



Cooperative Hydro Embrun Inc.

**Application for electricity distribution rates beginning
January 1, 2023**

**PROCEDURAL ORDER NO. 1
March 22, 2022**

Cooperative Hydro Embrun Inc. (Cooperative Hydro Embrun) filed a cost of service application with the Ontario Energy Board (OEB) on February 1, 2022, 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 Cooperative Hydro Embrun charges for electricity distribution, beginning January 1, 2023.

A Notice of Hearing was issued on February 23, 2022. The Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from Cooperative Hydro Embrun .

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](#).

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.

Issues List

At this time, the OEB is making provision for the development of an issues list prior to the filing of interrogatories. Cooperative Hydro Embrun, 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 filing of interrogatories.

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.

Presentation of Settlement Proposal

The OEB is making provision for a settlement conference. Following the settlement conference, provision is being made for the filing of letters informing the OEB of the status of the settlement discussions, the presentation of any settlement proposal filed by Cooperative Hydro Embrun, whether full or partial, and for the presentation of any unsettled issues to be adjudicated by the OEB. Cooperative Hydro Embrun'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 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, 2022**.
2. OEB staff and intervenors shall request any relevant information and documentation from Cooperative Hydro Embrun that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **April 11, 2022**.
3. Cooperative Hydro Embrun shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and intervenors by **May 2, 2022**.
4. A Settlement Conference among the parties and, if provided for by the OEB in accordance with the *Practice Direction on Settlement Conferences*, OEB staff, will be convened on **May 16, 2022**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **May 17 and May 18, 2022**. Information on how to participate in the event will be communicated at a later date.
5. **Within 48 hours** of the conclusion of the settlement conference, Cooperative Hydro Embrun 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 propose to continue the settlement discussions.
6. If there is no settlement proposal arising from the settlement conference, Cooperative Hydro Embrun shall file a statement to that effect with the OEB by **May 25, 2022**. In that event, parties shall file and serve on the other parties by **June 1, 2022**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
7. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **June 10, 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. If OEB staff is not a party to the settlement proposal, any submission from OEB staff on the settlement proposal shall be filed with the OEB and served on all parties by **June 17, 2022**.

9. The OEB is setting a tentative date of **June 24, 2022, from 9:30 a.m. to 12:00 p.m.** for Cooperative Hydro Embrun 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](#).

Please quote file number, **EB-2022-0022** 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 [File documents online 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.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar 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, Georgette Vlahos at georgette.vlahos@oeb.ca and OEB Counsel, Ljuba Djurdjevic at ljuba.djurdjevic@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **March 22, 2022**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A
PROCEDURAL ORDER NO. 1
COOPERATIVE HYDRO EMBRUN INC.
EB-2022-0022
APPLICANT & LIST OF INTERVENORS

Cooperative Hydro Embrun Inc.
EB-2022-0022

APPLICANT & LIST OF INTERVENORS

March 22, 2022

APPLICANT

Rep. and Address for Service

Cooperative Hydro Embrun
Inc.

Benoit Lamarche

General Manager
Cooperative Hydro Embrun Inc.
821 Notre-dame Street
Suite 200
Embrun, ON K0A 1W1

Tel: 613-443-5110
Fax: 613-443-0495
benoit@hydroembrun.ca

APPLICANT

Rep. and Address for Service

Cooperative Hydro Embrun
Inc.

Manuela Ris-Schofield

Energy Consultant
Tandem Energy Services Inc.
43 King St. West
Brockville ON K6V 3P7

Tel: 519-856-0080
Fax: Not Provided
manuela@tandemenergyservices.ca

APPLICANT COUNSEL

Michael Buonaguro

Counsel
The Energy Boutique
24 Humber Trail
Toronto ON M6S 4C1
Tel: 416-767-1666
Fax: Not Provided
mrb@mrb-law.com

Cooperative Hydro Embrun Inc.
EB-2022-0022

APPLICANT & LIST OF INTERVENORS

March 22, 2022

INTERVENORS

**Vulnerable Energy
Consumers Coalition**

Rep. and Address for Service

John Lawford

Counsel
Public Interest Advocacy Centre
2-285 McLeod Street
Ottawa ON K2P 1A1
Tel: 613-562-4002 Ext: 125
Fax: Not Provided
jlawford@piac.ca

Mark Garner

Consultant - Project Manager
647 Broadway Avenue
Toronto ON M4G 2S8
Tel: 647-408-4501
Fax: Not Provided
markgarner@rogers.com

Bill Harper

Consultant
107 Baker Ave.
Richmond Hill ON L4C 1X5
Tel: 416-348-0193
Fax: Not Provided
bharper.consultant@bell.net