

**Brantford Power Inc.**

**Application for electricity distribution rates effective  
January 1, 2020**

**-and-**

**Energy+ Inc.**

**Application for electricity distribution rates effective  
January 1, 2020**

**PROCEDURAL ORDER NO. 1  
October 4, 2019**

On August 12, 2019, Brantford Power Inc. (Brantford Power) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) under section 78 of the *Ontario Energy Board Act, 1998* (OEB Act) seeking approval for changes to its electricity distribution rates to be effective January 1, 2020. The application includes a request for an Incremental Capital Module (ICM) related to the relocation of Brantford Power's administration office and operations center. The OEB assigned file no. EB-2019-0022 to the application.

On August 26, 2019, Energy+ Inc. (Energy+) filed an IRM application with the OEB under section 78 of the OEB Act seeking approval for changes to its electricity distribution rates to be effective January 1, 2020. The application includes a request for an ICM related to the relocation of Energy+'s operations center in its Brant County service territory. The OEB assigned file no. EB-2019-0031 to the application.

On September 5, 2019, the OEB issued a Notice of Hearing for Brantford Power's application. Each of School Energy Coalition (SEC), Vulnerable Energy Consumers Coalition (VECC) and Consumers Council of Canada (CCC) applied for intervenor status and cost eligibility.

No objection was received from Brantford Power.

On September 16, 2019, the OEB issued a Notice of Hearing for Energy+'s application. Each of SEC, Toyota Motor Manufacturing Canada Inc. (TMMC) and VECC applied for intervenor status. SEC and VECC also applied for cost eligibility.

No objection was received from Energy+.

### **Combined Hearing**

In its Notices of Intervention to both Brantford Power and Energy+, SEC noted that the ICM requests of Brantford Power and Energy+ are closely related and that the OEB should consider hearing the applications together. Both ICM requests relate to the funding of the same building, as the two utilities propose to share the new facility. VECC and CCC supported SEC's request. Neither Brantford Power nor Energy+ commented on the matter.

Pursuant to section 21(5) of the OEB Act, the OEB has decided that the applications will be heard together as a combined hearing given the common issues and in order to facilitate regulatory efficiency.

### **Intervention Requests**

In its Notice of Intervention, TMMC states that its interest relates to the "proposed rate adjustments including [the] annual adjustment mechanism, proposed distribution rates (fixed and variable), and disposition and allocation of certain of Energy+'s variance and deferral account balances. TMMC also has an interest in the proposed fixed service charge for the large user class." With respect to TMMC's interest in reviewing the "annual adjustment mechanism", the OEB notes that the OEB's IRM application process is by design a mechanistic process and therefore it is not the appropriate proceeding to review the design of the IRM Framework. TMMC should refer to the OEB's filing guidelines for IRM applications<sup>1</sup> and structure its participation recognizing the limited scope of IRM proceedings.

SEC, TMMC, VECC and CCC are approved as intervenors in the combined hearing. SEC, VECC and CCC are eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards* and only in relation to the ICM requests of Brantford Power and Energy+. The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

---

<sup>1</sup> Filing Requirements For Electricity Distribution Rate Applications - 2018 Edition for 2019 Rate Applications - Chapter 3 Incentive Rate-setting applications, dated July 18, 2018

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.

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. OEB staff and intervenors shall request any relevant information and documentation from Brantford Power and Energy+ that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on Brantford Power and Energy+ and all other parties by October 22, 2019.
2. Each of Brantford Power and Energy+ shall file with the OEB complete written responses to the interrogatories and serve them on all parties by November 5, 2019.

All filings to the OEB must quote the file number, **EB-2019-0022 / EB-2019-0031**, 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 <https://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 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, Jerry Wang at [Jerry.Wang@oeb.ca](mailto:Jerry.Wang@oeb.ca) and OEB Counsel, Ljuba Djurdjevic at [Ljuba.Djurdjevic@oeb.ca](mailto:Ljuba.Djurdjevic@oeb.ca).

**ADDRESS**

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

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

**DATED** at Toronto, October 4, 2019

**ONTARIO ENERGY BOARD**

**By delegation, before: Christine E. Long**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary

**SCHEDULE “A”**

**Brantford Power Inc.**

**Board File No. EB-2019-0022**

**And**

**Energy+ Inc.**

**Board File No. EB-2019-0031**

**APPLICANT & INTERVENORS**

**Dated: October 4, 2019**

**Brantford Power Inc.  
EB-2019-0022**

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

- 1 -

**APPLICANT**

**Rep. and Address for Service**

**Brantford Power Inc.**

**Oana Stefan**

Manager (Interim)  
Brantford Power Inc.  
84 Market St.  
Box 308  
Brantford, ON N3T 5N8

Tel: 519-751-3522  
Fax: Not Provided  
[ostefan@brantford.ca](mailto:ostefan@brantford.ca)

**INTERVENORS**

**Rep. and Address for Service**

**Consumers Council of  
Canada**

**Julie Girvan**

Consultant  
Consumers Council of Canada  
J. E. Girvan Enterprises  
62 Hillsdale Ave. East  
Toronto ON M4S 1T5  
Tel: 416-322-7936  
Fax: 416-322-9703  
[jgirvan@uniserve.com](mailto:jgirvan@uniserve.com)

