



Independent Electricity System Operator

Application for Approval of 2022 Expenditures, Revenue Requirement and Fees

PROCEDURAL ORDER NO. 1

April 22, 2022

The Independent Electricity System Operator (IESO) filed an application with the Ontario Energy Board (OEB) on March 4, 2022, under section 25(1) of the *Electricity Act, 1998*, seeking approval for its 2022 expenditures, revenue requirement and fees.

A Notice of Hearing was issued on March 21, 2022. The following parties applied for intervenor status:

- Association of Major Power Consumers in Ontario (AMPCO)
- Canadian Manufacturers & Exporters (CME)
- Coalition of Concerned Manufacturers and Businesses of Canada (CCMBC)
- Electricity Distributors Association (EDA)
- Energy Probe Research Foundation (Energy Probe)
- Environmental Defence
- HQ Energy Marketing Inc. (HQEM)
- Ontario Power Generation Inc. (OPG)
- Ontario Sustainable Energy Association (OSEA)
- Power Advisory, representing jointly, Canadian Renewable Energy Association (CanREA), Energy Storage Canada (ESC) and Ontario Waterpower Association (OWA)
- Power Workers' Union (PWU)
- School Energy Coalition (SEC)
- Society of United Professionals (SUP)
- Vulnerable Energy Consumers Coalition (VECC)

AMPCO, CME, CCMBC, Energy Probe, Environmental Defence, OSEA, Power Advisory, SEC and VECC applied for cost eligibility.

No objection was received from the IESO.

AMPCO, CME, CCMBC, EDA, Energy Probe, Environmental Defence, HQEM, OPG, OSEA, Power Advisory, PWU, SEC, SUP and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

AMPCO, CME, CCMBC, Energy Probe, Environmental Defence, OSEA, Power Advisory, SEC and VECC are eligible to apply for an award of costs under the OEB's [*Practice Direction on Cost Awards*](#).

Parties with common interests should coordinate their participation to avoid duplication. In particular, the OEB notes that CCMBC and CME appear to have a similar mandate, and CCMBC's membership, comprising 418 small to medium size manufacturers and businesses, may even overlap with CME's membership, which also comprises small to medium size manufacturers and exporters. In making its decision on cost awards, the OEB will consider whether cost eligible intervenors made reasonable efforts to avoid duplication and to ensure that their participation in the hearing was focused on material issues. When submitting their cost claims, CCMBC and CME should explain how they coordinated efforts in this proceeding, or if not, why that was not appropriate in their view.

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.

IESO's Confidentiality Request

In the cover letter to its application, dated March 4, 2022, the IESO requested confidential treatment for certain information in Exhibit G-1-1 Attachment 2 – Project Charter for Dynamic Limits in Real Time and Exhibit G-1-1 Attachment 3 – Project Charter for Market Analysis and Simulation Toolset. As shown in the IESO's summary of its request in Appendix B to that letter, the vast majority of the IESO's proposed redactions relate to information the IESO asserts is irrelevant to this proceeding. Many of the proposed redactions have dual justifications: irrelevance and confidentiality. Only a few appear to be based solely on confidentiality concerns.

In accordance with section 11.1.3 of the *Practice Direction on Confidential Filings*, the OEB will review the confidential, un-redacted version of the document to confirm that the redacted information is not relevant. The OEB will then provide further directions concerning any information that is relevant but for which the IESO has sought confidential treatment. To be clear, no objections to the IESO's confidentiality request should be filed until after the OEB has completed its relevance review and provided further directions.

Issues List

By letter dated March 10, 2022, the IESO filed a revised draft issues list. The OEB is making provision for submissions on the revised draft issues list, which is attached as Schedule B to this Procedural Order. The OEB Panel will determine the final issues list prior to the filing of interrogatories.

Interrogatories

The OEB is making provision for written interrogatories. Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding 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 the IESO, if any. Following any filing of a settlement proposal, the OEB may make provision for the presentation of 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.

THE ONTARIO ENERGY BOARD ORDERS THAT:

Issues List:

1. Any submissions by OEB staff and intervenors on the IESO's draft issues list in Schedule B shall be filed with the OEB and served on all parties by **April 29, 2022**.
2. The IESO may respond to the submissions of intervenors and OEB staff and all other parties may respond to the submissions of the other parties. The written

submissions shall be filed with the OEB and served on all parties by **May 4, 2022**.

