



EB-2018-0028

Energy+ Inc.

**Application for electricity distribution rates and
harmonizing rates and charges in the Cambridge and
North Dumfries and Brant County service areas
beginning January 1, 2019**

**PROCEDURAL ORDER NO. 4 AND DECISION ON ISSUES LIST
October 31, 2018**

Energy+ Inc. (Energy+) filed a cost of service application with the Ontario Energy Board (OEB) on April 30, 2018 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 Energy+ charges for electricity distribution, to be effective January 1, 2019.

A Notice of Hearing was issued on May 28, 2018 followed by Procedural Order No.1 on July 26, 2018, in which the OEB set out the schedule of procedural steps. In Procedural Order No. 2, the OEB provided an extension for an intervenor, Toyota Motor Manufacturing Canada Inc. (TMMC), to file written evidence.

Confidentiality Matters

TMMC's Expert Evidence

On September 27 2018¹, TMMC filed written evidence of Jeffery C. Pollock (Pollock Evidence) and Melody Collis (Collis Evidence) and requested confidential treatment for portions of that evidence pursuant to the OEB's *Practice Direction on Confidential Filings* (Practice Direction).

¹ TMMC filed confidential cost allocation model (Schedule JP-5 from Mr. Pollock's evidence) on October 1, 2018

Procedural Order No. 3, issued on October 5, 2018, provided for written submissions on TMMC's request for confidential treatment of certain portions of the Pollock Evidence and the Collis Evidence.

Energy+'s Interrogatory Responses

While Procedural Order No.3 did not provide an opportunity for parties to file submissions on Energy+'s request for confidential treatment of certain interrogatory responses (Energy+ IRRs)², OEB staff did make submissions as to whether portions of the Energy+ IRRs should be treated as confidential. Energy+ and TMMC provided comments on OEB staff's submission by letters dated October 19, 2018 and October 23, 2018, respectively.

The OEB considers it necessary to provide other parties an opportunity to file written submissions on Energy+'s request for confidential treatment of some of its IRRs. Specifically, the OEB invites parties to make submissions on the following Energy+ IRRs:

| Item No. | IR | Description |
|----------|---|---|
| | Category 1 – third party information | |
| 1 | 3-VECC-17b | Co-Generation Facility Information |
| 2 | TMMC-4 | Generator Specifications |
| 3 | TMMC-7 | Cost Allocation |
| 4 | TMMC-10 | Standby Charge Scenario |
| 5 | TMMC-11 | Capital Costs |
| 6 | TMMC-12 | Power Supply Details |
| 7 | TMMC-13 | Load and Power Supply Details |
| 8 | TMMC-14 | Energy+ Load Data (Excel File on CD) |
| 9 | TMMC-15 | Power Supply Details |
| 10 | TMMC-19 | Cost Information & Customer Presentation |
| 11 | TMMC-2 ³ | Cost Allocation 2019_EnergyPlus_Cost_Allocation_Model_No_Standby_TMMC_4.xlsm |
| 12 | TMMC-3 ⁴ | Load Details |
| | Category 2 – personal information | |
| 13 | 4-Staff-74b | 2017 Corporate Income Tax Return |
| 14 | 1-SEC-13 | Succession Plan |

As an interim measure, counsel for intervenors that have not yet filed the OEB's Confidentiality Declaration and Undertaking form, shall be granted access to the un-

² In letters filed on September 14, 2018 and September 19, 2018.

³ Clarification question filed on September 19, 2018

⁴ *Ibid*

redacted Energy+ IRRs provided they have executed the OEB's Declaration and Undertaking by filing it with the OEB and providing a copy to Energy+.

TMMC's Revised Evidence and Interrogatory Responses

On October 24, 2018, TMMC filed revised written evidence of Jeffry Pollock (Revised Pollock Evidence) followed by responses to interrogatories from OEB staff, Energy+, VECC and SEC on the Pollock Evidence and the Collis Evidence. TMMC requested confidential treatment for portions of the Revised Pollock Evidence and some portions of its interrogatory responses on the Pollock Evidence and the Collis Evidence (TMMC IRRs). TMMC filed redacted versions of its IRRs on the public record. TMMC filed un-redacted versions of its IRRs confidentially with the OEB and provided them to parties that had signed the OEB's Declaration and Undertaking.

The OEB is making provision for written submissions on TMMC's request for confidential treatment of certain portions of the Revised Pollock Evidence and portions of the TMMC IRRs. Only representatives of parties to the proceeding that have signed the OEB's Declaration and Undertaking, filed it with the OEB, and provided a copy to TMMC, will be provided access to the Revised Pollock Evidence and the un-redacted TMMC IRRs.

Issues List Decision

OEB staff submitted a proposed issues list on October 26, 2018, and advised the OEB that parties have come to an agreement on that list. The OEB approves the proposed issues list. The final issues list for this proceeding is attached as Schedule A.

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

IT IS THEREFORE ORDERED THAT:

1. Parties⁵ that wish to review un-redacted versions of Energy+ IRRs, TMMC evidence and TMMC IRRs for which confidential treatment is sought will sign and file the OEB's Confidentiality Declaration and Undertaking form, and provide a copy to Energy+ and TMMC by no later than **November 2, 2018**.

⁵ Who have not signed the OEB's Declaration and Undertaking.

2. Energy+ will provide un-redacted versions of the Energy+ IRRs to intervenors who signed the OEB's Confidentiality Declaration and Undertaking by no later than **November 5, 2018**.
3. TMMC will provide un-redacted versions of TMMC evidence and TMMC IRRs to parties who signed the OEB's Confidentiality Declaration and Undertaking by no later than **November 5, 2018**.
4. Parties that wish to file written submissions on the confidentiality requests for the Energy+ IRRs, the Revised Pollock Evidence, the Collis Evidence and the TMMC IRRs shall file such submissions with the OEB and deliver them to all other parties on or before **November 13, 2018**.
5. If Energy+ and TMMC wish to respond to any of the submissions, the reply submissions must be filed with the OEB and delivered to all parties on or before **November 20, 2018**. The rest of the timelines set out in Procedural Order No.1 remain unchanged.

All filings to the OEB must quote the file number, EB-2018-0028, 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, Shuo Zhang at Shuo.Zhang@oeb.ca and OEB Counsel, Ljuba Djurdjevic at Ljuba.Djurdjevic@oeb.ca.

ADDRESS

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

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

DATED at Toronto, **October 31, 2018**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Schedule A

To

Procedural Order No. 4 and Decision on Issues List

Energy+ Inc.

EB-2018-0028

Final Issues List

October 31, 2018

**Final Issues List
EB-2018-0028
Energy+ Inc.**

1. PLANNING

1.1 Capital

Is the level of planned capital expenditures appropriate and is the rationale for planning and pacing choices appropriate and adequately explained, giving due consideration to:

- customer feedback and preferences
- productivity
- benchmarking of costs
- reliability and service quality
- impact on distribution rates
- trade-offs with OM&A spending
- government-mandated obligations
- the objectives of the Applicant and its customers
- the distribution system plan, and
- the business plan.

□

1.2 OM&A

Is the level of planned OM&A expenditures appropriate and is the rationale for planning choices appropriate and adequately explained, giving due consideration to:

- customer feedback and preferences
- productivity
- benchmarking of costs
- reliability and service quality
- impact on distribution rates
- trade-offs with capital spending
- government-mandated obligations
- the objectives of the Applicant and its customers
- the distribution system plan, and
- the business plan.

2. REVENUE REQUIREMENT

2.1 Are all elements of the Revenue Requirement reasonable, and have they been appropriately determined in accordance with OEB policies and practices?

2.2 Has the Revenue Requirement been accurately determined based on these elements?

3. LOAD FORECAST, COST ALLOCATION AND RATE DESIGN

3.1 Are the proposed load and customer forecast, loss factors, CDM adjustments and resulting billing determinants appropriate, and, to the extent applicable, are they an appropriate reflection of the number and energy and demand requirements of the applicant's customers?

3.2 Are the proposed cost allocation methodology, allocations, and revenue-to-cost ratios appropriate?

3.3 Are the applicant's proposals for rate design appropriate, including the proposal for distribution rate harmonization?

3.4 Has the applicant appropriately applied the OEB's policy on residential rate design?

3.5 Are the proposed Retail Transmission Service Rates and LV Rates appropriate?

3.6 Is the proposal for using gross load billing for Retail Transmission Rates for customers who have load displacement generation appropriate?

3.7 Is the proposal for implementing a standby charge for the Large Use, GS 1,000 to 4,999 kW and GS 50 to 999 kW customer classes with load displacement appropriate?

4. ACCOUNTING

4.1 Have all impacts of any changes in accounting standards, policies, estimates and adjustments been properly identified and recorded, and is the rate-making treatment of each of these impacts appropriate?

4.2 Are the applicant's proposals for deferral and variance accounts, including the balances in the existing accounts and their disposition, and the continuation of existing accounts appropriate?

5. OTHER

5.1 Is the proposed effective date (i.e. January 1, 2019) for 2019 rates appropriate?