



Canadian Niagara Power Inc.

**Application for electricity distribution rates and other
charges effective January 1, 2023**

**PROCEDURAL ORDER NO. 1
September 15, 2022**

Canadian Niagara Power Inc. (CNPI) filed an incentive rate-setting mechanism application with the Ontario Energy Board (OEB) on August 3, 2022, under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) seeking approval for changes to its electricity distribution rates to be effective January 1, 2023. Canadian Niagara Power Inc. has also applied for a Z-factor claim, to recover costs (and carrying charges) related to the damage caused to its distribution system by a windstorm and to adjust previously approved balances in Account 1588 – Retail Settlement Variance Account Power and Account 1589 – Retail Settlement Variance Account Global Adjustment.

A Notice of Hearing was issued on August 19, 2022. In its Notice of Hearing the OEB noted that it intends to consider cost awards only in relation to Canadian Niagara Power Inc.'s Z-factor claim and its request to adjust and dispose of the balances in Account 1588 and Account 1589. Each of Hydro One Networks Inc. (Hydro One), Small Business Utility Alliance (SBUA) and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status. SBUA and VECC also applied for cost eligibility.

No objection was received from CNPI .

Hydro One, SBUA and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. SBUA and VECC are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#) and only in relation to Canadian Niagara Power Inc.'s Z-factor claim and its request to adjust and dispose of the balances in Account 1588 and Account 1589.

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.

At this time the OEB is making provision for the filing of interrogatories, interrogatory responses and submissions. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and intervenors shall request any relevant information and documentation from CNPI that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on CNPI and all other parties by **September 28, 2022**.
2. CNPI shall file with the OEB complete written responses to the interrogatories and serve them on all intervenors by **October 12, 2022**.
3. Any written submissions by OEB staff and intervenors shall be filed with the OEB and served on all other parties by **October 26, 2022**.
4. CNPI may file a written reply submission with the OEB and serve it on intervenors by **November 7, 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-2022-0019** 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 [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, Narisa Jotiban at Narisa.Jotiban@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, **September 15, 2022**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A
PROCEDURAL ORDER NO. 1
CANADIAN NIAGARA POWER INC.
EB-2022-0019
APPLICANT & LIST OF INTERVENORS

Canadian Niagara Power Inc.
EB-2022-0019

APPLICANT & LIST OF INTERVENORS

September 15, 2022

APPLICANT

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**Small Business Utility
Alliance**

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