Interrogatories:

3. OEB staff and intervenors shall request any relevant information and documentation from the IESO that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **May 13, 2022**.
4. IESO shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **June 3, 2022**.

Settlement Conference:

5. A settlement conference among the parties and OEB staff will be convened on **June 13, 2022**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **June 14 and 15, 2022**. Information on how to participate in the event will be provided at a later date.
6. **Within 48 hours** of the conclusion of the settlement conference, the IESO 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.
7. If there is no settlement proposal arising from the settlement conference or the subsequent settlement discussions, the IESO shall file a statement to that effect with the OEB by **June 22, 2022**. In that event, parties shall file and serve on the other parties by **June 27, 2022**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
8. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **July 13, 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.
9. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **July 20, 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-2022-0002** 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, Andrew Bishop at Andrew.Bishop@oeb.ca and OEB Counsel, Ian Richler at ian.Richler@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **April 22, 2022**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A

LIST OF APPLICANT AND INTERVENORS

PROCEDURAL ORDER NO. 1

INDEPENDENT ELECTRICITY SYSTEM OPERATOR

EB-2022-0002

DATED : APRIL 22, 2022

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

APPLICANT

Rep. and Address for Service

**Independent Electricity
System Operator**

Ben Weir
Senior Advisor, Regulatory Affairs
Independent Electricity System Operator
120 Adelaide St. W.
Suite 1600
Toronto, ON M5H 1T1
Tel: 416-729-3213
regulatoryaffairs@ieso.ca

Devon Huber
Senior Manager
Independent Electricity System Operator
1600-120 Adelaide Street West
Toronto ON M5H 1T1
Tel: 416-967-7474
Devon.Huber@ieso.ca

APPLICANT COUNSEL

Fred Cass
Aird & Berlis LLP
Suite 1800, P.O. Box 754
Brookfield Place, 181 Bay Street
Toronto ON M5J 2T9
Tel: 416-865-7742
Fax: 416-863-1515
fcass@airdberlis.com

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

INTERVENORS

Rep. and Address for Service

**Association of Major Power
Consumers in Ontario**

Shelley Grice
Consultant
Association of Major Power Consumers in Ontario
C/O AMPCO
65 Queen Street West, Suite 1510
Toronto ON M5H 2M5
Tel: 647-880-9942
Fax: 416-260-0442
shelley.grice@rogers.com

**Canadian Manufacturers &
Exporters**

Mathew Wilson
Senior Vice President
Canadian Manufacturers & Exporters
55 Standish Court
Suite 620
Mississauga ON L5R 4B2
Tel: 647-808-8231
Fax: 905-672-1764
mathew.wilson@cme-mec.ca

Allison Bernholtz
Manager, Environment & Industrial Policy
Canadian Manufacturers & Exporters
55 Standish Court
Suite 620
Mississauga ON L5R 4B2
Tel: 905-672-3466
Fax: 905-672-1764
Allison.Bernholtz@cme-mec.ca

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

**Canadian Manufacturers &
Exporters**

Emma Blanchard
Borden Ladner Gervais LLP
100 Queen Street
Suite 1300
Ottawa ON K1P 1J9
Tel: 613-369-4755
Fax: 613-230-8842
eblanchard@blg.com

Scott Pollock
Borden Ladner Gervais LLP
100 Queen Street
Suite 1300
Ottawa ON K1P 1J9
Tel: 613-787-3541
Fax: 613-230-8842
spollock@blg.com

Sam Campbell
Borden Ladner Gervais LLP
100 Queen Street
Suite 1300
Ottawa ON K1P 1J9
Tel: 613-369-4776
Fax: 613-230-8842
scampbell@blg.com

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

**Coalition of Concerned
Manufacturers and
Businesses of Canada**

Catherine Swift

President

Coalition of Concerned Manufacturers and
Businesses of Canada
211 Nugget Ave.

Toronto ON M1S 3B1

Tel: 416-816-7248

swifty4488@outlook.com

Tom Ladanyi

TL Energy Regulatory Consultants Inc.

