



EB-2016-0276

**Hydro One Inc.
Orillia Power Distribution
Corporation
Hydro One Networks Inc.**

**Application for approval to purchase Orillia
Power Distribution Corporation**

**PROCEDURAL ORDER NO. 5
March 27, 2017**

Hydro One Inc. (Hydro One) filed an application on October 11, 2016, under section 86(2)(b) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) (Act), requesting approval to purchase all of the shares of Orillia Power Distribution Corporation (Orillia Power). As part of the share purchase, Orillia Power and Hydro One Networks Inc. (HONI) requested the OEB's approval for related transactions/proposals:

- Inclusion of a rate rider in Orillia Power's 2016 OEB approved rate schedule, under section 78 of the Act, to give effect to a 1% reduction in the 2016 base electricity delivery rates for residential and general service classes until 2022
- Transfer of Orillia Power's rate order to HONI, under section 18 of the Act
- Transfer of Orillia Power's distribution system to HONI, under section 86(1)(a) of the Act
- Cancellation of Orillia Power's electricity distribution licence, under section 77(5) of the Act, after the transfer of the distribution system to HONI is completed
- Amendment of HONI's electricity distribution licence, under section 74 of the Act, at the same time as Orillia Power's licence is cancelled, authorizing HONI to serve Orillia Power's customers

A Notice of Hearing was issued on November 7, 2016. In Procedural Order No. 1, with one exception the OEB approved all intervention requests, in Mr. Kehoe's case on the express proviso that his intervention was approved in his personal capacity as a resident of the City of Orillia only. The exception was the intervention request filed by Mr. Stanley Makuch on behalf the Orillia Water, Light and Power Commission (Commission). Given that the existence of the Commission was disputed, the OEB made provision for the filing of evidence by Mr. Makuch relevant to the existence of the Commission. Procedural Order No. 1 also made provision for the filing of interrogatories and interrogatory responses on the application. In Procedural Order No. 2, the OEB extended the time for the filing of evidence by Mr. Makuch and the filing of interrogatories and interrogatory responses by OEB staff and the parties.

In Procedural Order No. 3, following the filing of materials referred to in Procedural Order No. 1 and Procedural Order No. 2, the OEB made provision for the filing of submissions by Mr. Makuch regarding the existence of the Commission. Submissions were filed by Mr. Makuch, as was responding correspondence from the City of Orillia. On February 16, 2017, the OEB issued Procedural Order No. 4 setting out the OEB's finding that there is no basis on which to determine that the Commission still exists and denying Mr. Makuch's intervention request on behalf of the Commission accordingly. On February 21, 2017, Mr. Makuch filed a request that the OEB state a case to the Divisional Court, and by correspondence dated March 6, 2017 the OEB stated that it did not intend to do so.

The OEB considers it is necessary to make provision for the following matters related to this proceeding.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The applicants shall file their Argument-in-chief with the OEB and serve it on all parties on or before **April 7, 2017**.
2. If OEB staff or intervenors wish to file a written submission, such submission shall be filed with the OEB and served on the applicants on or before **April 21, 2017**.
3. If the applicants wish to file a written reply submission, they shall file their reply submission with the OEB on or before **May 5, 2017**.

All filings to the OEB must quote the file number, EB-2016-0276, 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, Judith Fernandes at judith.fernandes@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, March 27, 2017

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary