

Newmarket-Tay Power Distribution Ltd.

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

**PROCEDURAL ORDER NO.3
March 23, 2020**

Newmarket-Tay Power Distribution Ltd. (Newmarket-Tay Power) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on November 11, 2019 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) seeking approval for changes to its electricity distribution rates to be effective May 1, 2020.

A Notice of Hearing was issued on December 19, 2019. Procedural Order (PO) No.1 was issued on January 7, 2020, in which the OEB set out the schedule of procedural steps, including interrogatories and submissions. Interrogatories were filed by OEB staff, the School Energy Coalition (SEC) and the Vulnerable Energy Consumers Coalition (VECC) by January 17, 2020, and responses were filed by Newmarket-Tay Power on February 7, 2020.

PO No.2 was issued on January 30, 2020, in which the OEB replaced the submissions steps from PO No.1 in order to facilitate a process for settlement. A settlement conference among Newmarket-Tay Power, SEC and VECC (the parties) was convened on February 26, 2020. On March 12, 2020, Newmarket-Tay Power filed a partial settlement proposal on behalf of the parties. The partial settlement proposal details the parties' complete resolution of the cost allocation issue. The other issues in the proceeding are not eligible for cost awards as they were largely mechanistic.

PO No.2 called for the settlement proposal to "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." In the cover letter filed with the partial settlement proposal, Newmarket-Tay Power proposed that the unsettled issues be heard by way of a written hearing. It proposed that OEB staff file a submission on the unsettled issues by March 19, 2020, and requested an opportunity to reply by March 27, 2020.

OEB staff filed a submission on March 19, 2020. This submission was set out in two parts. The first responded to the partial settlement proposal filed on March 12, 2020. The second part addressed the remaining issues more typically seen in IRM proceedings, and were not addressed by the partial settlement proposal.

The OEB is scheduling a reply submission for the date requested by Newmarket-Tay Power. If an extension to this date is required, Newmarket-Tay Power can send a letter to the OEB requesting a different date.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Any reply submission from Newmarket-Tay Power shall be filed with the OEB and served on all parties by **March 27, 2020**.

All materials filed with the OEB must quote the file number, **EB-2019-0055**, be made in a searchable/unrestricted PDF format and sent electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Filings must clearly state the sender's name, postal address and telephone number, fax number and email 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.

NOTE: The OEB is temporarily waiving the paper copy filing requirement until further notice. 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, Andrew Frank at andrew.frank@oeb.ca and OEB Counsel, Richard Lanni at richard.lanni@oeb.ca.

ADDRESS

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DATED at Toronto, March 23, 2020

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar and Board Secretary