

**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.

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<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**

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P.O. Box 2319  
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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

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**APPLICANT**

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**INTERVENORS**

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**School Energy Coalition**

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

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

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

**APPLICANT & LIST OF INTERVENORS**

**October 04, 2019**

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**APPLICANT**

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

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

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

**APPLICANT & LIST OF INTERVENORS**

October 04, 2019

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

**APPLICANT & LIST OF INTERVENORS**

**October 04, 2019**

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