



EB-2015-0072

Grimsby Power Inc.

**Application for electricity distribution rates
beginning May 1, 2016.**

**PROCEDURAL ORDER NO. 1
April 1, 2016**

Grimsby Power Inc. (Grimsby Power) filed a complete cost of service application with the Ontario Energy Board (OEB) on December 23, 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 Grimsby Power charges for electricity distribution, to be effective May 1, 2016.

A Notice of Hearing (Notice) was issued on March 3, 2016. Each of Energy Probe Research Foundation (Energy Probe), the Vulnerable Energy Consumers Coalition (VECC), Schools Energy Coalition (SEC), Niagara Peninsula Energy Inc. (NPEI) and COGECO Cable Canada LP (Cogeco) applied for intervenor status. Energy Probe, VECC and SEC also applied for cost eligibility.

No objection was received from Grimsby Power.

I approve Energy Probe, VECC, SEC, NPEI and Cogeco 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, VECC 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 Grimsby Power's application after the applicant has responded to interrogatories. Grimsby Power, 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. 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.

Presentation Day

Following the settlement conference, I am making provision for the presentation of any settlement proposal filed by Grimsby Power, whether full or partial, and for the

presentation of any unsettled issues to be adjudicated by the OEB. Grimsby Power's presentation is intended to summarize and provide any salient information for the OEB's consideration in reviewing the settlement proposal. With respect to any unsettled issues, the presentation should focus on how the issues relate to the business conditions Grimsby Power 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 Grimsby Power to present any settlement and any remaining issues in the case.

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

IT IS THEREFORE ORDERED THAT:

1. OEB staff shall request any relevant information and documentation from Grimsby Power that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **April 13, 2016**.
2. Intervenors shall request any relevant information and documentation from Grimsby Power that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **April 15, 2016**.
3. Grimsby Power shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by **May 6, 2016**.
4. 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 **May 20, 2016**.
5. A Settlement Conference among the parties and OEB staff will be convened on **May 24, 2016** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **May 25 and 26, 2016**.
6. Any settlement proposal arising from the Settlement Conference shall be filed with the OEB by **June 16, 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.

7. 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.
8. If there is no settlement proposal arising from the Settlement Conference, Grimsby Power shall file a statement to that effect with the OEB by **May 30, 2016**.
9. Grimsby Power will present to the OEB any settlement proposal and a summary of any unsettled issues in the case on **July 6, 2016** from 1:00 p.m. to 3:00 p.m. in the OEB's offices at 2300 Yonge Street, 25th floor, Toronto, Ontario.

All filings to the OEB must quote the file number, EB-2015-0072, 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, Martha McOuat at martha.mcouat@ontarioenergyboard.ca and Ljuba Djurdjevic at 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
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **April 1, 2016**

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original signed by

Kristi Sebalj
Registrar

SCHEDULE A
PROCEDURAL ORDER NO. 1
LIST OF APPLICANT AND INTERVENORS
GRIMSBY POWER INC.
EB-2015-0072
April 1, 2016

**Grimsby Power Incorporated
EB-2015-0072**

APPLICANT & LIST OF INTERVENORS

April 01, 2016

APPLICANT

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EB-2015-0072**

APPLICANT & LIST OF INTERVENORS

April 01, 2016

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**Energy Probe Research
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APPLICANT & LIST OF INTERVENORS

April 01, 2016

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APPLICANT & LIST OF INTERVENORS

April 01, 2016

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APPLICANT & LIST OF INTERVENORS

April 01, 2016

**Vulnerable Energy
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