

ERTH Power Corporation

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

**PROCEDURAL ORDER NO. 1
January 26, 2021**

ERTH Power Corporation (ERTH Power) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on November 27, 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 ERTH Power charges for electricity distribution, beginning May 1, 2021. On December 9, 2020, the OEB issued a letter stating that ERTH Power's application was not in compliance with the OEB's filing requirements and directed ERTH Power to file the missing information. ERTH Power filed the noted information on December 16, 2020. The OEB accepted the application as complete on January 5, 2021.

The OEB issued a Notice of Hearing on January 5, 2021. Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from ERTH Power.

VECC is approved as an intervenor and is eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards* and only in relation to ERTH Power's request for a rate change in the context of its 2019 earnings. The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing.

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 VECC shall request any relevant information and documentation from ERTH Power that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on ERTH Power, by **February 10, 2021**.
2. ERTH Power shall file with the OEB complete written responses to all interrogatories and serve them on VECC by, **February 24, 2021**.
3. Any written submissions by OEB staff and VECC, shall be filed with the OEB and served on ERTH Power by **March 10, 2021**.
4. Any reply submissions by ERTH Power, shall be filed with the OEB and served on VECC by **March 24, 2021**.

All materials filed with the OEB must quote the file number, **EB-2020-0019**, and be submitted in a searchable/unrestricted PDF format with a digital signature through the OEB's web portal at <https://p-pes.ontarioenergyboard.ca/PivotalUX/>. 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 [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at www.oeb.ca/industry. We encourage the use of RESS; however, parties who have not yet [set up an account](#), may email their documents to registrar@oeb.ca.

All communications should be directed to the attention of the Registrar 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, Marc Abramovitz at marc.abramovitz@oeb.ca and OEB Counsel, Lawren Murray at Lawren.Murray@oeb.ca.

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

DATED at Toronto, **January 26, 2021**

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original signed by

Christine E. Long
Registrar

SCHEDULE A

PROCEDURAL ORDER NO. 1

ERTH POWER CORPORATION

EB-2020-0019

APPLICANT AND LIST OF INTERVENORS

JANUARY 26, 2021

**ERTH Power Corporation
EB-2020-0019**

APPLICANT & LIST OF INTERVENORS

January 26, 2021

APPLICANT

Rep. and Address for Service

ERTH Power Corporation

Diane Taylor

Manager
ERTH Power Corporation
P.O. Box 157
143 Bell Street
Ingersoll, ON N5H 3K5

Tel: 519-485-1820
diane.taylor@erthpower.com

INTERVENORS

Rep. and Address for Service

**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: 125
jlawford@piac.com

Shelley Grice

Consultant
Association of Major Power Consumers in Ontario
46 Scarborough Road
Toronto ON M4E 3M5
Tel: 647-880-9942
Fax: 416-260-0442
shelley.grice@rogers.com