



ENWIN Utilities Ltd.

Application for rates and other charges to be effective January 1, 2022

**Phase 2: Request to amend the description of the Large
Use – 3TS Service rate classification**

**NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1
December 17, 2021**

ENWIN Utilities Ltd. (ENWIN Utilities) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on August 18, 2021, under section 78 of the *Ontario Energy Board Act, 1998* (Act) seeking approval for changes to its electricity distribution rates to be effective January 2022. By Delegated Authority under section 6 of the Act, the OEB issued a Decision and Order on December 9, 2021 that approved the utility's electricity rates for 2022 on a final basis (Phase 1).

As part of its IRM application, ENWIN Utilities also included a request for approval to amend the description of its Large Use – 3TS Service rate classification. On this aspect of the application, the OEB found that consideration of the matter required further process and would proceed to a second phase of the proceeding, before a panel of Commissioners.

Customers of ENWIN Utilities Ltd. are not expected to see a change to the applicable tariff of rates and charges or electricity distribution rates relative to the rates approved in Phase 1, regardless of the outcome of Phase 2 of this proceeding.

Proposed Amendment to the Large Use – 3TS Service Classification

The OEB approved a consolidation of the two large use rate classes in its Decision and Order on ENWIN Utilities' 2020 cost of service application¹. The OEB approved a complete settlement proposal submitted by the utility and parties to that proceeding including the proposed the consolidation of the Large Use – Ford Annex Service and Large Use – 3TS Service rate classifications.

¹ EB-2019-0032

In this IRM proceeding, ENWIN Utilities is seeking approval to amend the description for its Large Use – 3TS Service rate classification to remove the 5,000 kW demand threshold. Without a demand threshold, the amended rate class would apply to customers on the basis of being serviced by an ENWIN Utilities-owned and dedicated transformer station. The current description of the Large Use – 3TS Service rate classification is as follows:

LARGE USE - 3TS SERVICE CLASSIFICATION

This classification applies to a customer whose monthly peak load, averaged over 12 consecutive months, is equal to or greater than 5,000 kW and the premise is serviced by a dedicated Transformer Station. Class A and Class B consumers are defined in accordance with O. Reg. 429/04. Further servicing details are available in the distributor's Conditions of Service.

ENWIN Utilities proposes that the OEB approve a modification to the description of the Large Use – 3TS Service rate classification as follows:

LARGE USE - 3TS SERVICE CLASSIFICATION

This classification applies to a customer whose premise is serviced by a dedicated Transformer Station. Class A and Class B consumers are defined in accordance with O. Reg. 429/04. Further servicing details are available in the distributor's Conditions of Service.

Service of Notice and Requests for Intervenor Status

Through this Notice of Hearing and Procedural Order No. 1, the OEB is convening a hearing to consider the request to amend the description of the Large Use – 3TS Service rate classification and is setting out the necessary procedural steps.

The hearing will be considered as Phase 2 of the EB-2021-0019 IRM proceeding, and its scope will be strictly limited to the applicant's request for the rate classification amendment. The OEB will hold a written hearing for Phase 2 of this proceeding.

The OEB is also providing an interim approval of the proposed new description of the Large Use – 3TS Service rate classification under section 21(7) of the *Ontario Energy Board Act, 1998* effective January 1, 2022, until such time as the OEB renders a final decision on Phase 2.

To access ENWIN Utilities' application and evidence, please select the file number **EB-2021-0019** from the list on the OEB website: www.oeb.ca/notice. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

Notice of Phase 2 of the EB-2021-0019 IRM proceeding is being served on all parties from ENWIN Utilities' 2020 cost of service proceeding (EB-2019-0032). These parties include:

- Association of Major Power Consumers of Ontario
- Consumers Council of Canada
- School Energy Coalition
- Vulnerable Energy Consumers Coalition

ENWIN Utilities is further directed to provide a copy of this Notice and Procedural Order to all customers in its Large Use – 3TS and Large Use – Regular Service rate classifications.

Intervenors in ENWIN Utilities' 2020 cost of service proceeding (EB-2019-0032) are approved as intervenors in Phase 2 of this proceeding and each is eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

All current customers in ENWIN Utilities' Large Use – 3TS and Large Use – Regular Service rate classifications are also eligible to seek intervenor status.

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.

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.

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. Until the OEB renders a final decision on Phase 2, ENWIN Utilities Ltd.'s Large Use – 3TS Service rate classification is amended on an interim basis to the following:

LARGE USE - 3TS SERVICE CLASSIFICATION

This classification applies to a customer whose premise is serviced by a dedicated Transformer Station. Class A and Class B consumers are defined in accordance with O. Reg. 429/04. Further servicing details are available in the distributor's Conditions of Service.

2. ENWIN Utilities Ltd. will arrange for the service of this combined Notice and Procedural Order, the application and the evidence, directly on all current customers in the Large Use – 3TS Service and Large Use – Regular Service rate classifications by **January 7, 2022**.
3. ENWIN Utilities Ltd. will file with the OEB an affidavit proving completion of the matters in paragraph 2 above immediately thereafter.
4. Customers in ENWIN Utilities Ltd.'s Large Use – 3TS Service and Large Use – Regular Service rate classifications that are interested in participating in this proceeding as an intervenor, shall file a letter with the OEB indicating said interest by **January 10, 2022**.
5. A transcribed technical conference among the parties and OEB staff will be convened on **January 13, 2022**, starting at 9:30 a.m. The technical conference will be a virtual event and information on how to participate will be provided at a later date.
6. Any written submission by intervenors and OEB staff shall be filed with the OEB and served on ENWIN Utilities Ltd. by **January 27, 2022**.
7. Any reply submission by ENWIN Utilities Ltd. shall be filed with the OEB by **February 3, 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-2021-0019** 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, Alexander Di Ilio at alexander.diilio@oeb.ca and OEB Counsel, Michael Millar at michael.millar@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **December 17, 2021**

ONTARIO ENERGY BOARD

Before: Christine E. Long

Original signed by

Christine E. Long
Registrar