

Five Nations Energy Inc.

**Application for changes to its electricity transmission
revenue requirement effective January 1, 2016**

**PROCEDURAL ORDER NO. 1
February 7, 2017**

Five Nations Energy Inc. (Five Nations Energy) filed a cost of service application with the Ontario Energy Board (OEB) on July 27, 2016 (completed November 25, 2016) under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to its transmission revenue requirement effective January 1, 2016. Five Nations Energy recovers its approved revenue requirement through Ontario's Uniform Transmission Rates.

A Notice of Hearing was issued on January 11, 2017. Energy Probe applied for intervenor status and cost eligibility.

No objection was received from Five Nations Energy.

Energy Probe is approved as an intervenor. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. Energy Probe 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.

Interrogatories

At this time, provision will be made 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 transmitter'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 transmission system plan. The OEB will consider the entire transmission system plan to assess the planning and pacing proposals of the applicant and whether the test year requests are appropriately aligned with the transmission system plan. The OEB will also consider productivity and benchmarking results in assessing cost forecasts, bill impacts and transmitter 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 Transmission 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.

Confidential Filings

Five Nations Energy filed certain information included in its evidence at Updated Exhibit 5 / Tab 1 / Schedule 3 on a confidential basis in accordance with the OEB's Practice Direction on Confidential Filings. Five Nations Energy explained that as it has a limited number of customers, revealing the information contained in the noted exhibit, even on an aggregate basis, would disclose confidential information about each customer.

The OEB will allow any intervenors who wish to review the information contained in the noted exhibit to do so after signing a copy of the OEB's Form of Declaration and Undertaking, and filing it with the OEB.

The Practice Direction on Confidential Filings permits any party to a proceeding to object to the requests for confidentiality by filing a written objection. The OEB is making provision for intervenors and OEB staff to file any written objection and for Five Nations Energy to respond to any objections.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. Intervenor and OEB staff who wish to make submissions on the request for confidentiality shall file those submissions with the OEB and serve on all parties by February 15, 2017.
2. Five Nations Energy shall file with the OEB and serve on all parties, its reply submissions on the request for confidentiality by February 22, 2017.
3. OEB staff shall request any relevant information and documentation from Five Nations Energy that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by February 28, 2017.
4. Intervenor shall request any relevant information and documentation from Five Nations Energy that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by March 3, 2017.
5. Five Nations Energy shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by March 29, 2017.

All filings to the OEB must quote the file number, EB-2016-0231, 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 Registrar 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, Lawrie Gluck at lawrie.gluck@ontarioenergyboard.ca and OEB Counsel, Michael Millar at michael.millar@ontarioenergyboard.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Registrar

E-mail: registrar@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **February 7, 2017**

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original signed by

Kristi Sebalj
Registrar
Office of the Registrar

Schedule A

EB-2016-0231

APPLICANT(S) & LIST OF INTERVENORS

DATED: February 7, 2017

**Five Nations Energy Inc.
EB-2016-0231**

APPLICANT & LIST OF INTERVENORS

February 07, 2017

APPLICANT

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APPLICANT & LIST OF INTERVENORS

February 07, 2017

INTERVENORS

**Energy Probe Research
Foundation**

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