

Algoma Power Inc.

**Application for electricity distribution rates and other
charges beginning January 1, 2020**

**PROCEDURAL ORDER NO. 1
July 3, 2019**

Algoma Power Inc. (Algoma Power) filed a cost of service application with the Ontario Energy Board (OEB) on May 17, 2019 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 Algoma Power charges for electricity distribution, to be effective January 1, 2020.

A Notice of Hearing was issued on June 7, 2019. Each of School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from Algoma Power.

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

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.

Issues List

It is the OEB's expectation that parties will be best positioned to identify issues relevant to Algoma Power's application after the applicant has responded to interrogatories. Algoma Power, OEB staff and the intervenors shall develop and OEB staff shall file a proposed issues list for the OEB's consideration. The OEB will approve an issues list prior to the settlement conference.

Interrogatories

At this time, provision will be made for written interrogatories. The OEB will review the single test year application both in the context of the projects and programs that are requested for the test year and from the perspective of the distributor's plans for the subsequent four years until the next scheduled rebasing application.

Parties should examine the value presented by the proposed investments as opposed to focussing only on the costs. Parties should also assess the fit between the applicant's plans and its stated objectives, and consider how the plans contribute to positive outcomes for customers, in particular those outcomes that arise from the asset management decisions reflected in the applicant's distribution system plan. The OEB will consider the entire five year distribution system plan to assess the planning and pacing proposals of the applicant and whether the test year requests are appropriately aligned with the distribution system plan. The OEB will also consider productivity and benchmarking results in assessing cost forecasts, bill impacts and distributor performance.

Parties should not engage in detailed exploration of items that do not appear to be material. Parties should use the materiality thresholds documented in Chapter 2 of the Filing Requirements as a guide. 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. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. Intervenors and OEB staff shall request any relevant information and documentation from Algoma Power that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **July 25, 2019**.
2. Algoma Power shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors by **August 14, 2019**.

3. OEB staff shall file a proposed issues list, or, alternatively, shall advise the OEB in writing that the parties and OEB staff have been unable to reach an agreement on a draft issues list by **August 20, 2019**.
4. A settlement conference among the parties and OEB staff will be convened on **August 28, 2019** starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the settlement conference will continue on **August 29, 2019 and August 30, 2019**.
5. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **September 24, 2019**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating with reasons whether the parties believe those issues should be dealt with by way of oral or written hearing.
6. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **October 1, 2019**.
7. If there is no settlement proposal arising from the settlement conference, Algoma Power shall file a statement to that effect with the OEB by **September 13, 2019**. In that event, parties shall file and serve on the other parties by **September 20, 2019** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
8. The OEB is setting a date of **October 8, 2019** from 9:30 a.m. to 12:00 p.m. at 2300 Yonge Street, 25th floor, Toronto, for Algoma Power to present to the OEB any settlement proposal and a summary of any unsettled issues in the case. OEB staff will, at the direction of the OEB, confirm or amend this date in subsequent correspondence.

All filings to the OEB must quote the file number, **EB-2019-0019**, 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/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 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, Birgit Armstrong at Birgit.Armstrong@oeb.ca and OEB Counsel, James Sidlofsky at James.Sidlofsky@oeb.ca.

ADDRESS

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

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

DATED at Toronto, **July 3, 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

Algoma Power Inc.

EB-2019-0019

Applicant and List of Intervenor

July 3, 2019

**Algoma Power Inc.
EB-2019-0019**

APPLICANT & LIST OF INTERVENORS

July 03, 2019

APPLICANT

Rep. and Address for Service

Algoma Power Inc.

Greg Beharriell

Manager
Algoma Power Inc.
1130 Bertie St.
P.O. Box 1218
Fort Erie, ON L2A 5Y2

Tel: 905-871-0330
Fax: 905-994-2207
regulatoryaffairs@fortisontario.com

APPLICANT COUNSEL

Michael Buonaguro

Counsel
The Energy Boutique
24 Humber Trail
Toronto ON M6S 4C1
Tel: 416-767-1666
Fax: 416-767-1666
mrb@mrb-law.com

INTERVENORS

Rep. and Address for Service

School Energy Coalition

Wayne McNally

SEC Coordinator
Ontario Education Services Corporation
439 University Avenue, 18th Floor
Toronto, ON M5G 1Y8
Tel: 416-340-2540
Fax: 416-340-7571
wayne.mcnally@oesc-cseo.org

**Algoma Power Inc.
EB-2019-0019**

APPLICANT & LIST OF INTERVENORS

July 03, 2019

School Energy Coalition

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

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

**Vulnerable Energy
Consumers Coalition**

John Lawford

Counsel, Regulatory and Public Policy
Public Interest Advocacy Centre
2-285 McLeod Street
Ottawa ON K2P 1A1
Tel: 613-562-4002 Ext: 25
Fax: Not Provided
jlawford@piac.ca

**Algoma Power Inc.
EB-2019-0019**

APPLICANT & LIST OF INTERVENORS

July 03, 2019

**Vulnerable Energy
Consumers Coalition**

Mark Garner

Consultant - Project Manager
Consultant

647 Broadway Avenue

Toronto ON M4G 2S8

Tel: 647-408-4501

Fax: Not Provided

markgarner@rogers.com

Bill Harper

Consultant

107 Baker Ave.

Richmond Hill On L4C 1X5

Tel: 416-348 0193

Fax: Not Provided

bharper.consultant@bell.net