41 Divadale Drive

Toronto ON M4G 2N7

Tel: 416-423-3685

Fax: Not Provided

tom.ladanyi@rogers.com

**Electricity Distributors
Association**

Kathi Farmer

Senior Regulatory Affairs Advisor

Electricity Distributors Association

3700 Steeles Ave. W.

Suite 1100

Vaughan ON L4L 8K8

Tel: 905-265-5333

kfarmer@eda-on.ca

Ted Wigdor

Vice President

Electricity Distributors Association

3700 Steeles Ave. W.

Suite 1100

Vaughan ON L4L 8K8

Tel: 905-265-5362

twigdor@eda-on.ca

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

**Energy Probe Research
Foundation**

Roger Higgin
SPA Inc.
15 Malabar Place
Toronto ON M3B 1A4
Tel: 416-391-0738
spainc@rogers.com

**Environmental Defence
Canada Inc.**

Jack Gibbons
Ontario Clean Air Alliance
160 John Street, Suite 300
Toronto ON M5V 2E5
Tel: 416-260-2080 Ext: 2
jack@cleanairalliance.org

Kent Elson
Elson Advocacy
1062 College Street
Lower Suite
Toronto ON M6H 1A9
Tel: 416-906-7305
Fax: 416-763-5435
kent@elsonadvocacy.ca

HQ Energy Marketing Inc.

Hélène Cossette
Legal Counsel
HQ Energy Marketing Inc.
75, René-Lévesque Boulevard Ouest
4e étage
Montréal QC H2Z 1A4
Tel: 514-289-3146
cossette.helene@hydroquebec.com

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

HQ Energy Marketing Inc.

Eveline Pelletier

Delegate Regulatory Affairs
HQ Energy Marketing Inc.
18e étage
75, René-Levesque W. Boulevard
Montreal QC H2Z 1A4
Tel: 514-289-6775
Pelletier.eveline@hydroquebec.com

Marie-Ève Cayer

Legal Counsel
HQ Energy Marketing Inc.
75, René-Levesque W. Boulevard
4e étage
Montréal QC H2Z 1A4
Tel: 514-289-7941
cayer.marieeve@hydroquebec.com

Ontario Power Generation Inc. Herman Mo

Manager
Ontario Power Generation Inc.
H19
700 University Avenue
Toronto ON M5G 1X6
Tel: 416-592-6891
Fax: 416-592-8519
herman.mo@opg.com

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

**Ontario Sustainable Energy
Association**

Raeya Jackiw

Counsel

Willms & Shier Environmental Lawyers LLP

1 Toronto Street

Suite 900

Toronto ON M5C 2V6

Tel: 416-862-4827

Fax: 416-863-1938

rjackiw@willmsshier.com

Joanna Vince

Counsel

Willms & Shier Environmental Lawyers LLP

1 Toronto Street

Suite 900

Toronto ON M5C 2V6

Tel: 416-862-4830

Fax: 416-863-1938

jvince@willmsshier.com

Travis Lusney

Manager

Power Advisory LLC

55 University Avenue

Suite 605 - PO Box 32

Toronto ON M5J 2H7

Tel: 647-680-1154

tlusney@poweradvisoryllc.com

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

Power Advisory LLC

Brandy Giannetta

Vice-President, Policy
Canadian Renewable Energy Association
240 Bank Street
Suite 400
Ottawa ON K2P 7X4
Tel: 647-281-4288
Fax: 613-234-5642
BGiannetta@renewablesassociation.ca

Justin Rangooni

Executive Director
Energy Storage Canada
MaRS Cleantech, Suite 420
101 College St.
Toronto ON M5G 1L7
Tel: 647-627-1815
jrangooni@energystoragecanada.org

Paul Norris

President
Ontario Waterpower Association
380 Armour Road Suite 264
Peterborough ON K9H 7L7
Tel: 705-743-1500
Fax: 705-743-1570
pnorris@owa.ca

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

Power Advisory LLC

Jason Chee-Aloy

Managing Director
Power Advisory LLC
55 University Avenue
Suite 700, P.O. Box 32
Toronto ON M5J 2H7
Tel: 416-303-8667
jchee-aloy@poweradvisoryllc.com

Power Workers' Union

John Ives

Power Workers' Union
244 Eglinton Avenue East
Toronto ON M4P 1K2
Tel: 416-322-2441
ivesj@pwu.ca

Richard Stephenson

Counsel
Paliare Roland Rosenberg Rothstein LLP
155 Wellington St. West
35th Floor
Toronto ON M5V 3H1
Tel: 416-646-4325
Fax: 416-646-4335
richard.stephenson@paliareroland.com

