



**EB-2018-0165**

**Toronto Hydro-Electric System Limited**

**Application for electricity distribution rates beginning  
January 1, 2020 until December 31, 2024**

**PROCEDURAL ORDER NO. 1  
October 25, 2018**

Toronto Hydro-Electric System Limited (Toronto Hydro) filed a 5-year Custom Incentive Rate-setting application with the Ontario Energy Board (OEB) on August 15, 2018 (updated September 14, 2018) under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to its distribution rates, to be effective January 1, 2020 and for each following year through to December 31, 2024.

A Notice of Hearing (Notice) was issued on September 28, 2018.

**OEB Consumer Engagement**

The OEB will hold five in-person community meetings throughout Toronto Hydro's service territory and one city-wide webinar. The goals of the meetings are to provide customers with information both on the OEB's rate hearing process and on the specific application filed by Toronto Hydro, and to hear directly from customers about the requested rate changes proposed in the current application. The schedule for the community meetings is as follows:

- November 22, 2018 (3:30 pm and 6:30 pm), North York Central Library, 5120 Yonge St.
- November 26, 2018 (6:30 pm), Scarborough Civic Centre, 150 Borough Drive
- December 4, 2018 (6:30 pm), Central YMCA, 20 Grosvenor St.
- December 5, 2018 (6:30 pm), Royal Canadian Legion, 110 Jutland Drive
- December 6, 2018 (6:30 pm), Webinar (Online)

## Intervention and Cost Eligibility Requests

The following parties applied for intervenor status:

- Association of Major Power Consumers of Ontario (AMPCO)
- Building Owners and Managers Association, Greater Toronto (BOMA)
- Consumers Council of Canada (CCC)
- Distributed Resource Coalition (DRC)
- Energy Probe Research Foundation (Energy Probe)
- Power Workers' Union (PWU)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

AMPCO, BOMA, CCC, DRC, Energy Probe, SEC and VECC also applied for cost award eligibility.

No objection was received from Toronto Hydro.

AMPCO, BOMA, CCC, DRC, Energy Probe, PWU, SEC and VECC are approved as intervenors. AMPCO, BOMA, CCC, DRC, Energy Probe, SEC and VECC are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*. The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

The OEB will consider intervention requests from participants at the OEB community meetings.

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.

Intervenors are advised to review the *Practice Direction on Cost Awards* for further information about what categories of costs and disbursements may be eligible for recovery. It should also be noted that being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of an OEB order, typically at the end of a hearing.

## Confidentiality

By letters dated August 15, 2018 and September 28, 2018 and pursuant to the OEB's *Rules of Practice and Procedure* and the OEB's *Practice Direction on Confidential Filings*, Toronto Hydro requested confidential treatment for certain information in the following documents:

- Personal information contained in corporate income tax returns
  - Exhibit 4B, Tab 2, Schedule 3, Form T661, Part 1 and Part 2
  - Exhibit 4B, Tab 2, Schedule 3, T2 Summary, Schedules 31, 550, 552 and 569
- Business numbers contained in corporate income tax returns
  - Exhibit 4B, Tab 2, Schedule 3, Form T661, Part 1, Part 2 and Part 9
  - Exhibit 4B, Tab 2, Schedule 3, T2 Summary, Schedules 1,2, 5-10, 23, 31, 33, 50, 53, 500, 508, 510, 511, 546, 550, 552, 568 and 569
- Commercially sensitive and proprietary information contained in corporate income tax returns
  - Exhibit 4B, Tab 2, Schedule 3, Form T661, Parts 2-8
- Cost difference between internal and external construction projects
  - Exhibit 1B, Tab 2, Schedule 2, p. 22
- Information posing security and safety-related risks
  - Exhibit 2B, Section E8.1, pp. 1-2, 5-9,12, 15, 17-18, 20-29, Appendix A, pp. 4, 6, 8 and Appendix B
  - Exhibit 2B, Section E8.2, pp. 1, 3, 16-18, 20, 22, 24-26
- Datasets and models underpinning the Power Systems Engineering Inc.'s Econometric Benchmarking Report.

