



EB-2017-0035

**COOPERATIVE HYDRO EMBRUN INC.**

**Application for electricity distribution rates and other  
charges beginning January 1, 2018**

**PROCEDURAL ORDER NO. 1  
September 21, 2017**

COOPERATIVE HYDRO EMBRUN INC. (Cooperative Hydro Embrun) filed a cost of service application with the Ontario Energy Board (OEB) 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 Cooperative Hydro Embrun charges for electricity distribution, to be effective January 1, 2018. The application was accepted by the OEB as complete as of June 22, 2017.

A Notice of Hearing was issued on August 11, 2017. The Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from Cooperative Hydro Embrun.

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

## Issues List

It is the OEB's expectation that parties will be best positioned to identify issues relevant to Cooperative Hydro Embrun's application after the applicant has responded to interrogatories. Cooperative Hydro Embrun, OEB staff and VECC 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, 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 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 in the test year.

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, provision will be made for the presentation of any settlement proposal filed by Cooperative Hydro Embrun, whether full or partial, and for the presentation of any unsettled issues to be adjudicated by the OEB. Cooperative Hydro Embrun'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 Cooperative Hydro Embrun 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 Cooperative Hydro Embrun to present any settlement and any remaining issues in the case to the OEB decision-makers.

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. OEB staff shall request any relevant information and documentation from Cooperative Hydro Embrun that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **September 29, 2017**.
2. Intervenor shall request any relevant information and documentation from Cooperative Hydro Embrun that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **October 4, 2017**.
3. Cooperative Hydro Embrun shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors and OEB staff by **October 18, 2017**.
4. 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 **October 26, 2017**.

5. A Settlement Conference among Cooperative Hydro Embrun, VECC and if provided for by the OEB in accordance with the *Practice Direction on Settlement Conferences*, OEB staff, will be convened on **November 1, 2017** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the Settlement Conference will continue on **November 2, 2017**.
6. Any settlement proposal arising from the Settlement Conference shall be filed with the OEB on or before **November 23, 2017**. 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. If OEB staff is not a party to the settlement proposal, any submission from OEB staff on such 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, Cooperative Hydro Embrun shall file a statement to that effect with the OEB by **November 3, 2017**. In that event, parties shall file and serve on the other parties by **November 10, 2017** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
9. The OEB is setting a tentative date of **December 5, 2017** from 9:00a.m. to 12:00p.m. at 2300 Yonge Street, 25<sup>th</sup> Floor, Toronto, for Cooperative Hydro Embrun to present to the OEB any settlement proposal and a summary of any unsettled issues in the case. OEB staff will, at the direction of the OEB, confirm or amend this date in subsequent correspondence.

All filings to the OEB must quote the file number, EB-2017-0035, 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.oeb.ca/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, Georgette Vlahos at [georgette.vlahos@oeb.ca](mailto:georgette.vlahos@oeb.ca) and OEB Counsel, James Sidlofsky at [james.sidlofsky@oeb.ca](mailto:james.sidlofsky@oeb.ca).

### **ADDRESS**

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

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

**DATED** at Toronto, **September 21, 2017**

**ONTARIO ENERGY BOARD**

**By delegation, before: Kristi Sebalj**

*Original signed by*

Kristi Sebalj  
Registrar  
Office of the Registrar

**SCHEDULE A**  
**PROCEDURAL ORDER NO. 1**  
**COOPERATIVE HYDRO EMBRUN INC.**  
**EB-2017-0035**  
**DATED: September 21, 2017**

**Cooperative Hydro Embrun Inc.  
EB-2017-0035**

**APPLICANT & LIST OF INTERVENORS**

September 21, 2017

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**APPLICANT**

**Rep. and Address for Service**

**Cooperative Hydro Embrun  
Inc.**

**Benoit Lamarche**

Manager  
Cooperative Hydro Embrun Inc.  
821 Notre-dame Street  
Suite 200  
Embrun, ON K0A 1W1

Tel: 613-443-5110  
Fax: 613-443-0495  
[benoit@hydroembrun.ca](mailto:benoit@hydroembrun.ca)

**APPLICANT**

**Rep. and Address for Service**

**Cooperative Hydro Embrun  
Inc.**

**Michael Buonaguro**

Counsel  
The Energy Boutique  
24 Humber Trail  
Toronto ON M6S 4C1  
Tel: 416-767-1666  
Fax: 416-767-1666  
[mrb@mrb-law.com](mailto:mrb@mrb-law.com)

**INTERVENORS**

**Rep. and Address for Service**

**Vulnerable Energy  
Consumers Coalition**

**Cynthia Khoo**

Legal Counsel  
Public Interest Advocacy Centre  
1139 College St.  
Toronto ON M6H 1B5  
Tel: 604-725-5484  
Fax: Not Provided  
[ckhoo@cynthiakhoo.ca](mailto:ckhoo@cynthiakhoo.ca)

**Cooperative Hydro Embrun Inc.  
EB-2017-0035**

**APPLICANT & LIST OF INTERVENORS**

**September 21, 2017**

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**Vulnerable Energy  
Consumers Coalition**

**Mark Garner**

Project Manager  
Econalysis Consulting Services  
34 King Street East, Suite 630  
Toronto ON M5C 2X8  
Tel: 647-408-4501  
Fax: 416-348-0641  
[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  
Fax: Not Provided  
[bharper@econalysis.ca](mailto:bharper@econalysis.ca)