Bayu Kidane

Senior Consultant
Econalysis Consulting Services
41B Vanbrugh Avenue
Toronto ON M1N 3S8
Tel: 416-837-0524
Fax: 416-348-9930
bkidane@econalysis.ca

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

Power Workers' Union

Rachel Chua

Elenchus Research Associates Inc.
34 King Street East, Suite 600
Toronto ON M5C 2X8
Tel: 416-348-9917 Ext: 30
Fax: 416-348-0641
rchua@elenchus.ca

School Energy Coalition

Ted Doherty

Executive Director
Ontario Education Services Corporation
c/o Ontario Public School Boards Associa
439 University Avenue, Suite 1850
Toronto ON M5G 1Y8
Tel: 416-340-2540
Fax: 416-340-7571
SEC@oesc-cseo.org

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

Fred Zheng

Associate Lawyer
Shepherd Rubenstein Professional Corporation
2200 Yonge Street, Suite 1302
Toronto ON M4S 2C6
Tel: 647-483-0114
Fax: 416-438-3305
fred@shepherdrubenstein.com

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

**Society of United
Professionals, Local 160**

Michelle Johnston

President
Society of United Professionals, Local 160
2239 Yonge St.
Toronto ON M4S 2C7
Tel: 416-979-2709
regulatory@thesociety.ca

Martin Hastings

Vice President, IESO Local
Society of United Professionals, Local 160
IFPTE Local 160
2239 Yonge St.
Toronto ON M4S 2B5
Tel: 416-979-2709
Fax: 416-979-5794
hastingsm@thesociety.ca

Bohdan Dumka

Consultant
Society of United Professionals, Local 160
276 Beresford Ave.
Toronto Ontario M6S 3B3
Tel: 416-854-1317
bohdan.dumka@gmail.com

Colin Fraser

Consultant
Society of United Professionals, Local 160
126 North Street
Goderich ON M7A 2V1
Tel: 289-681-8708
tresckow44@gmail.com

Independent Electricity System Operator
EB-2022-0002

APPLICANT & LIST OF INTERVENORS

April 22, 2022

**Vulnerable Energy
Consumers Coalition**

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

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

SCHEDULE B

ISSUES LIST

PROCEDURAL ORDER NO. 1

INDEPENDENT ELECTRICITY SYSTEM OPERATOR

EB-2022-0002

DATED : APRIL 22, 2022

Appendix B
DRAFT ISSUES LIST

12 Issues

1.0 Revenue Requirement, Operating Costs and Capital Spending

- 1.1** Is the IESO's Fiscal Year 2022 revenue requirement of \$201.5 million appropriate?
- 1.2** Are the IESO's 2022 projected staffing levels and compensation (including salaries, benefits, pensions and other post-employment benefits) appropriate?
- 1.3** Is the IESO's 2022 capital expenditure envelope of \$71.2 million for capital projects for Fiscal Year 2022 appropriate?

2.0 Usage Fees

- 2.1** Is the methodology used to derive the IESO's proposed 2022 Usage Fees of \$1.3329/MWh for domestic customers (including embedded generation) and \$1.0126/MWh for export customers to be paid commencing January 1, 2022 appropriate?
- 2.2** Is the IESO's request to charge (or rebate) market participants the difference between the approved 2022 IESO Usage Fees and the interim fees they paid in the next billing cycle following the month in which OEB approval received appropriate?
- 2.3** Is the proposed January 1, 2022 effective date for the IESO's 2022 Usage Fees appropriate?

3.0 Reliable Integration Fee

- 3.1** Is the IESO's proposal to charge proponents a Reliable Integration fee at an hourly rate of \$145/hour for activities the IESO undertakes to reliably integrate new or modified facilities to the IESO-Controlled Grid appropriate?

4.0 Market Renewal Program (MRP)

- 4.1** Is the reporting on financial and operational performance of the MRP appropriate?
- 4.2** Are the IESO's forecast 2022 operational costs for the MRP appropriate in the context of the scope and timing of the overall project?
- 4.3** Are the IESO's forecast 2022 capital costs for the MRP appropriate in the context of the scope and timing of the overall project?

4.4 Is the IESO's MRP Baseline Schedule and Budget for each year of the MRP appropriate?

5.0 Commitments from Previous OEB Decisions

5.1 Has the IESO adequately described the progress made towards reaching the 50th percentile for total remuneration?