

**Hydro One Networks Inc.
2015 to 2017 Distribution Rates Approval
Motion to Review Decision to Eliminate Seasonal Rates**

**PROCEDURAL ORDER NO. 1
November 28, 2019**

The Ontario Energy Board (OEB) determined in its Hydro One Networks Inc.'s (Hydro One) 2015-2017 distribution rates Decision¹ (March 2015 Decision), that Hydro One's seasonal rates class should be eliminated and existing seasonal class customers should be moved to one of three Hydro One residential rate classes according to their density.

Hydro One filed its "Report on Elimination of the Seasonal Class" on August 4, 2015 (2015 Seasonal Report). The OEB initiated a new proceeding² to consider the remaining steps for the elimination of the seasonal class in November 2016. The OEB ordered Hydro One to update its 2015 Seasonal Report, and Hydro One filed an updated report on December 1, 2016 (2016 Seasonal Report).

In March of 2017, Hydro One filed an application for approval of its proposed 2018-2022 distribution rates.³ By letter dated September 20, 2018, the OEB informed parties that it intended to resume the seasonal class elimination implementation proceeding at the conclusion of its review of Hydro One's proposed 2018-2022 distribution rates. The OEB indicated that an update to the 2016 Seasonal Report was expected after the 2018-2022 distribution rates proceeding concluded and that Hydro One could propose a revised approach to the elimination of the seasonal class. The OEB issued its Decision and Order on Hydro One's 2018-2022 distribution rate application on March 7, 2019.

The OEB resumed the seasonal class elimination implementation proceeding on April 17, 2019, by issuing a Procedural Order which directed Hydro One to file an updated

¹ EB-2013-0416/EB-2014-0247, Decision, March 12, 2015

² EB-2016-0315

³ EB-2017-0049

report on the elimination of the seasonal class and reiterated that the OEB's decision to eliminate the seasonal class had been made in a prior proceeding.

Hydro One filed its updated Seasonal Report on July 19, 2019 (2019 Seasonal Report). The 2019 Seasonal Report includes a proposed alternative that would maintain the seasonal class. This was set out in Section 5 of the report entitled "Alternate Approach to Elimination of the Seasonal Class."

On September 17, 2019, the OEB issued Procedural Order No. 3 in the seasonal class elimination implementation proceeding which noted that requests to reconsider an earlier OEB decision are made to the OEB by means of a motion to review under Part VII of the OEB's *Rules of Practice and Procedure* (Rules). In a motion to review, the OEB considers whether there is a question as to the correctness of the decision being reviewed.

The OEB further stated that it had determined that it would treat Section 5 of Hydro One's 2019 Seasonal Report as a motion to review that part of the March 2015 Decision in which the OEB determined that Hydro One's seasonal class should be eliminated and existing seasonal class customers should be moved to one of three Hydro One residential rate classes according to their density.

The OEB noted that under Rule 43.01 the OEB may, with or without a hearing, decide a threshold question of whether the matter should be reviewed before conducting any review on the merits. The OEB stated that it intended to proceed on this basis and would establish a separate panel for the purposes of deciding the threshold question. This proceeding was assigned OEB file number EB-2019-0234.

As a first step in this proceeding, the OEB determined that it would allow Hydro One an opportunity to file such additional material as it considered desirable for the purposes of the motion, and to make submissions on the threshold question. The OEB stated that any further procedural steps would be determined after receipt of Hydro One's material and submissions. Hydro One filed this material on October 1, 2019.

The OEB has determined that it will now provide for written submissions from OEB staff and parties on the material filed by Hydro One on October 1, 2019, and has determined a schedule for this.

The OEB deems the parties granted intervenor status in the EB-2016-0315 proceeding as intervenors in this proceeding. In addition, those parties that were granted cost

eligibility status in the EB-2016-0315 case will be eligible for cost awards in this proceeding.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and intervenors shall file any submissions with the OEB and forward them to all parties by December 19, 2019.
2. Hydro One shall file its reply submission, if any, with the OEB and forward it to all parties on or before January 9, 2020.

All filings to the OEB must quote the file number, **EB-2019-0234**, be made in searchable /unrestricted PDF format electronically through the OEB's web portal at <https://www.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/Industry>. If the web portal is not available parties may email their documents to the address below. 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, Martin Davies at Martin.Davies@oeb.ca and OEB Counsel, James Sidlofsky at James.Sidlofsky@oeb.ca.

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DATED at Toronto, November 28, 2019

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar and Board Secretary