



**EB-2014-0101**

**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 Oshawa PUC Networks Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective January 1, 2015 and for each following year through to December 31, 2019.

**PROCEDURAL ORDER NO. 1**  
**March 20, 2015**

Oshawa PUC Networks Inc. (Oshawa PUC) filed a custom incentive rate-setting application with the Ontario Energy Board (OEB) on January 29, 2015 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 Oshawa PUC charges for electricity distribution, to be effective January 1, 2015 and each year thereafter until December 31, 2019.

**Intervenors**

The OEB issued a Notice of Application and Hearing on February 18, 2015. The following parties applied for intervenor status and cost eligibility:

- Energy Probe (EP);
- School Energy Coalition (SEC);
- Vulnerable Energy Consumers Coalition (VECC);
- Consumers Council of Canada (CCC); and
- Greater Oshawa Chamber of Commerce (GOCC).

I approve all applications for intervenor status. The list of parties in this proceeding is attached as Appendix A to this Procedural Order. I have also determined that EP, SEC, VECC, CCC and GOCC are eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards* (Cost Direction).

Cost eligible intervenors should be aware that the OEB 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.

### **Application Presentation**

Oshawa PUC requested that the OEB provide for a presentation of its evidence before interrogatories are filed to allow an opportunity for its witnesses to provide an overview of the application.

I am making provision for a transcribed presentation of the application to be made to the OEB, OEB staff and intervenors. Oshawa PUC's presentation should focus on the "customized" aspects of its application. The purpose of the presentation is not to provide an opportunity for cross-examination by the parties, but rather for Oshawa PUC to deliver the presentation and respond to any questions of clarification.

### **Issues List**

It is the OEB's expectation that parties will be best positioned to identify issues relevant to Oshawa PUC's application after the applicant has responded to interrogatories, and following a technical conference, should it be required. At that time, Oshawa PUC, OEB staff and the intervenors shall develop, and OEB staff shall file, a proposed issues list for the OEB's consideration. The OEB will approve an issues list prior to the settlement conference.

### **Interrogatories**

At this time, I am also making provision for written interrogatories.

The OEB encourages parties 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 OEB will consider the five year distribution system plan to assess the planning and pacing proposals of the applicant and whether the requests are appropriately aligned with the distribution system plan. The

OEB will also consider productivity and benchmarking results in assessing cost forecasts, bill impacts and distributor performance.

Parties should not 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.

Parties should consult sections 26 and 27 of the OEB's *Rules of Practice and Procedure* (as revised April 24, 2014) regarding required naming and numbering conventions and other matters related to interrogatories.

### **Further Procedural Steps**

Procedural Order No. 1 covers steps in this proceeding up to the settlement conference stage. The OEB will establish further procedural steps in due course. The OEB may also decide to modify some of the procedural steps outlined in the present Procedural Order.

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

### **IT IS THEREFORE ORDERED THAT:**

1. A transcribed presentation of the application will be held **April 2, 2015** starting at 9:30 a.m. at the Board's Offices at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, Ontario to present the application and to address any clarification questions.
2. OEB staff shall request any relevant information and documentation from Oshawa PUC that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties on or before **April 16, 2015**.
3. Intervenors shall request any relevant information and documentation from Oshawa PUC that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties on or before **April 20, 2015**.
4. Oshawa PUC shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff on or before **May 5, 2015**.

5. Following its review of Oshawa PUC's responses to interrogatories, the OEB will determine if a Technical Conference is required. If required, a transcribed Technical Conference will be held **May 20, 2015** starting at 9:30 a.m. in the OEB'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 **May 21, 2015**. Parties intending to participate are to notify Oshawa PUC, and copy all parties, of the topic areas for questioning by **May 15, 2015**.
6. OEB staff shall file a proposed issues list, or, alternatively, shall advise the Board in writing that the parties and Board staff have been unable to reach an agreement on a draft issues list by **May 25, 2015**.
7. A Settlement Conference among the parties and OEB staff will be convened on **June 1, 2015** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **June 2, 2015**.
8. Any settlement proposal arising from the Settlement Conference shall be filed with the OEB on or before **June 22, 2015**. 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.
9. Any submission from OEB 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.
10. If there is no settlement proposal arising from the Settlement Conference, Oshawa PUC shall file a statement to that effect with the Board by **June 5, 2015**. In that event, parties shall file and serve on the other parties by **June 9, 2015** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.

All filings to the OEB must quote the file number, EB-2014-0101, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. 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, Harold Thiessen at [harold.thiessen@ontarioenergyboard.ca](mailto:harold.thiessen@ontarioenergyboard.ca) and OEB Counsel, Jennifer Lea at [jennifer.lea@ontarioenergyboard.ca](mailto:jennifer.lea@ontarioenergyboard.ca).

### **ADDRESS**

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**DATED** at Toronto, March 20, 2015

**ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

*Original signed by*

Kristi Sebalj  
Registrar

**APPENDIX A**

**APPLICANT AND LIST OF INTERVENORS**

**EB-2014-0101**

**OSHAWA PUC NETWORKS INC.**

**DATED: March 20, 2015**

**CORRECTED: March 23, 2015**

Oshawa PUC Networks Inc.  
EB-2014-0101

**APPLICANT & LIST OF INTERVENORS**

March 20, 2015 (corrected)

**APPLICANT**

**Rep. and Address for Service**

**Oshawa PUC Networks Inc.**

**Phil Martin**

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Oshawa PUC Networks Inc.  
EB-2014-0101

**APPLICANT & LIST OF INTERVENORS**

March 20, 2015

**INTERVENORS**

**Consumers Council of  
Canada**

**Rep. and Address for Service**

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**Oshawa PUC Networks Inc.  
EB-2014-0101**

**APPLICANT & LIST OF INTERVENORS**

March 20, 2015

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Commerce**

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**School Energy Coalition**

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EB-2014-0101**

**APPLICANT & LIST OF INTERVENORS**

March 20, 2015

**Vulnerable Energy  
Consumers Coalition**

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