



Hearst Power Distribution Co. Ltd.

**Application for electricity distribution rates beginning
May 1, 2021**

**PROCEDURAL ORDER NO. 1
February 3, 2021**

Hearst Power Distribution Co. Ltd. (Hearst Power) filed a cost of service application with the Ontario Energy Board (OEB) on December 11, 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 Hearst Power charges for electricity distribution, beginning May 1, 2021.

A Notice of Hearing was issued on January 7, 2021. Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from Hearst Power.

VECC is approved as an intervenor. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. VECC is eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

VECC should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party, unless a compelling reason is provided when cost claims are filed.

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.

Issues List

It is the OEB's expectation that parties will be best positioned to identify issues relevant to Hearst Power's application after the applicant has responded to interrogatories. Hearst Power, OEB staff and VECC shall develop and OEB staff shall file a proposed

issues list for the OEB's consideration. The OEB will approve an issues list prior to the settlement conference.

Interrogatories

At this time, provision is being made for written interrogatories. The OEB will review the single test year application both in the context of the projects and programs that are requested for the test year and from the perspective of the distributor's plans for the subsequent four years until the next scheduled rebasing application.

Parties should examine the value presented by the proposed investments as opposed to focusing only on the costs. Parties should also assess the fit between the applicant's plans and its stated objectives, and consider how the plans contribute to positive outcomes for customers, in particular those outcomes that arise from the asset management decisions reflected in the applicant's distribution system plan. The OEB will consider the entire five-year distribution system plan to assess the planning and pacing proposals of the applicant and whether the test year requests are appropriately aligned with the distribution system plan. The OEB will also consider productivity and benchmarking results in assessing cost forecasts, bill impacts and distributor performance.

Parties should not engage in detailed exploration of items that do not appear to be material. Parties should use the materiality thresholds documented in Chapter 2 of the Filing Requirements as a guide. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

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 Hearst Power that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **February 22, 2021**.

2. Hearst Power shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and VECC by **March 15, 2021**.
3. OEB staff shall file a proposed issues list, or, alternatively, shall advise the OEB in writing that the parties and OEB staff have been unable to reach an agreement on a draft issues list by **March 25, 2021**.
4. A settlement conference among Hearst Power, VECC, and if provided for by the OEB in accordance with the *Practice Direction on Settlement Conferences*, OEB staff, will be convened on **April 5, 2021**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **April 6-7, 2021**. This will be a virtual conference and information on how to participate will be communicated at a later date.
5. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **May 3, 2021**. In addition to outlining the terms of any settlement, the settlement proposal should 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.
6. If OEB staff is not a party to the settlement proposal, any submission from OEB staff on such settlement proposal shall be filed with the OEB and served on all parties by **May 10, 2021**.
7. If there is no settlement proposal arising from the settlement conference, Hearst Power shall file a statement to that effect with the OEB by **April 26, 2021**. In that event, parties shall file and serve on the other parties by **May 3, 2021**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.

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 number, **EB-2020-0027**, 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 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, Abdullah Navid at Abdullah.Navid@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, **February 3, 2021**

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original Signed By

Christine E. Long
Registrar

SCHEDULE A

PROCEDURAL ORDER NO. 1

HEARST POWER DISTRIBUTION CO. LTD.

EB-2020-0027

FEBRUARY 3, 2021

APPLICANT AND LIST OF INTERVENORS

Hearst Power Distribution Company Limited
EB-2020-0027

APPLICANT & LIST OF INTERVENORS

February 03, 2021

APPLICANT

Rep. and Address for Service

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Company Limited**

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INTERVENORS

Rep. and Address for Service

**Vulnerable Energy
Consumers Coalition**

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Hearst Power Distribution Company Limited
EB-2020-0027

APPLICANT & LIST OF INTERVENORS

February 03, 2021

**Vulnerable Energy
Consumers Coalition**

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