



Espanola Regional Hydro Distribution Corporation

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

**PROCEDURAL ORDER NO. 1
February 11, 2021**

Espanola Regional Hydro Distribution Corporation (Espanola Regional Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on December 31, 2021 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 Espanola Regional Hydro charges for electricity distribution, beginning May 1, 2021.

A Notice of Hearing was issued on January 19, 2021. Consumers Council of Canada (CCC), School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from Espanola Regional Hydro.

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

Cost eligible intervenors 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.

Issues List

It is the OEB's expectation that parties will be best positioned to identify issues relevant to Espanola Regional Hydro's application after the applicant has responded to interrogatories. Espanola Regional Hydro, OEB staff and the intervenors 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 in the context of the projects and programs that are requested for the test year.

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 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.

Presentation of Settlement Proposal

Following the settlement conference, provision is being made for the presentation of any settlement proposal filed by Espanola Regional Hydro, whether full or partial, and for the presentation of any unsettled issues to be adjudicated by the OEB. Espanola Regional Hydro's presentation is intended to summarize and provide any salient information for the OEB's consideration in reviewing the settlement proposal.

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 shall request any relevant information and documentation from Espanola Regional Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **March 5, 2021**
2. Intervenors shall request any relevant information and documentation from Espanola Regional Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **March 9, 2021**.
3. Espanola Regional Hydro shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **March 25, 2021**.
4. 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 **April 5, 2021**.
5. A settlement conference among the parties and OEB staff, will be convened on **April 14, 2021**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **April 15 - 16, 2021**. This will be a virtual conference and information on how to participate will be communicated to parties at a later date.
6. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **May 10, 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.
7. Any submission from OEB staff on a settlement proposal, shall be filed with the OEB and served on all parties by **May 17, 2021**.
8. If there is no settlement proposal arising from the settlement conference, Espanola Regional Hydro shall file a statement to that effect with the OEB by **April 21, 2021**. In that event, parties shall file and serve on the other parties by **April 28, 2021**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
9. The OEB is setting a tentative date of **May 25, 2021**, for Espanola Regional Hydro to present to the OEB any settlement proposal and a summary of any

unsettled issues in the case. OEB staff will, at the direction of the OEB, confirm or amend this date in subsequent correspondence.

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-2020-0020**, 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, Jerry Wang at Jerry.Wang@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, **February 11, 2021**

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original signed by

Christine E. Long
Registrar

SCHEDULE A

PROCEDURAL ORDER NO. 1

ESPANOLA REGIONAL DISTRIBUTION CORPORATION

EB-2020-0020

FEBRUARY 11, 2021

APPLICANT & LIST OF INTERVENORS

**Espanola Regional Hydro Distribution Corporation
EB-2020-0020**

APPLICANT & LIST OF INTERVENORS

February 11, 2021

APPLICANT

Rep. and Address for Service

**Espanola Regional Hydro
Distribution Corporation**

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**Espanola Regional Hydro Distribution Corporation
EB-2020-0020**

APPLICANT & LIST OF INTERVENORS

February 11, 2021

INTERVENORS

Rep. and Address for Service

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EB-2020-0020**

APPLICANT & LIST OF INTERVENORS

February 11, 2021

School Energy Coalition

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**Vulnerable Energy
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