



Waterloo North Hydro Inc.

**Application for electricity distribution rates and other
charges beginning January 1, 2021**

**PROCEDURAL ORDER NO. 3
November 25, 2020**

Waterloo North Hydro Inc. (Waterloo North Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on June 30, 2020 (updated on July 14, 2020) under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Waterloo North Hydro charges for electricity distribution, beginning January 1, 2021.

On November 16, 2020, Waterloo North Hydro filed with the OEB a settlement proposal and responses to pre-settlement clarification questions from OEB staff, Environmental Defence, School Energy Coalition (SEC), and Vulnerable Energy Consumers Coalition.

In Procedural Order No2, the OEB set a tentative date of **December 3, 2020** for Waterloo North Hydro to present to the OEB any settlement proposal and a summary of any unsettled issues in the case. The OEB has determined that it does not require a presentation of the settlement proposal and is cancelling the December 3, 2020 presentation.

In response to SEC-67, Waterloo North Hydro is requesting confidential treatment for several documents (collectively, the “Documents”) pursuant to the OEB’s *Rules of Practice and Procedure* and the OEB’s *Practice Direction on Confidential Filings* (Practice Direction). The Documents were presented to Waterloo North Hydro’s Compensation and HR Committee by a compensation consultant and relate to the following:

- Executive Incentive Program Overview: Presentation slides from Marjorie Richards & Associates Ltd. (Compensation Consultant) on executive compensation and incentive pay

- Waterloo North Hydro Balanced Scorecard for 2016: Scorecard with description of various goals and criteria to be achieved by Waterloo North Hydro for 2016. This formed part of the Executive Incentive Program Overview
- Executive Total Compensation Salary Review: Presentation slides from the compensation consultant on its methodology in reviewing Waterloo North Hydro's executive compensation, findings, observations and recommendations
- Executive Incentive Program S.M.A.R.T. Objective Guideline: Detailed guideline on S.M.A.R.T. and how to set and evaluate objectives using the methodology
- Executive Objectives Setting and Evaluation Form: Example of completed Executive Objectives Setting and Evaluation form for Waterloo North Hydro's President and CEO, showing the various objectives and evaluators
- Tool with Example: Example of weighted rating calculation of bonus opportunity

Waterloo North Hydro states that public disclosure of the Documents would not only prejudice its position when competing with other utilities or private businesses in the areas of human resources talent, but it may also result in undue loss of being able to retain talent. Disclosure of the Documents could also be prejudicial to the Compensation Consultant who has advised and developed an executive total compensation plan specific to Waterloo North Hydro. A letter from the Compensation Consultant outlining additional reasons for confidential treatment is attached to the response to SEC-67.

At this time, the OEB is making provision for written submissions on Waterloo North Hydro's request for confidential treatment. Only those representatives of parties to the proceeding that have signed the OEB's Declaration and Undertaking, filed it with the OEB, and provided a copy to Waterloo North Hydro will be provided access to the unredacted Documents.

Parties are responsible for ensuring that any documents they file with the OEB, do not include personal information (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's *Rules of Practice and Procedure*.

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. The tentative date of **December 3, 2020** for Waterloo North Hydro to present to the OEB any settlement proposal and a summary of any unsettled issues in the case is cancelled.
2. Counsel and consultants for intervenors who wish to review un-redacted versions of Waterloo North Hydro's Documents for which confidential treatment is sought will sign and file the OEB's Confidentiality Declaration and Undertaking form, file it with the OEB and provide a copy to Waterloo North Hydro, if they have not already done so.
3. Waterloo North Hydro will provide un-redacted versions of the Documents to parties' counsel and/or consultants who have signed the OEB's Confidentiality Declaration and Undertaking
4. OEB staff and intervenors who wish to make written submissions on Waterloo North Hydro's confidentiality request shall file such submissions with the OEB and serve them on Waterloo North Hydro and all other intervenors, by **December 2, 2020**.
5. If Waterloo North Hydro wishes to respond to any of the submissions, the reply submission shall be filed with the OEB and served on all intervenors by **December 9, 2020**.

All materials filed with the OEB must quote the file number, **EB-2020-0059**, be submitted in a searchable/unrestricted PDF format with a digital signature through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Filings must clearly state the sender's name, postal address, 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 registrar@oeb.ca.

All communications should be directed to the attention of the Registrar 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, Donald Lau at Donald.Lau@oeb.ca and OEB Counsel, Ljuba Djurdjevic at Ljuba.Djurdjevic@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-888-632-6273 (Toll free)

Fax: 416-440-7656

DATED at Toronto, **November 25, 2020**

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar