



EB-2015-0074

**Halton Hills Hydro Inc.**

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

**PROCEDURAL ORDER NO. 1  
November 23, 2015**

Halton Hills Hydro Inc. (HHHI) filed a complete cost of service application with the Ontario Energy Board (OEB) on October 2, 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 HHHI charges for electricity distribution, to be effective May 1, 2016.

A Notice of Hearing (Notice) was issued on October 30, 2015. Each of Energy Probe Research Foundation (Energy Probe), School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from HHHI.

I approve Energy Probe, SEC 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 Energy Probe, SEC and VECC 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 HHHI's application after the applicant has responded to interrogatories. HHHI, 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 9, 2015 at the Acton Town Hall Centre. The community meeting provided an opportunity for individual rate payers to ask OEB staff and representatives from HHHI about the application, as well as ask OEB staff about the OEB's mandate and hearing process.

## Presentation Day

I am making provision for the presentation of HHHI's application to the OEB, OEB staff and intervenors. HHHI's presentation is intended to provide an overview of the application it has filed with the OEB and should focus on the business conditions HHHI anticipates over the next 5 years, the planning it has undertaken to address system needs and customer preferences, and its proposal regarding how the costs of distributing electricity ought to be recovered from customers through the rates they pay, taking into consideration the OEB's policies. The purpose of the presentation is not to provide an opportunity for cross-examination by the parties, but rather for HHHI 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

pricing 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. HHHI will present a summary of its application to the OEB, OEB staff and intervenors on **November 25, 2015** from 1:00 p.m. to 3:00 p.m. in the OEB's offices at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, Ontario.
2. OEB staff shall request any relevant information and documentation from HHHI that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **December 4, 2015**.
3. Intervenors shall request any relevant information and documentation from HHHI that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **December 11, 2015**.
4. HHHI shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by **January 18, 2016**.
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 27, 2016**.

6. A Settlement Conference among the parties and OEB staff will be convened on **February 1, 2016** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **February 2 and 3, 2016**.
7. Any settlement proposal arising from the Settlement Conference shall be filed with the OEB by **February 24, 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, HHHI shall file a statement to that effect with the OEB by **February 8, 2016**. In that event, parties shall file and serve on the other parties by **February 16, 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-2015-0074**, 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, Violet Binette at

[violet.binette@ontarioenergyboard.ca](mailto:violet.binette@ontarioenergyboard.ca) and OEB Counsel, Ljuba Djurdjevic at [ljuba.djurdjevic@ontarioenergyboard.ca](mailto: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](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto, **November 23, 2015**

**ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

*Original signed by*

Kristi Sebalj  
Registrar

Schedule A

To

Procedural Order No. 1

**Halton Hills Hydro Inc.**

EB-2015-0074

**Applicant and List of Intervenors**

November 23, 2015

**Halton Hills Hydro Inc.  
EB-2015-0074**

**APPLICANT & LIST OF INTERVENORS**

November 23, 2015

**APPLICANT**

**Rep. and Address for Service**

**Halton Hills Hydro Inc.**

**David Smelsky**

Chief Financial Officer  
Halton Hills Hydro Inc.  
43 Alice Street  
Acton, ON L7J 2A9

Tel: 519-853-3700 ext.208

Fax: 519-853-5592

[dsmelsky@haltonhillshydro.com](mailto:dsmelsky@haltonhillshydro.com)

**Arthur Skidmore**

President and Chief Executive Officer  
Halton Hills Hydro Inc.

43 Alice Street

Acton ON L7J 2A9

Tel: 519-853-3700 Ext: 225

Fax: 519-853-5592

[askidmore@haltonhillshydro.com](mailto:askidmore@haltonhillshydro.com)

**Tracy Rehberg-Rawlingson**

Regulatory Affairs Officer  
Halton Hills Hydro Inc.

43 Alice Street

Acton ON L7J 2A9

Tel: 519-853-3700 Ext: 257

Fax: (519)853-5592

[tracyr@haltonhillshydro.com](mailto:tracyr@haltonhillshydro.com)

**APPLICANT COUNSEL**

**Richard King**

Partner

Osler Hoskin & Harcourt LLP

Box 50, 1 First Canadian Place  
Suite 6300

Toronto ON M5X 1B8

Tel: 416-862-6626

Fax: 416-862-6666

[rking@osler.com](mailto:rking@osler.com)

**Halton Hills Hydro Inc.  
EB-2015-0074**

**APPLICANT & LIST OF INTERVENORS**

November 23, 2015

**INTERVENORS**

**Energy Probe Research  
Foundation**

**Rep. and Address for Service**

**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](mailto:DavidMacIntosh@nextcity.com)

**Randy Aiken**

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

**School Energy Coalition**

**Jay Shepherd**

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  
[jay.shepherd@canadianenergylawyers.com](mailto:jay.shepherd@canadianenergylawyers.com)

**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](mailto:wmcnally@opsba.org)



**Halton Hills Hydro Inc.  
EB-2015-0074**

**APPLICANT & LIST OF INTERVENORS**

November 23, 2015

**School Energy Coalition**

**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](mailto:mark.rubenstein@canadianenergylawyers.com)

**Vulnerable Energy  
Consumers Coalition**

**Michael Janigan**  
Counsel  
Public Interest Advocacy Centre (PIAC)  
One Nicholas Street, Suite 1204  
Ottawa, ON K1N7B7  
Tel: 416-840-3907  
Tel: (Donna Brady) 613-562-4002  
[mjanigan@piac.ca](mailto:mjanigan@piac.ca)

**Mark Garner**  
Consultant  
Econalysis Consulting Services  
34 King Street East, Suite 630  
Toronto ON M5C 2X8  
Tel: 647-408-4501 (office)  
[markgarner@rogers.com](mailto:markgarner@rogers.com)

**Bill Harper**  
Econalysis Consulting Services  
34 King Street East  
Suite 630  
Toronto On M5C 2X8  
Tel: 416-348 0193  
[bharper@econalysis.ca](mailto:bharper@econalysis.ca)