



Ottawa River Power Corporation

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

**PROCEDURAL ORDER NO. 1
November 15, 2021**

Ottawa River Power Corporation (Ottawa River Power) filed a cost of service application with the Ontario Energy Board (OEB) on September 30, 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 Ottawa River Power charges for electricity distribution, beginning May 1, 2022.

A Notice of Hearing was issued on October 20, 2021. Each of School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC), applied for intervenor status and cost eligibility.

No objection was received from Ottawa River Power .

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

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

At this time, the OEB is making provision for the development of an issues list prior to the filing of interrogatories. Ottawa River Power, OEB staff and the intervenors shall develop and OEB staff shall file a proposed issues list for the OEB's consideration. Parties are encouraged to reach consensus on the proposed issues list. The OEB will approve an issues list prior to the filing of interrogatories.

Interrogatories

The OEB is also making, provision 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.

Settlement Conference

The OEB is also making provision for a settlement conference. Following the settlement conference, the OEB is making provision for the filing of letters informing the OEB of the status of the settlement discussions, submissions if there is no settlement and the filing of a settlement proposal by Ottawa River Power, if any. Following the filing of a settlement proposal, the OEB may make provision for the presentation of any 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. Ottawa River Power, OEB staff and the intervenors shall develop and 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 and identify the issues that parties were unable to reach agreement on, by **November 22, 2021**.

2. Intervenor and OEB staff shall request any relevant information and documentation from Ottawa River Power that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **December 2, 2021**.
3. Ottawa River Power shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **December 22, 2021**.
4. A settlement conference among the parties and OEB staff will be convened on **January 11-12, 2022**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **January 13, 2022**. This will be a virtual event and information on how to participate will be provided in advance of the conference.
5. **Within 48 hours** of the conclusion of the settlement conference, Ottawa River Power shall file a letter informing the OEB of the status of the settlement discussions including whether a tentative agreement had been reached or if the parties intend to continue settlement discussions beyond the scheduled conference.
6. If there is no settlement proposal arising from the settlement conference, Ottawa River Power shall file a statement to that effect with the OEB by **January 20, 2022**. In that event, parties shall file and serve on the other parties by **January 27, 2022**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
7. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **February 8, 2022**. 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.
8. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **February 16, 2022**.

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-2021-0052** 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, Shuo Zhang at Shuo.Zhang@oeb.ca and OEB Counsel, Lawren Murray at Lawren.Murray@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **November 15, 2021**

ONTARIO ENERGY BOARD

By delegation, before: Christine E. Long

Original signed by

Christine E. Long
Registrar

SCHEDULE A
PROCEDURAL ORDER NO. 1
OTTAWA RIVER POWER CORPORATION
EB-2021-0052
APPLICANT & LIST OF INTERVENORS

**Ottawa River Power Corporation
EB-2021-0052**

APPLICANT & LIST OF INTERVENORS

November 15, 2021

APPLICANT	Rep. and Address for Service
Ottawa River Power Corporation	Justin Allen President & Chief Executive Officer Ottawa River Power Corporation 283 Pembroke Street West P. O. Box 1087 Pembroke, ON K8A 6Y6 Tel: 613-732-0998 Fax: 613-732-9838 jallen@orpowercorp.com
APPLICANT COUNSEL	Michael Buonaguro Counsel The Energy Boutique 24 Humber Trail Toronto, ON M6S 4C1 Tel: 416-767-1666 mrb@mrb-law.com
INTERVENORS	Rep. and Address for Service
School Energy Coalition	Ted Doherty Executive Director Ontario Education Services Corporation c/o Ontario Public School Boards Association 439 University Avenue, 18th Floor Toronto, ON M5G 1Y8 Tel: 416-340-2540 Ext: 106 Fax: 416-340-7571 SEC@oesc-cseo.org

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November 15, 2021

Mark Rubenstein

Counsel
Shepherd Rubenstein Professional Corporation
2200 Yonge Street, Suite 1302
Toronto, ON M4S 2C6
Tel: 647-483-0113
Fax: 416-483-3305
mark@shepherdrubenstein.com

School Energy Coalition

Fred Zheng

Associate Lawyer
Shepherd Rubenstein Professional Corporation
2200 Yonge Street, Suite 1302
Toronto, ON M4S 2C6
Tel: 416-483-0114
fred@shepherdrubenstein.com

**Vulnerable Energy
Consumers Coalition**

John Lawford

Counsel
Public Interest Advocacy Centre
2-285 Mcleod Street
Ottawa, ON K2P 1A1
Tel: 613-562-4002 Ext: 125
jlawford@piac.ca

Mark Garner

Consultant - Project Manager
647 Broadway Avenue
Toronto, ON M4G 2S8
Tel: 647-408-4501
markgarner@rogers.com

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November 15, 2021

Bill Harper

Consultant

107 Baker Ave.

Richmond Hill, ON L4C 1X5

Tel: 416-348 0193

bharper.consultant@bell.net