



Ontario  
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BY EMAIL

July 25, 2019

Mike Richmond  
McMillan LLP  
181 Bay Street, Suite 4400  
Toronto ON M5J 2T3  
[Mike.richmond@mcmillan.ca](mailto:Mike.richmond@mcmillan.ca)

Dear Mr. Richmond:

Re: **Alectra Utilities Corporation (Alectra Utilities)**  
**Application for 2020 Electricity Distribution Rates**  
**Ontario Energy Board File No. EB-2019-0018**

The Ontario Energy Board (OEB) is in receipt of your correspondence dated July 22, 2019, on behalf of Max Aicher (North America) Ltd. and Max Aicher (North America) Bloom Mill (collectively, MANA) with respect to clarifying the process and timing of when intervenors may file intervenor evidence in this proceeding.

In Procedural Order No. 1, the OEB set out a timetable for three separate streams of the application, namely the incentive rate-setting mechanism (IRM), M-Factor and capitalization policy. The current schedule does not contemplate intervenors' filing their own evidence, as this is not a typical part of the process for an IRM application. The OEB believes it would be appropriate to defer any decision on the need (and process) for filing intervenor evidence until Alectra Utilities responds to interrogatories of OEB staff and intervenors. The interrogatory responses on the M-Factor are due on September 13, 2019.

After reviewing Alectra Utilities' interrogatory responses, if MANA is still seeking to file further evidence in this proceeding, it should write to the OEB by no later than September 20, 2019 outlining:

- a comprehensive description of the proposed evidence that it wishes to file
- the relevance of the evidence to the M-Factor in this proceeding and why the subject matters cannot be dealt with through written argument
- the estimated cost for the evidence and whether MANA is expecting an award of costs for the work undertaken to produce and respond to the evidence
- the anticipated date for the filing of such evidence

This same deadline applies to any other intervenors who may want to file intervenor evidence on the M-Factor. As established in Procedural Order No. 1, cost awards are available only in relation to the M-Factor proposal and request to reverse the outcome of the prior OEB decision on capitalization policy.

Upon receipt of the information, the OEB will make a determination on whether the filing of intervenor evidence is appropriate and communicate next steps in the process.

Yours truly,

*Original signed by*

Kirsten Walli  
Board Secretary

c: Parties in EB-2019-0018