

**PUC Distribution Inc.**

**Application for electricity distribution rates  
and other charges  
effective May 1, 2022**

**DECISION ON CONFIDENTIALITY AND PROCEDURAL ORDER NO. 7**  
**February 3, 2021**

PUC Distribution Inc. (PUC Distribution) filed an amended Incremental Capital Module (ICM) application with the Ontario Energy Board (OEB) on October 29, 2020 seeking approval for rate riders to be effective May 1, 2022. PUC Distribution has requested OEB approval to recover incremental capital to implement a smart grid project, the Sault Smart Grid (SSG Project).

As noted in the OEB's completeness letter issued on November 12, 2020, for administrative purposes the OEB assigned a new file number for this proceeding, EB-2020-0249, however this application is a continuation of an originally filed application for the same project. This proceeding has been combined with the initial application, EB-2018-0219.<sup>1</sup>

In accordance with Procedural Order No. 6<sup>2</sup>, PUC Distribution was to file its interrogatory responses by January 11, 2021. PUC Distribution filed a letter on January 8, 2021 requesting an extension to this deadline to January 25, 2021 given the novelty and complexity of some of the requests. The OEB approved the requested extension.<sup>3</sup>

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<sup>1</sup> PUC Distribution filed an incentive rate-setting mechanism (IRM) application with the OEB on January 31, 2019 seeking approval for changes to its electricity distribution rates to be effective May 1, 2019. As part of its 2019 IRM application, PUC Distribution applied for an ICM to recover costs associated with the implementation of the Sault SSG Project. The OEB bifurcated the application and issued a Partial Decision and Order on the IRM portion of the application on June 20, 2019. A Final Rate Order was issued on July 9, 2019. The ICM portion was placed in abeyance following the filing of a letter on June 28, 2019 by PUC Distribution indicating its intent to amend the ICM portion of the application.

<sup>2</sup> Issued November 16, 2020

<sup>3</sup> OEBltr\_PUC\_Ext Request\_Interrogatories\_20210111, January 11, 2021

## Confidentiality

In the covering letter accompanying its interrogatory responses, PUC Distribution requested confidential treatment of one document in its entirety, and one in which partial redactions were requested.

### **Attachment 11 to Interrogatory Responses – Corporate Structure Chart**

In response to an interrogatory from the Consumers Council of Canada, PUC Distribution filed Attachment 11 - Corporate Structure Chart (Attachment 11) in confidence pursuant to the OEB's *Practice Direction on Confidential Filings* (Practice Direction).<sup>4</sup>

PUC Distribution requested that Attachment 11 be treated as confidential as it contains information related to the Guarantor.<sup>5</sup> PUC Distribution noted that, in its Decision on Revised Confidentiality Request<sup>6</sup>, the OEB found that the name of the Guarantor shall be treated as confidential as it is commercially sensitive third-party information, the disclosure of which could be prejudicial to the third party.

### **Attachment 2 to Interrogatory Responses - PUC Distribution Inc. Board Meeting Closed Session Minutes**

PUC Distribution stated that the redacted information in Attachment 2 pertains to items on the meeting agenda for the PUC Distribution Board that do not relate to this proceeding. PUC Distribution stated that this information is "irrelevant and contains no probative value to the proceedings".<sup>7</sup>

## Findings

The OEB finds that Attachment 11 shall be treated as confidential for the same reasons set out in the Decision on Revised Confidentiality Request which determined that this type of information should be treated as confidential. With respect to Attachment 2, the OEB accepts PUC Distribution's submission that the redacted information is irrelevant to this proceeding, and it will remain redacted.

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<sup>4</sup> EB-2020-0249/EB-2018-0219, PUC\_IRR\_20210125, Response to CCC-5, Page 104

<sup>5</sup> EB-2020-0249/EB-2018-0219, PUC\_IRR\_20210125, Cover Letter, Pages 1-2

<sup>6</sup> Issued December 15, 2020

<sup>7</sup> EB-2020-0249/EB-2018-0219, PUC\_IRR\_20210125, Cover Letter, Page 2

## Procedural Order

Procedural Order No. 6, among other matters, set out procedural steps for this proceeding up to the filing of interrogatory responses by PUC Distribution. As noted above, those interrogatory responses have now been filed. Two intervenors requested that oral questioning be scheduled by way of a Technical Conference, and PUC Distribution did not object to a virtual Technical Conference.

The OEB is making provision for the matters set out below related to this proceeding.

### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. A transcribed, virtual technical conference among the parties and OEB staff will be convened on **February 17, 2021**, starting at 9:30 a.m. Information on virtual participation will be communicated to parties later. Parties intending to participate are to notify PUC Distribution Inc. and copy all parties, of the topic areas for questioning by **February 9, 2021**.
2. Any technical conference undertakings shall be filed with the OEB no later than **February 26, 2021**.
3. PUC Distribution Inc. shall file a written argument-in-chief with the OEB and serve it on all parties by **March 12, 2021**.
4. OEB staff and intervenors shall file any written submissions with the OEB and serve them on all parties by **March 22, 2021**.
5. PUC Distribution Inc. shall file any written reply submission with the OEB and serve them on all parties by **April 1, 2021**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, 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*.

All materials filed with the OEB must quote the file numbers, **EB-2020-0249/EB-2018-0219**, 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](http://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](mailto: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, Georgette Vlahos at [Georgette.Vlahos@oeb.ca](mailto:Georgette.Vlahos@oeb.ca) and OEB Counsel, Ljuba Djurdjevic at [Ljuba.Djurdjevic@oeb.ca](mailto:Ljuba.Djurdjevic@oeb.ca).

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

**DATED** at Toronto, **February 3, 2021**

**ONTARIO ENERGY BOARD**

*Original Signed By*

Christine E. Long  
Registrar