In accordance with the OEB's *Practice Direction on Confidential Filings*, Toronto Hydro has provided reasons for the confidentiality request, including reasons why public disclosure of the information would be contrary to the *Freedom of Information and Protection of Privacy Act* and why public disclosure of the information would be detrimental to Toronto Hydro and third parties identified in the documents.

At this time, provision will be made for the filing of submissions on Toronto Hydro's request for confidentiality. Counsel and consultants for intervenors that wish to make submissions on the request for confidentiality shall be granted access to the un-redacted documents provided they have executed the OEB's [Declaration and Undertaking](#). The signed Declaration and Undertaking shall be filed with the OEB and a

copy shall be delivered to Toronto Hydro. If Toronto Hydro objects to a Declaration and Undertaking, the objection shall be filed with the OEB and copied to the relevant party within 5 days from the receipt of the Declaration and Undertaking. The relevant party shall file its reply, if any, with the OEB and deliver a copy to Toronto Hydro, within 5 days from the receipt of the objection.

**IT IS THEREFORE ORDERED THAT:**

1. Counsel and consultants for intervenors that wish to make submissions on the request for confidentiality shall be granted access to the un-redacted documents provided they have executed the OEB's Declaration and Undertaking. The signed Declaration and Undertaking shall be filed with the OEB and a copy shall be delivered to Toronto Hydro. If Toronto Hydro objects to a Declaration and Undertaking, the objection shall be filed with the OEB and copied to the relevant party within 5 days from the receipt of the Declaration and Undertaking. The relevant party shall file its reply, if any, with the OEB and deliver a copy to Toronto Hydro, within 5 days from the receipt of the objection.
2. OEB staff and intervenors who wish to make written submissions on Toronto Hydro's confidentiality requests shall file such submissions with the OEB, and serve them on Toronto Hydro and all other intervenors, by **November 7, 2018**.
3. If Toronto Hydro wishes to respond to any of the submissions, the reply submission shall be filed with the OEB and served on all intervenors by **November 13, 2018**.

All filings to the OEB must quote the file number, **EB-2018-0165**, be made in searchable / unrestricted PDF format electronically through the OEB's web portal at <https://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 <https://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 USB flash drive 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, Lawrie Gluck at [lawrie.gluck@oeb.ca](mailto:lawrie.gluck@oeb.ca) and OEB Counsel, Michael Millar at [michael.millar@oeb.ca](mailto:michael.millar@oeb.ca).

**ADDRESS**

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

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

**DATED** at Toronto, October 25, 2018

**ONTARIO ENERGY BOARD**

**By delegation, before: Rudra Mukherji**

*Original signed by*

Rudra Mukherji  
Acting Manager, Registrar  
Office of the Registrar

**SCHEDULE A**  
**PROCEDURAL ORDER NO. 1**  
**TORONTO HYDRO-ELECTRIC SYSTEM LIMITED**  
**EB-2018-0165**  
**OCTOBER 25, 2018**  
**APPLICANT AND LIST OF INTERVENORS**

**Toronto Hydro-Electric System Limited  
EB-2018-0165**

**APPLICANT & LIST OF INTERVENORS**

October 25, 2018

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**APPLICANT**

**Rep. and Address for Service**

**Toronto Hydro-Electric  
System Limited**

**Andrew Sasso**

Director, Regulatory Affairs  
Toronto Hydro-Electric System Limited  
14 Carlton Street  
Toronto, ON M5B 1K5

Tel: 416-542-8000  
Fax: 416-542-3024  
[regulatoryaffairs@torontohydro.com](mailto:regulatoryaffairs@torontohydro.com)

**APPLICANT COUNSEL**

**Charles Keizer**

Torys LLP

Suite 3000, Maritime Life Tower  
79 Wellington St. W., 30th Fl.  
P.O. Box 270 TD South Tower  
Toronto ON M5K 1N2

Tel: 416-865-7512  
Fax: 416-865-7380  
[ckeizer@torys.com](mailto:ckeizer@torys.com)

**Crawford Smith**

Counsel

Torys LLP

79 Wellington St. W.  
Suite 3000, Maritime Life Tower  
P.O. Box 270, TD South Tower  
Toronto ON M5K 1N2

Tel: 416-865-8209  
Fax: 416-865-7380  
[csmith@torys.com](mailto:csmith@torys.com)

**Toronto Hydro-Electric System Limited  
EB-2018-0165**

**APPLICANT & LIST OF INTERVENORS**

October 25, 2018

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**INTERVENORS**

**Rep. and Address for Service**

**Association of Major Power  
Consumers in Ontario**

**Shelley Grice**

Association of Major Power Consumers in Ontario  
65 Queen Street West, Suite 1510  
Toronto ON M5H 2M5  
Tel: 647-880-9942  
Fax: 416-260-0442  
[shelley.grice@rogers.com](mailto:shelley.grice@rogers.com)

**Building Owners and  
Managers Association  
Toronto**

**Thomas Brett**

Partner  
Fogler, Rubinoff LLP  
77 King Street West  
Suite 3000  
Toronto ON M5K 1G8  
Tel: 416-941-8861  
Fax: 416-941-8852  
[tbrett@foglers.com](mailto:tbrett@foglers.com)

**Marion Fraser**

President  
Fraser & Company  
65 Harbour Square, Suite 1005  
Toronto ON M5J 2L4  
Tel: 416-941-9729  
Fax: 416-941-9729  
[Marion.Fraser@rogers.com](mailto:Marion.Fraser@rogers.com)



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**Consumers Council of  
Canada**

**Julie Girvan**

Consultant  
Consumers Council of Canada  
62 Hillside Ave. East  
Toronto ON M4S 1T5  
Tel: 416-322-7936  
Fax: 416-322-9703  
[jgirvan@uniserve.com](mailto:jgirvan@uniserve.com)

**Distributed Resource  
Coalition**

**Wilf Steimle**

Electric Vehicle Society  
9 Industrial Pkwy. S.  
Aurora ON L4G 3V9  
Tel: 647-208-2677  
Fax: Not Provided  
[wilf@steimle.ca](mailto:wilf@steimle.ca)

**Iris Spitz**

Plug'n Drive  
1126 Finch Avenue West  
Unit 1  
North York ON M3J 3J6  
Tel: 647-717-6941  
Fax: Not Provided  
[iris@plugndrive.ca](mailto:iris@plugndrive.ca)

**Patricia Phillips**

Energy Storage Canada  
MaRS Cleantech, Suite 420  
101 College St.  
Toronto ON M5G 1L7  
Tel: 416-997-3095  
Fax: Not Provided  
[pat.phillips@energystoragecanada.org](mailto:pat.phillips@energystoragecanada.org)

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**Distributed Resource  
Coalition**

**Gord Reynolds**

Spark Power Corp.  
1315 North Service Road East  
Suite 300  
Oakville ON L6H 1A7  
Tel: 416-732-2200  
Fax: Not Provided  
[greynolds@sparkpower.ca](mailto:greynolds@sparkpower.ca)

**Elisabeth DeMarco**

Counsel  
DeMarco Allan LLP  
Bay Adelaide Centre  
333 Bay Street, Suite 625  
Toronto ON M5H 2R2  
Tel: 647-991-1190  
Fax: 1-888-734-9459  
[Lisa@demarcoallan.com](mailto:Lisa@demarcoallan.com)

**Jonathan McGillivray**

DeMarco Allan LLP  
Bay Adelaide Centre  
333 Bay Street, Suite 625  
Toronto ON M5H 2R2  
Tel: 647-208-2677  
Fax: 888-734-9459  
[jonathan@demarcoallan.com](mailto:jonathan@demarcoallan.com)

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**Energy Probe Research  
Foundation**

**Tom Ladanyi**

TL Energy Regulatory Consultants Inc.  
41 Divadale Drive  
Toronto ON M4G 2N7  
Tel: 416-423-3685  
Fax: Not Provided  
[tom.ladanyi@rogers.com](mailto:tom.ladanyi@rogers.com)

**Roger Higgin**

Sustainable Planning Associates Inc.  
15 Malabar Place  
Toronto ON M5B 1A4  
Tel: 416-391-0738  
Fax: Not Provided  
[spainc@rogers.com](mailto:spainc@rogers.com)

**Power Workers' Union**

**Paul Reece**

Power Workers' Union  
244 Eglinton Avenue E.  
Toronto ON M4P 1K2  
Tel: 416-481-4491 Ext 4798  
Fax: 416-481-7115  
[preece@pwu.ca](mailto:preece@pwu.ca)

**Richard Stephenson**

Counsel  
Paliare Roland Rosenberg Rothstein LLP  
155 Wellington Street West, 35th Floor  
Toronto ON M5V 3H1  
Tel: 416-646-4325  
Fax: 416-646-4335  
[richard.stephenson@paliareroland.com](mailto:richard.stephenson@paliareroland.com)

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**Energy Probe Research  
Foundation**

**Bayu Kidane**  
Senior Consultant  
Elenchus Research Associates Inc.  
34 King Street East  
Suite 600  
Toronto ON M5C 2X8  
Tel: 416-348-8777  
Fax: 416-348-9930  
[bkidane@elenchus.ca](mailto:bkidane@elenchus.ca)

**Power Workers' Union**

**Kim McKenzie**  
Consultant  
Elenchus Research Associates Inc.  
34 King Street East  
Suite 600  
Toronto ON M5C 2X8  
Tel: 416-640-1894  
Fax: 416-348-9930  
[kmckenzie@elenchus.ca](mailto:kmckenzie@elenchus.ca)

**School Energy Coalition**

**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)

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**School Energy Coalition**

**Mark Rubenstein**

Counsel  
Shepherd Rubenstein Professional Corporation  
2200 Yonge St.  
Suite 1302  
Toronto ON M4S 2C6  
Tel: 647-483-0113  
Fax: 416-483-3305  
[mark@shepherdrubenstein.com](mailto:mark@shepherdrubenstein.com)

**Jay Shepherd**

Counsel  
Shepherd Rubenstein Professional Corporation  
2200 Yonge St.  
Suite 1302  
Toronto ON M4S 2C6  
Tel: 416-804-2767  
Fax: 416-483-3305  
[jay@shepherdrubenstein.com](mailto:jay@shepherdrubenstein.com)

**Vulnerable Energy  
Consumers Coalition**

**John Lawford**

Counsel  
Vulnerable Energy Consumers Coalition  
c/o Public Interest Advocacy Centre (PIAC)  
One Nicholas St.  
Suite 1204  
Ottawa ON K1N 7B7  
Tel: 613-562-4002 Ext 25  
Fax: Not Provided  
[lawford@piac.ca](mailto:lawford@piac.ca)

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**Vulnerable Energy  
Consumers Coalition**

**Mark Garner**  
Project Manager  
647 Broadway Avenue  
Toronto ON M4G 2S8  
Tel: 647-408-4501  
Fax: Not Provided  
[markgarner@rogers.com](mailto:markgarner@rogers.com)

**Bill Harper**  
107 Baker Ave.  
Richmond Hill ON M5C 2X8  
Tel: 416-348 0193  
Fax: Not Provided  
[bharper.consultant@bell.net](mailto:bharper.consultant@bell.net)