

PUC Distribution Inc.

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

**PROCEDURAL ORDER NO. 4
June 4, 2019**

PUC Distribution Inc. (PUC Distribution) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on January 31, 2019 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) seeking approval for changes to its electricity distribution rates to be effective May 1, 2019.

As part of its 2019 IRM application, PUC Distribution has also applied for an Incremental Capital Module (ICM) to recover costs associated with the implementation of the Sault Smart Grid (SSG).

In Procedural Order No. 2, issued on May 3, 2019, the OEB decided that, given the complexity of the incremental capital funding proposal and the relatively mechanistic IRM portion of the application, the two portions of this application would be bifurcated.

On May 31, 2019, PUC Distribution filed its responses to OEB staff and intervenor interrogatories on the ICM portion of the application. In the cover letter accompanying the responses, PUC Distribution stated that it filed the following documents in confidence pursuant to the OEB's *Practice Direction on Confidential Filings*:

1. Appendix 9 - Letter of Intent between PUC and Energizing, LLC (now named Infrastructure Energy LLC (IE));
2. Appendix 11 - Amendment to Letter of Intent in No. 1 above;
3. Appendix 13 - Current working draft version of the main Project Agreement which will be between PUC and Project Co. (SSG Inc.); and
4. Appendix 12 - Schedule to Project Agreement in No. 3 above

The above are collectively referred to as the Documents.

PUC Distribution stated that IE engages in competitive business activities, including the development of smart grid initiatives across North America, and that disclosure of the

Documents on the public record would allow the IE's competitors to gain access to valuable confidential information and could reasonably be expected to prejudice the economic interest of, significantly prejudice the competitive position of, cause undue financial loss to, and be injurious to the financial interest of IE.¹

At this time, the OEB is making provision for written submissions on PUC Distribution's request for confidential treatment of the Documents noted above. As an interim measure, counsel and consultants for intervenors that wish to make submissions on the request for confidentiality shall be granted access to the unredacted Documents provided they have executed the OEB's Declaration and Undertaking by filing it with the OEB with a copy to PUC Distribution.

It is necessary to make provision for the following matters in this proceeding. The remainder of the timelines set out in Procedural Order No. 3 in relation to the ICM portion of the application remain unchanged.

THE ONTARIO ENERGY BOARD THEREFORE ORDERS THAT:

1. Intervenors that wish to review unredacted versions of the documents for which PUC Distribution requests confidential treatment will sign and file the OEB's Confidentiality Declaration and Undertaking form by no later than **June 6, 2019**.
2. PUC Distribution will provide unredacted versions of the documents to intervenors who signed the OEB's Confidentiality Declaration and Undertaking by no later than **June 7, 2019**.
3. OEB staff and intervenors that wish to file written submissions on PUC Distribution's request for confidential treatment of the documents noted above shall file such submissions with the OEB and deliver them to all other parties on or before **June 12, 2019**.
4. If PUC Distribution wishes to respond to any of the submissions, the reply submission must be filed with the OEB and delivered to all parties on or before **June 17, 2019**.

All filings to the OEB must quote the file number, EB-2018-0219, 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

¹ EB-2018-0219, Interrogatory Responses, Page 2

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 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 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, Georgette Vlahos at georgette.vlahos@oeb.ca and OEB Counsel, Ljuba Djurdjevic at ljuba.djurdjevic@oeb.ca.

ADDRESS

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DATED at Toronto, **June 4, 2019**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary