



EB-2014-0113

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

PROCEDURAL ORDER NO. 1

August 6, 2014

St. Thomas Energy Inc. ("St. Thomas Energy") filed a complete cost of service application with the Ontario Energy Board (the "Board") on June 26, 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 St. Thomas Energy charges for electricity distribution, to be effective January 1, 2015. The Board has assigned the application file number EB-2014-0113.

A Notice of Application and Hearing ("Notice") was issued on July 7, 2014. Each of Energy Probe Research Foundation ("Energy Probe"), the Vulnerable Energy Consumers Coalition ("VECC") and School Energy Coalition ("SEC") applied for intervenor status and cost eligibility. St. Thomas filed an e-mail stating that it had no objections to any of the requests for intervenor status on August 1, 2014.

I approve Energy Probe, VECC and SEC as intervenors. The list of parties in this proceeding is attached as Appendix A to this Procedural Order. I have also determined that Energy Probe, VECC and SEC 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 the process by which an issues list will be determined subsequent to the filing of interrogatory responses. It is the Board's expectation that parties will be best positioned to identify issues relevant to St. Thomas Energy's application at that stage of the hearing process. The final issues list will be approved by the Board prior to the settlement conference and hearing, if required, 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.

I consider it necessary to make provision for the following matters related to this proceeding.

IT IS THEREFORE ORDERED THAT:

1. Board staff shall request any relevant information and documentation from St. Thomas Energy that is in addition to the evidence already filed, by written interrogatories filed with the Board and served on all parties on or before **August 15, 2014**.
2. Intervenors shall request any relevant information and documentation from St. Thomas Energy that is in addition to the evidence already filed, by written interrogatories filed with the Board and served on all parties on or before **August 19, 2014**.
3. St. Thomas Energy shall file with the Board complete written responses to all interrogatories and serve them on all intervenors and Board staff on or before **September 9, 2014**.
4. Following its review of St. Thomas Energy's responses to interrogatories, the Board will determine if a technical conference is required. If required, a transcribed Technical Conference will be held **September 22, 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 **September 23, 2014**. Parties intending to participate are to provide St. Thomas Energy with written questions by **September 17, 2014**.
5. Following its review of St. Thomas Energy's responses to interrogatories the Board will make a determination regarding the process by which an issues list will be defined, whether by written submissions or by way of an issues day.

6. A Settlement Conference among the parties and Board staff will be convened on **October 6, 2014** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **October 7, 2014**
7. Any settlement proposal arising from the Settlement Conference shall be filed with the Board on or before **October 28, 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. 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.
9. If there is no settlement proposal arising from the Settlement Conference, St. Thomas Energy shall file a statement to that effect with the Board by **October 8, 2014**. In that event, parties shall file and serve on the other parties by **October 15, 2014** any submissions on which issues shall be heard in writing, and for which issues the Board should hold an oral hearing.

All filings to the Board must quote the file number, EB-2014-0113, 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, Stephen Vetsis at stephen.vetsis@ontarioenergyboard.ca and Board Counsel, Ljuba Djurdjevic at ljuba.djurdjevic@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, **August 6, 2014**

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original signed by

Kristi Sebalj
Registrar

St. Thomas Energy Inc.
EB-2014-0113
Procedural Order No. 1
Appendix A
List of Applicant and Parties
August 6, 2014

**St. Thomas Energy Inc.
EB-2014-0113**

APPLICANT & LIST OF INTERVENORS

August 06, 2014

APPLICANT

Rep. and Address for Service

St. Thomas Energy Inc.

Robert Kent

Director, Finance & Regulatory Affairs
St. Thomas Energy Inc.
135 Edward St.
St. Thomas, ON N5P 4A8

Tel: 9)-631-5550
Fax: 9)-631-5193
RKent@sttenergy.com

APPLICANT COUNSEL

Andrew Taylor

Andrew Taylor, Energy Law
120 Adelaide Street West
Suite 2500
Toronto ON M5H 1T1
Tel: 416-644-1568
Fax: 416-367-1954
ataylor@energyboutique.ca

INTERVENORS

Rep. and Address for Service

**Energy Probe Research
Foundation**

Randy Aiken

Aiken & Associates
578 McNaughton Ave. W.
Chatham ON N7L 4J6
Tel: 519-351-8624
Fax: 519-351-4331
randy.aiken@sympatico.ca

**St. Thomas Energy Inc.
EB-2014-0113**

APPLICANT & LIST OF INTERVENORS

August 06, 2014

**Energy Probe Research
Foundation**

David MacIntosh

Case Manager
Energy Probe Research Foundation
225 Brunswick Avenue
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 235
Fax: 416-964-8239
DavidMacIntosh@nextcity.com

School Energy Coalition

Wayne McNally

SEC Coordinator
Ontario Public School Boards' Association
439 University Avenue
18th Floor
Toronto ON M5G 1Y8
Tel: 416-340-2540
Fax: 416-340-7571
wmcnally@opsba.org

Mark Rubenstein

Jay Shepherd Professional Corporation
2300 Yonge St. Suite 806
P.O. Box 2305
Toronto ON M4P 1E4
Tel: 416-483-3300
Fax: 416-483-3305
mark.rubenstein@canadianenergylawyers.com

**St. Thomas Energy Inc.
EB-2014-0113**

APPLICANT & LIST OF INTERVENORS

August 06, 2014

**Vulnerable Energy
Consumers Coalition**

Michael Janigan

Special Counsel
Public Interest Advocacy Centre
ONE Nicholas Street
Suite 1204
Ottawa ON K1N 7B7
Tel: 613-562-4002 Ext: 26
Fax: 613-562-0007
mjanigan@piac.ca

Mark Garner

Project Manager
Econalysis Consulting Services
34 King Street East
Suite 630
Toronto ON M5C 2X8
Tel: 647-408-4501
Fax: 416-348-0641
mgarner@rogers.com

Bill Harper

Econalysis Consulting Services
34 King Street East
Suite 630
Toronto On M5C 2X8
Tel: 416-348 0193
Fax: Not Provided
bharper@econalysis.ca