



North Bay (Espanola) Acquisition Inc.

**Application for approval for North Bay (Espanola)
Acquisition Inc. to purchase Espanola Regional Hydro
Holdings Corporation and Espanola Regional Hydro
Distribution Corporation, amalgamate them, and operate
the amalgamated company under the name of Espanola
Regional Hydro Distribution Corporation**

PROCEDURAL ORDER NO. 1

April 1, 2019

North Bay (Espanola) Acquisition Inc. (the Applicant) filed an application on January 16, 2019 under Sections 86(2)(b), 86(1)(c) and 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Schedule B) (Act), for approval to purchase Espanola Regional Hydro Holdings Corporation and Espanola Regional Hydro Distribution Corporation, amalgamate them, and operate the amalgamated company under the name of Espanola Regional Hydro Distribution Corporation. The Applicant is asking the Ontario Energy Board (OEB) to approve:

- The acquisition of 100% of the issued and outstanding shares of Espanola Regional Hydro Holdings Corporation and 100% of the special shares of Espanola Regional Hydro Distribution Corporation pursuant to Section 86(2)(b) of the Act
- The amalgamation of Espanola Regional Hydro Holdings Corporation and Espanola Regional Hydro Distribution Corporation pursuant to Section 86(1)(c) of the Act
- The proposed rate making framework under Section 78 of the Act

The OEB issued a Notice of Hearing on February 26, 2019.

Mr. Donald Rennick and the School Energy Coalition (SEC) applied for intervenor status. Mr. Rennick and SEC also applied for cost eligibility. No objection was received from the Applicant.

Mr. Rennick and SEC are approved as intervenors. Mr. Rennick and SEC 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.

Individuals that represent their own interests should carefully review the OEB's Practice Direction on Cost Awards for information about the types of costs and disbursements that an individual may claim. For example, while wage or salary losses incurred as a result of participating in an OEB hearing, may be claimed, fees are not generally permitted to be claimed by individuals under the OEB's Cost Award Tariff.

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 OEB order at the end of a hearing.

Notice of Proposal

As part of the application, the Applicant also submitted a Notice of Proposal under Section 81 of the Act in relation to the Applicant's interest in a qualifying generation facility and its acquisition of Espanola Regional Hydro Distribution Corporation.

By letter dated, February 8, 2019, the OEB determined that it will process the Notice of Proposal separately under the file number of EB-2019-0085.

Interrogatories

At this time, provision will be made for written interrogatories. Parties should not engage in detailed exploration of items that do not appear to be relevant and material to the OEB's review of a consolidation application. In developing interrogatories, parties should refer to the OEB's *Handbook to Electricity Distributor and Transmitter Consolidations*, for what the OEB considers in its review. 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.

It is necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

IT IS THEREFORE ORDERED THAT:

1. OEB staff and intervenors shall request any information and material from the Applicant that is in addition to the evidence already filed and that is relevant to the hearing by written interrogatories filed with the OEB by **April 15, 2019**.
2. The Applicant shall file with the OEB complete written responses to the interrogatories and serve them on all parties by **April 29, 2019**.

All filings to the OEB must quote the file number, **EB-2019-0015** and be made electronically in searchable/unrestricted PDF format 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/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 an USB 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, Andrew Pietrewicz at Andrew.Pietrewicz@oeb.ca, and OEB Counsel, Michael Millar at 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
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **April 1, 2019**

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original signed by

Christine E. Long
Registrar
Office of the Registrar

Schedule A to Procedural Order No. 1

North Bay (Espanola) Acquisition Inc.

EB-2019-0015

Applicant and List of Intervenors

April 1, 2019

**North Bay (Espanola) Acquisition Inc.
EB-2019-0015**

APPLICANT & LIST OF INTERVENORS

April 01, 2019

APPLICANT

Rep. and Address for Service

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Acquisition Inc.**

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**North Bay (Espanola) Acquisition Inc.
EB-2019-0015**

APPLICANT & LIST OF INTERVENORS

April 01, 2019

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INTERVENORS

Independent Participants

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School Energy Coalition

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EB-2019-0015**

APPLICANT & LIST OF INTERVENORS

April 01, 2019

School Energy Coalition

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