



**EB-2014-0344**

**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 Grimsby Power Inc. and Niagara West Transformation Corporation under section 86(1)(c) of the *Ontario Energy Board Act, 1998* for leave to amalgamate and continue as Grimsby Power Inc.;

**AND IN THE MATTER OF** an application by Grimsby Power Inc. and Niagara West Transformation Corporation under section 84 of the *Ontario Energy Board Act, 1998* for a determination that the Niagara West Transformation Corporation transmission system which will become part of the amalgamated distributor, is deemed to be a distribution system;

**AND IN THE MATTER OF** an application by Grimsby Power Inc. and Niagara West Transformation Corporation under section 78 of the *Ontario Energy Board Act, 1998* seeking approval for Grimsby Power Inc. to charge Niagara Peninsula Energy Inc., an electricity distributor that will be embedded within the amalgamated distributor, the Board-approved Niagara West Transformation Corporation's transmission rate as a distribution rate from the completion of the proposed transaction until the amalgamated distributor's next rebasing;

**AND IN THE MATTER OF** an application by Grimsby Power Inc. and Niagara West Transformation Corporation under section 78 of the *Ontario Energy Board Act, 1998* seeking approval for the amalgamated distributor to charge its customers other than Niagara Peninsula Energy Inc. a retail transmission rate that includes the incremental contribution of the Niagara West Transformation transformer station assets as if they were part of the revenue requirement until the amalgamated distributor's next rebasing;

**AND IN THE MATTER OF** an application by Grimsby Power Inc. and Niagara West Transformation Corporation under section 77(5) of the *Ontario Energy Board Act, 1998* for cancellation of Niagara West Transformation Corporation's transmission licence, upon completion of the proposed transaction.

**PROCEDURAL ORDER NO. 2**

**February 10, 2015**

Grimsby Power Inc. (“GPI”) and Niagara West Transformation Corporation (“NWTC”) filed related applications with the Ontario Energy Board (the “Board”) on November 6, 2014 seeking the following:

1. Leave to amalgamate and continue as GPI under section 86(1)(c) of the *Ontario Energy Board Act, 1998* (the “Act”).
2. A determination that the NWTC transmission system which will become part of GPI, is deemed to be a distribution system under section 84 of the Act.
3. Approval for the amalgamated distributor to charge Niagara Peninsula Energy Inc. (“NPEI”), an electricity distributor that will be embedded within the amalgamated distributor, the Board-approved NWTC’s transmission rate as a distribution rate from the completion of the proposed transaction until GPI’s next rebasing under section 78 of the Act.
4. Approval for GPI to charge its customers, other than NPEI, a retail transmission rate that includes the incremental contribution of the NWTC transformer station assets as if they were part of the revenue requirement until GPI’s next rebasing.
5. Cancellation of NWTC’s transmission licence, upon completion of the proposed transaction under section 77(5) of the Act.

The Board issued its Notice of Applications and Hearing (the “Notice”) on November 26, 2014. Intervention requests were filed by Niagara Peninsula Energy Inc. (“NPEI”) and by David Kelly. Mr. Kelly also applied for cost award eligibility. On January 7, 2015, the Board issued Procedural Order No. 1 approving both intervention requests, confirming Mr. Kelly’s cost award eligibility and setting out dates for the filing of interrogatories and interrogatory responses. Interrogatories were filed by Board Staff and NPEI on January 23, 2015 and were answered by the applicants on February 6, 2015.

The Board is setting dates for written submissions through this procedural order. The Board may amend this procedural order or issue further procedural orders as necessary.

#### **THE BOARD ORDERS THAT:**

1. If Board Staff and/or intervenors wish to file a written submission, the submission shall be filed with the Board and served on the applicants and intervenors on or before **February 20, 2015**
2. If the applicants wish to file a written reply submission, they shall file the submission with the Board on or before **March 2, 2015**

All filings to the Board must be made electronically through the Board's web portal at [www.pes.ontarioenergyboard.ca/eservice/](http://www.pes.ontarioenergyboard.ca/eservice/) in searchable/unrestricted PDF format and quote file number **EB-2014-0344**. 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 [www.ontarioenergyboard.ca/OEB/Industry](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.

### **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](mailto:boardsec@ontarioenergyboard.ca)  
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**DATED** at Toronto February 10, 2015

### **ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary