



**EPCOR Electricity Distribution Ontario Inc.**

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

**PROCEDURAL ORDER NO. 3  
September 20, 2022**

EPCOR Electricity Distribution Ontario Inc. (EPCOR Electricity Distribution Ontario) filed a cost of service application with the Ontario Energy Board (OEB) on May 27, 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 EPCOR Electricity Distribution Ontario charges for electricity distribution in the service area comprising of Collingwood, Stayner and Creemore (part of Clearview Township) and Thornbury (Part of The Town of the Blue Mountains), beginning January 1, 2023.

On September 1, 2022, the OEB received a letter from EPCOR Electricity Distribution Ontario stating that parties had been consulted and advised of its intention to file new evidence in support of an effective date of October 1, 2023. EPCOR Electricity Distribution Ontario requested the change due to the terms of a Share Purchase Agreement between the Corporation of the Town of Collingwood and EPCOR Collingwood Distribution Corporation (the Share Purchase Agreement), and the OEB's Decision and Order in the Mergers, Acquisitions, Amalgamations and Divestitures (MAADs) proceeding approving the related transactions.<sup>1</sup> The Share Purchase Agreement, by which EPCOR Collingwood Distribution Corporation became the owner of Collus PowerStream Corporation (now known as EPCOR Electricity Distribution Ontario) requires EPCOR Electricity Distribution Ontario to maintain existing rates for customers for five years following the closing date of October 1, 2018, adjusted solely by the OEB's Price Cap Incentive rate-setting option. In the MAADs Decision and Order, the OEB approved a deferral of the rate rebasing period for five years from the date of closing of the proposed transactions, which was October 1, 2018.

On September 2, 2022, the OEB issued a letter to EPCOR Electricity Distribution Ontario granting the postponement of the settlement conference and placing the

---

<sup>1</sup> EB-2017-0373 and EB-2017-0374

Application in abeyance until the OEB receives the evidence and issues a new procedural order setting out further procedural steps.

The OEB received new evidence from EPCOR Electricity Distribution Ontario on September 14, 2022. The evidence contains a revised rate generator model, bill impacts, draft rate order and deferral and variance account schedule. The evidence is filed in accordance with Rule 11 of the OEB's *Rules of Practice and Procedure*.

Having reviewed EPCOR Electricity Distribution Ontario's submission, the OEB will now end the abeyance period and resume processing the case as of the date of this Procedural Order. The case schedule will be extended to include the time required by EPCOR Electricity Distribution Ontario to file the new evidence and any subsequent procedural steps necessary to test the evidence.

At this time, the OEB will allow for discovery on the new evidence. This will provide a more complete record and assist the OEB in its determination of the Application. A revised schedule is set out below.

The OEB considers it necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

#### **THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. OEB staff and intervenors shall request any relevant information and documentation from EPCOR Electricity Distribution Ontario that is related to the new evidence filed on September 14, 2022, by written interrogatories filed with the OEB and served on all parties by **September 26, 2022**.
2. EPCOR Electricity Distribution Ontario shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **October 11, 2022**.
3. A settlement conference among the parties and OEB staff will be convened on **October 19-20, 2022**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **October 21, 2022**. This will be a virtual event and information on how to participate will be provided in advance of the conference.
4. **Within 48 hours** of the conclusion of the settlement conference, EPCOR Electricity Distribution Ontario 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.
5. If there is no settlement proposal arising from the settlement conference, EPCOR Electricity Distribution Ontario shall file a statement to that effect with the OEB by

**October 28, 2022.** In that event, parties shall file and serve on the other parties by **November 4, 2022**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.

6. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **November 14, 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.
7. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **November 30, 2022**.
8. The OEB is setting a tentative date of **December 8, 2022, at 9:30 a.m.** for EPCOR Electricity Distribution Ontario 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-2022-0028** 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](mailto: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 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, Katherine Wang at [Katherine.Wang@oeb.ca](mailto:Katherine.Wang@oeb.ca) and OEB Counsel, James Sidlofsky at [James.Sidlofsky@oeb.ca](mailto:James.Sidlofsky@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

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

**DATED** at Toronto, September 20, 2022

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar