



EB-2018-0056

Niagara-on-the-Lake Hydro Inc.

**Application for electricity distribution rates and other
charges beginning May 1, 2019**

**PROCEDURAL ORDER NO. 3
January 14, 2019**

Niagara-on-the-Lake Hydro Inc. (Niagara-on-the-Lake Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on August 23, 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 Niagara-on-the-Lake Hydro charges for electricity distribution, to be effective May 1, 2019.

The OEB issued Procedural Order No. 2 on December 21, 2018, in which the OEB set out the schedule for various procedural steps, including the filing of a settlement proposal on January 10, 2019 and OEB staff's submission on the settlement proposal on January 17, 2019.

On January 10, 2019, Niagara-on-the-Lake Hydro filed a settlement proposal with updated evidence related to Exhibit 5 (Cost of Capital) and Exhibit 9 (Deferral and Variance Accounts). Niagara-on-the-Lake Hydro plans to provide updated evidence regarding the CAPEX. The OEB is making provision for written interrogatories on the updated evidence.

In Procedural Order No. 1, a tentative date of January 18, 2019 was scheduled for Niagara-on-the-Lake Hydro to present any settlement proposal and a summary of any unsettled issues in the case. The OEB is hereby cancelling this procedural step and will communicate a new date to parties if required.

Procedural Order No. 2 outlined that if there is no settlement, parties shall file and serve on the other parties by January 15, 2019 any submissions on which issues shall be

heard in writing, and for which issues the OEB should hold an oral hearing. Since intervenors and staff need to test the updated evidence, the date for this procedural step is revised and incorporated into the steps in the section below.

IT IS THEREFORE ORDERED THAT:

1. Niagara-on-the-Lake Hydro shall file updated evidence by **January 18, 2019**.
2. OEB staff shall request any relevant information and documentation from Niagara-on-the-Lake Hydro that is in relation to the updated evidence filed, by written interrogatories filed with the OEB and served on all parties by **January 23, 2019**.
3. Intervenors shall request any relevant information and documentation from Niagara-on-the-Lake Hydro that is in relation to the updated evidence filed, by written interrogatories filed with the OEB and served on all parties by **January 24, 2019**.
4. Niagara-on-the-Lake Hydro shall file with the OEB complete written responses to all interrogatories and serve them on the intervenors and OEB staff by **January 30, 2019**.
5. OEB staff and parties shall file and serve on the other parties by **February 4, 2019** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
6. At this time, the Board is tentatively scheduling an oral hearing on **February 14, 2019** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto, and continue on **February 15, 2019**, if necessary. The Board will subsequently determine which issues will be dealt with orally and in writing.

All filings to the OEB must quote the file number, EB-2018-0056, 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 <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 USB memory stick 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, Tina Li at Tina.Li@oeb.ca and OEB Counsel, Ljuba Djurdjevic at Ljuba.Djurdjevic@oeb.ca.

ADDRESS

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DATED at Toronto, **January 14, 2019**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary