



EB-2015-0089

Milton Hydro Distribution Inc.

**Application for electricity distribution rates and other
charges beginning May 1, 2016**

**PROCEDURAL ORDER NO. 1
November 9, 2015**

Milton Hydro Distribution Inc. (Milton Hydro) filed a complete cost of service application with the Ontario Energy Board (OEB) on August 28, 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 Milton Hydro charges for electricity distribution, to be effective May 1, 2016.

A Notice of Hearing (Notice) was issued on September 17, 2015. The Vulnerable Energy Consumers Coalition (VECC), Energy Probe Research Foundation (Energy Probe) and School Energy Coalition (SEC) applied for intervenor status and cost eligibility.

No objection was received from Milton Hydro.

I approve VECC, Energy Probe and SEC as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. I have also determined that VECC, Energy Probe and SEC are 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.

Issues List

It is the OEB's expectation that parties will be best positioned to identify issues relevant to Milton Hydro's application after the applicant has responded to interrogatories. Milton 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.

Community Meeting

The OEB hosted a community meeting on November 2, 2015 in Milton, Ontario to provide an opportunity for individual ratepayers to ask OEB staff and representatives from Milton Hydro, about the application. OEB staff was also available to respond to questions on the OEB's mandate and hearing process.

Presentation Day

I am making provision for the presentation of the application to the OEB, OEB staff and intervenors. Milton Hydro's presentation is intended to provide an overview of the application it has filed with the OEB.

The purpose of the presentation is not to provide an opportunity for cross-examination by the parties, but rather for Milton Hydro to present its application and to respond to any questions of clarification.

Interrogatories

At this time, I am making provision for written interrogatories. The OEB 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 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. Milton Hydro will present a summary of its application to the OEB, OEB staff and intervenors on **November 17, 2015** from 9:30 a.m. to noon in the OEB's offices at 2300 Yonge Street, 25th floor, Toronto, Ontario.
2. OEB staff shall request any relevant information and documentation from Milton Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **November 24, 2015**.
3. Intervenors shall request any relevant information and documentation from Milton Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **November 27, 2015**.
4. Milton Hydro shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by **December 21, 2015**.
5. Following the receipt of responses to interrogatories, OEB staff shall convene a teleconference among the parties to discuss the formation of an issues list. 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 **January 13, 2015**.

6. A Settlement Conference among the parties and OEB staff will be convened on **January 19, 2016** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **January 20 and 21, 2016**.
7. Any settlement proposal arising from the Settlement Conference shall be filed with the OEB on or before **February 9, 2016**. 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 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.
9. If there is no settlement proposal arising from the Settlement Conference, Milton Hydro shall file a statement to that effect with the OEB by **January 26, 2016**. In that event, parties shall file and serve on the other parties by **February 1, 2016** 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-2015-0089, 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 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 <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 and OEB Counsel, Michael Millar at michael.millar@ontarioenergyboard.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
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Fax: 416-440-7656

DATED at Toronto, **November 9, 2015**

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original signed by

Kristi Sebalj
Registrar

SCHEDULE A

PROCEDURAL ORDER NO. 1

APPLICANT AND LIST OF INTERVENORS

BOARD FILE NO. EB-2015-0089

DATED NOVEMBER 9, 2015

**Milton Hydro Distribution Inc.
EB-2015-0089**

APPLICANT & LIST OF INTERVENORS

November 9, 2015

APPLICANT

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November 9, 2015

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INTERVENORS

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November 9, 2015

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**Vulnerable Energy
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November 9, 2015

**Vulnerable Energy
Consumers Coalition**

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