**School Energy Coalition**

**Wayne McNally**

SEC Coordinator  
Ontario Education Services Corporation  
c/o Ontario Public School Boards Association  
439 University Avenue, 18th Floor  
Toronto ON M5G 1Y8  
Tel: 416-340-2540  
Fax: 416-340-7571  
[wayne.mcnally@oesc-cseo.org](mailto:wayne.mcnally@oesc-cseo.org)

**Brantford Power Inc.  
EB-2019-0022**

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

- 2 -

**School Energy Coalition**

**Mark Rubenstein**

Counsel  
Shepherd Rubenstein Professional Corporation  
2200 Yonge Street, Suite 1302  
Toronto ON M4S 2C6  
Tel: 647-483-0113  
Fax: 416-483-3305  
[mark@shepherdrubenstein.com](mailto:mark@shepherdrubenstein.com)

**Jay Shepherd**

Counsel  
Shepherd Rubenstein Professional Corporation  
2200 Yonge Street, Suite 1302  
Toronto ON M4S 2C6  
Tel: 416-804-2767  
Fax: Not Provided  
[jay@shepherdrubenstein.com](mailto:jay@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](mailto:jlawford@piac.ca)

**Shelley Grice**

Project Manager  
46 Scarborough Road  
Toronto ON M4E 3M5  
Tel: 647-880-9942  
Fax: Not Provided  
[shelley.grice@rogers.com](mailto:shelley.grice@rogers.com)

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

- 1 -

**APPLICANT**

**Rep. and Address for Service**

**Energy Plus Inc.**

**Dan Molon**

Manager, Regulatory Affairs and Financial Planning  
Energy Plus Inc.  
1500 Bishop St.  
P.O. Box 1060  
Cambridge, ON N1R 5X6

Tel: 519-621-3484  
Fax: Not Provided  
[regulatoryaffairs@energyplus.ca](mailto:regulatoryaffairs@energyplus.ca)

**APPLICANT COUNSEL**

**John Vellone**

Partner  
Borden Ladner Gervais LLP  
Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto ON M5H 4E3  
Tel: 416-367-6730  
Fax: 416-367-6749  
[jvellone@blg.com](mailto:jvellone@blg.com)

**INTERVENORS**

**School Energy Coalition**

**Rep. and Address for Service**

**Wayne McNally**

SEC Coordinator  
Ontario Education Services Corporation  
c/o Ontario Public School Boards Associa  
439 University Avenue, 18th Floor  
Toronto ON M5G 1Y8  
Tel: 416-340-2540  
Fax: 416-340-7571  
[wayne.mcnally@oesc-cseo.org](mailto:wayne.mcnally@oesc-cseo.org)



**Energy Plus Inc.  
EB-2019-0031**

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

- 2 -

**School Energy Coalition**

**Mark Rubenstein**

Counsel  
Shepherd Rubenstein Professional Corporation  
2200 Yonge Street, Suite 1302  
Toronto ON M4S 2C6  
Tel: 647-483-0113  
Fax: 416-483-3305  
[mark@shepherdrubenstein.com](mailto:mark@shepherdrubenstein.com)

**Jay Shepherd**

Counsel  
Shepherd Rubenstein Professional Corporation  
2200 Yonge Street, Suite 1302  
Toronto ON M4S 2C6  
Tel: 416-804-2767  
Fax: Not Provided  
[jay@shepherdrubenstein.com](mailto:jay@shepherdrubenstein.com)

**Toyota Motor Manufacturing  
Canada Inc.**

**Bill Fantin**

Purchasing Manager  
Toyota Motor Manufacturing Canada Inc.  
1055 Fountain Street North  
Cambridge ON N3H 5K2  
Tel: 519-653-1111 Ext: 2633  
Fax: Not Provided  
[bill.fantin@toyota.com](mailto:bill.fantin@toyota.com)

**Pete Leonard**

Manager  
Toyota Motor Manufacturing Canada Inc.  
1055 Fountain Street North  
Cambridge ON N3H 5K2  
Tel: 519-653-1111 Ext: 3456  
Fax: Not Provided  
[pete.leonard@toyota.com](mailto:pete.leonard@toyota.com)

**Energy Plus Inc.  
EB-2019-0031**

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

- 3 -

**Toyota Motor Manufacturing  
Canada Inc.**

**Melody Collis**

Assistant Manager  
Toyota Motor Manufacturing Canada Inc.  
1055 Fountain Street North  
Cambridge ON N3H 5K2  
Tel: 519-653-1111 Ext: 3453  
Fax: Not Provided  
[melody.collis@toyota.com](mailto:melody.collis@toyota.com)

**Helen Newland**

Counsel  
Dentons Canada LLP  
77 King St.  
Suite 400 - Toronto Dominion Centre  
Toronto ON M5K 0A1  
Tel: 416-863-4471  
Fax: 416-863-4592  
[helen.newland@dentons.com](mailto:helen.newland@dentons.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](mailto:jlawford@piac.ca)

**Shelley Grice**

Project Manager  
46 Scarborough Road  
Toronto ON M4E 3M5  
Tel: 647-880-9942  
Fax: Not Provided  
[shelley.grice@rogers.com](mailto:shelley.grice@rogers.com)

**Energy Plus Inc.**  
**EB-2019-0031**

**APPLICANT & LIST OF INTERVENORS**

**October 04, 2019**

- 4 -

**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](mailto:markgarner@rogers.com)