



Hydro One Remote Communities Inc.

**Application for electricity rates and proposed revenue
requirement beginning May 1, 2023**

**PROCEDURAL ORDER NO. 1
October 19, 2022**

Hydro One Remote Communities Inc. (Remotes) filed a cost of service application with the Ontario Energy Board (OEB) on August 31, 2022 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to its 2023 revenue requirement and rates for the distribution and generation of electricity beginning May 1, 2023.

The OEB issued a Notice of Hearing on September 26, 2022.

Intervention Request of Wataynekaneyap Power LP

By letter dated October 17, 2022, Wataynekaneyap Power LP (WPLP) applied for intervenor status. WPLP stated that it has an interest in Remotes' application "given the integration of [Remotes'] distribution system in the [WPLP] Transmission System. Moreover, in its application, [Remotes] is requesting that the Board approve certain capital and operating costs arising from such integration. Such requests, along with other impacts of its integration with the Transmission System on [Remotes'] revenue requirement, as put forward by [Remotes], form a substantive part of [Remotes'] cost of service application. Finally, given the purpose of WPLP and the Transmission System, WPLP is interested in the impact of [Remotes'] requests to raise its electricity rates and recover the above-noted costs from the First Nation communities that will be served by [Remotes] once connected to the provincial grid through the Transmission System."

By letter dated October 19, 2022, Remotes stated that it does not object to WPLP's intervention, but requested that if the OEB were to grant WPLP status, that the OEB scope WPLP's intervention "to pertain only to the issues that specifically affect WPLP." To that end, Remotes stated that WPLP's interest in the capital and operating costs arising from the planned integration, should be limited to "costs, work or investments impacting WPLP specifically". With respect to WPLP's interest in the impacts of the request to raise electricity rates to recover certain costs, Remotes submitted that recovery of costs affects Remotes' customers only.

WPLP is approved as an intervenor. If WPLP wishes to reply to Remotes' letter regarding the scope of its participation in this proceeding, it must file its reply with the OEB and serve a copy on Remotes by **Monday Oct 24, 2022**.

The OEB will make its determination on the scope of WPLP's intervention after WPLP's reply, if any, is filed.

The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

Confidentiality Request

By letter dated August 31, 2022, Remotes requested confidential treatment for certain information contained in the 2020 and 2021 Corporate Tax Returns filed as Attachments 1 and 2 to Exhibit D, Tab 5, Schedule 2. Remotes stated that it was requesting confidential treatment for personal information and for information related to contractor work costs and business registration numbers, that it regards as commercially sensitive. Hydro One Remote Communities has provided reasons for its request and filed redacted and unredacted versions of the documents.

The OEB will review the request for confidentiality of personal information in accordance with the process set out in Section 10 of the OEB's [Practice Direction on Confidential Filings](#) (Practice Direction) and determine if any further steps are needed. Parties that wish to object to the request for confidentiality for information Remotes describes as commercially sensitive, should refer to section 4 of the Practice Direction and follow and process in sections 5.1.6 and 5.1.7 of the Practice Direction.

Issues List

The OEB is making provision for the development of an issues list prior to the filing of interrogatories. Remotes, OEB staff and the intervenor shall develop and OEB staff shall file a proposed issues list for the OEB's consideration.

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. 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.

Settlement Conference

The OEB is making provision for a settlement conference and for the filing of letters informing the OEB of the status of the settlement discussions. The OEB Panel will determine if OEB staff will be a party to the settlement conference at a later date.

Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. If WPLP wishes to reply to Remotes' letter, it must file its letter with the OEB and serve a copy on Remotes by **Monday Oct 24, 2022**.
2. 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 **October 28, 2022**.
3. OEB staff and intervenors shall request any relevant information and documentation from Remotes that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on the applicant by **November 9, 2022**.
4. Remotes shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff by **November 29, 2022**.
5. 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 **December 7-8, 2022**, starting at 9:30 a.m., at 2300 Yonge Street, 25th floor, Toronto. If necessary, the settlement conference will continue

on **December 9, 2022**. Information on how to participate will be provided in advance of the conference.

6. **Within 48 hours** of the conclusion of the settlement conference, Remotes 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, Remotes shall file a statement to that effect with the OEB by **December 16, 2022**. In that event, OEB staff and intervenors shall file with the OEB and serve on the applicant by **January 9, 2023** 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 **January 25, 2023**. 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.

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-2022-0041** 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 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, Donald Lau at Donald.Lau@oeb.ca and OEB Counsel, Jamie Sidlofsky at James.Sidlofsky@oeb.ca .

Email: registrar@oeb.ca

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

DATED at Toronto, **October 19, 2022**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A

PROCEDURAL ORDER NO. 1

HYDRO ONE REMOTE COMMUNITIES INC.

EB-2022-0041

OCTOBER 19, 2022

**Hydro One Remote Communities Inc. – Cost of Service Application
EB-2022-0041**

APPLICANT & LIST OF INTERVENORS

October 19, 2022

APPLICANT

Rep. and Address for Service

**Hydro One Remote
Communities Inc.**

Carla Molina
Sr. Regulatory Coordinator
Hydro One Remote Communities Inc.
483 Bay Street
7th Floor - South Tower
Toronto, ON M5G 2P5

Tel: 416-345-5317
Fax: 416-345-5866
regulatory@hydroone.com

APPLICANT COUNSEL

Raman Dhillon
Senior Legal Counsel
Hydro One Networks Inc.
483 Bay Street
8th Floor, South Tower
Toronto ON M5G 2P5
Tel: 416-859-0942
Fax: 416-345-6972
Raman.Dhillon@HydroOne.com

**Hydro One Remote Communities Inc. – Cost of Service Application
EB-2022-0041**

APPLICANT & LIST OF INTERVENORS

October 19, 2022

INTERVENORS

Rep. and Address for Service

**Wataynikaneyap Power GP
Inc.**

Duane Fecteau

Vice President — Finance and CFO
Wataynikaneyap Power GP Inc. on behalf of
Wataynikaneyap Power LP
Wataynikaneyap Power PM Inc.
c/o FortisOntario Inc.
PO Box 1218, 1130 Bertie Street
Fort Erie On L2A 5Y2
Tel: 705-987-3616 Ext:
Fax: 705-759-2218
duane.fecteau@wataypower.ca

Tyson Dyck

Torys LLP
79 Wellington St. W.
Suite 3000, TD Centre
P.O. Box 270
Toronto ON M5K 1N2
Tel: 416-865-8136
Fax: 416-865-7380
tdyck@torys.com