



Ontario Power Generation Inc.

**Application for payment amounts for the period from
January 1, 2022 to December 31, 2026**

**PROCEDURAL ORDER NO. 4
July 19, 2021**

Ontario Power Generation Inc. (OPG) filed an application dated December 31, 2020, with the Ontario Energy Board (OEB) under section 78.1 of the *Ontario Energy Board Act, 1998*. OPG's application seeks approval for changes in payment amounts for the output of its nuclear generating facilities in each of the five years beginning January 1, 2022 and ending on December 31, 2026. OPG also requested approval to maintain, with no change, the base payment amount it charges for the output of its regulated hydroelectric generating facilities at the payment amount in effect December 31, 2021 for the period from January 1, 2022 to December 31, 2026.

In accordance with Procedural Order No. 1, a settlement conference was convened on June 7, 2021. The OEB granted two extensions to the settlement conference after settlement progress letters requesting additional time, dated June 9 and June 11, 2021, were filed by OEB staff. With the two extensions, the settlement conference continued until June 14, 2021.

On July 16, 2021, OPG filed a settlement proposal with the OEB. The settlement proposal indicated that parties had reached agreement on most issues in the proceeding. Parties proposed to address the remaining issues (with the exception of rate smoothing) by way of an oral hearing followed by written submissions. Dates for the remaining procedural steps (inclusive of the oral hearing) were also jointly proposed by parties in the cover letter accompanying the settlement proposal.

Parties proposed to defer the consideration of rate smoothing until the process of establishing the final payment amounts order, to occur after the OEB renders its decision on the settlement proposal and the unsettled issues.

The OEB accepts the dates for the remaining procedural steps (inclusive of the oral hearing) as jointly proposed by parties. Parties are expected to work with OEB staff to develop an appropriate hearing plan. The settlement proposal is to be presented at the outset of the oral hearing, and the parties to the agreement should be prepared to

answer any questions the panel may have at that time. The OEB also accepts that the rate smoothing issue should be deferred until all other issues have been decided. Further directions in that regard will be provided by the OEB in due course.

To assist in the panel preparing for the oral hearing and subsequent procedural steps, the OEB asks OPG to file a list of the exhibits, interrogatory and undertaking responses that pertain to small modular reactors, the D2O project and rate smoothing by July 23, 2021. This list would be filed on the public record and available to assist all parties in the proceeding. Accompanying the list, OPG shall also provide the witness panel(s) for the oral hearing.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD THEREFORE ORDERS THAT:

1. A submission from OEB staff on the settlement proposal shall be filed with the OEB and served on all parties by **July 22, 2021**.
2. OPG shall file a list of the exhibits, interrogatory and undertaking responses that pertain to small modular reactors, the D2O project and rate smoothing by **July 23, 2021**. Accompanying the list, OPG shall provide the witness panel(s) for the oral hearing.
3. A transcribed oral hearing will begin on **August 4, 2021** starting at 9:30 a.m. This hearing will be conducted virtually. Further information on how to connect to the hearing will be communicated to parties closer to the date. The settlement proposal will be presented to the OEB at the outset of the oral hearing. The hearing of the unsettled issues will begin after the conclusion of the settlement presentation and will continue, as required, on **August 5** and **August 6, 2021**.
4. OPG shall file its Argument-in-Chief on the unsettled issues with the OEB and deliver it to all other parties by **August 17, 2021**.
5. OEB staff and intervenors shall file submissions on the unsettled issues with the OEB and deliver them to all other parties by **August 31, 2021**.
6. OPG shall file its reply submission with the OEB and deliver it to all other parties by **September 21, 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](#).

Please quote file number, **EB-2020-0290** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [Filing Systems page](#) on the OEB's website
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 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, Lawrie Gluck at Lawrie.Gluck@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca and Ian Richler at Ian.Richler@oeb.ca.

Email: registrar@oeb.ca
Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **July 19, 2021**

ONTARIO ENERGY BOARD

Original Signed By

Christine E. Long
Registrar