



EB-2015-0083

Kingston Hydro Corporation

**Application for electricity distribution rates for the
period from January 1, 2016 to December 31, 2020.**

**PROCEDURAL ORDER NO. 1
July 17, 2015**

Kingston Hydro Corporation (Kingston Hydro) filed a custom incentive rate-setting application with the Ontario Energy Board (OEB) on June 1, 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 Kingston Hydro charges for electricity distribution, to be effective January 1, 2016 and for each following year through to December 31, 2020.

A Notice of Hearing (Notice) was issued on July 4, 2015. Each of the Consumer Council of Canada (CCC), Energy Probe Research Foundation (Energy Probe), School Energy Coalition (SEC), the Vulnerable Energy consumers Coalition (VECC), and the Sustainable Infrastructure Alliance of Ontario (SIA) applied for intervenor status and cost eligibility.

No objection was received from Kingston Hydro.

I approve CCC, Energy Probe, SEC, SIA and VECC as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. I have also determined that each of CCC, Energy Probe, SEC, SIA and VECC is eligible to apply for an award of costs under the OEB's Practice Direction on Cost Awards.

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

The OEB expects that Kingston Hydro will make a public presentation of the evidence to the OEB, OEB staff and intervenors, before interrogatories are filed. This will allow an opportunity for Kingston Hydro to provide an overview of the application.

Kingston Hydro'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 Kingston Hydro to present its application and to respond to any questions of clarification.

Issues List

The OEB expects that parties will be best positioned to identify issues relevant to Kingston Hydro's application after the applicant has responded to interrogatories, and following a technical conference, should it be required. Kingston Hydro, 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 making provision for written interrogatories.

Parties should 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 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. 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. Parties should use the materiality thresholds documented in Chapter 2 of the Filing Requirements as a guide. In making its decision on cost awards, the OEB 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 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. A public presentation of the application will be held on August 17, 2015 starting at 9:30 a.m. in Kingston, Ontario for Kingston Hydro to present its application and to allow for questions of clarification. The venue for the presentation will be communicated in due course.
2. OEB staff shall request any relevant information and documentation from Kingston Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by August 19, 2015.
3. Intervenors shall request any relevant information and documentation from Kingston Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by August 21, 2015.
4. Kingston Hydro shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by September 11, 2015.
5. Following its review of Kingston Hydro's responses to interrogatories, the OEB will determine if a technical conference is required. If required, a transcribed Technical Conference will be held September 21, 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 September 22, 2015. Parties intending to participate are to notify Kingston Hydro, and copy all parties, of the topic areas for questioning by September 17, 2015.

6. OEB staff shall file a proposed issues list, or, alternatively, shall advise the OEB in writing that the parties and OEB staff have been unable to reach an agreement on a draft issues list by September 25, 2015.
7. A Settlement Conference among the parties and OEB staff will be convened on October 7, 2015 starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on October 8, 2015.
8. Any settlement proposal arising from the Settlement Conference shall be filed with the OEB on or before October 27, 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 OEB 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, Kingston Hydro shall file a statement to that effect with the OEB by October 13, 2015. In that event, parties shall file and serve on the other parties by October 28, 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-2015-0083, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at www.pes.ontarioenergyboard.ca/eservice/. Two paper copies must also be filed at the OEB'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 4:45 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, Birgit Armstrong at birgit.armstrong@ontarioenergyboard.ca and OEB Counsel, Michael Millar at michael.millar@ontarioenergyboard.ca.

ADDRESS

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Fax: 416-440-7656

DATED at Toronto, **July 17, 2015**

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original signed by

Kristi Sebalj
Registrar

SCHEDULE A

**Kingston Hydro Corporation
EB-2015-0083**

APPLICANT & LIST OF INTERVENORS

July 17, 2015

APPLICANT

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INTERVENORS

Rep. and Address for Service

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July 17, 2015

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July 17, 2015

School Energy Coalition

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July 17, 2015

**Vulnerable Energy
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