, 2014**.
2. Intervenors shall request any relevant information and documentation from Algoma Power that is in addition to the evidence already filed, by written interrogatories filed with the Board and served on all parties on or before **July 22, 2014**.
3. Algoma Power shall file with the Board complete written responses to all interrogatories and serve them on all Intervenors and Board staff on or before **August 7, 2014**.
4. Following its review of the Applicant's responses to interrogatories, the Board will determine if a technical conference is required. If required, a transcribed Technical Conference will be held **August 20, 2014** starting at 9:30 in the Board's Offices at 2300 Yonge Street, 25th floor, Toronto, Ontario to clarify any matters arising from the interrogatories only. If required, the Technical Conference will continue on **August 21, 2014**. Parties intending to participate are to provide Algoma Power with written questions by **August 15, 2014**;
5. Following its review of the Applicant's responses to interrogatories the Board will make a determination regarding the process by which an issues list will be defined, whether by submissions or by way of an issues day.
6. A Settlement Conference among the parties and Board staff will be convened on **September 8, 2014** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **September 9, 2014**.

7. Any settlement proposal arising from the Settlement Conference shall be filed with the Board on or before **September 26, 2014**. 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.
8. If there is no settlement proposal arising from the Settlement Conference, Algoma Power shall file a statement to that effect with the Board by **September 10, 2014**. In that event, parties shall file and serve on the other parties by **September 15, 2014** any submissions on which issues shall be heard in writing, and for which issues the Board should hold an oral hearing.
9. 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-2014-0055, 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Suresh Advani at [Suresh.Advani@ontarioenergyboard.ca](mailto:Suresh.Advani@ontarioenergyboard.ca) and Board Counsel, Ljuba Djurdjevic at [Ljuba.Djurdjevic@ontarioenergyboard.ca](mailto:Ljuba.Djurdjevic@ontarioenergyboard.ca).

**ADDRESS**

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**DATED** at Toronto, **July 10, 2014**

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

Appendix 'A'

To

Procedural Order No. 1

Algoma Power Inc.

EB-2014-0055

Applicant and List of Intervenors

July 10, 2014

**Algoma Power Inc.  
EB-2014-0055**

**APPLICANT & LIST OF INTERVENORS**

July 10, 2014

**APPLICANT**

**Rep. and Address for Service**

**Algoma Power Inc.**

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**Algoma Power Inc.  
EB-2014-0055**

**APPLICANT & LIST OF INTERVENORS**

July 10, 2014

**INTERVENORS**

**Rep. and Address for Service**

**Algoma Coalition**

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**Algoma Power Inc.  
EB-2014-0055**

**APPLICANT & LIST OF INTERVENORS**

July 10, 2014

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**Vulnerable Energy  
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**Algoma Power Inc.  
EB-2014-0055**

**APPLICANT & LIST OF INTERVENORS**

**July 10, 2014**

**Vulnerable Energy  
Coalition**

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