



North Bay Hydro Distribution Limited

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

**NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1
February 6, 2023**

North Bay Hydro Distribution Limited filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on November 23, 2022, under section 78 of the *Ontario Energy Board Act, 1998* seeking approval for changes to its electricity distribution rates to be effective May 1, 2023.

The OEB approved the amalgamation of the former North Bay Hydro Distribution Limited and the former Espanola Regional Hydro Distribution Corporation on March 17, 2022. The new utility operates under the name North Bay Hydro Distribution Limited (North Bay Hydro) and serves customers in the areas served by the predecessor distributors.

In its IRM application, North Bay Hydro is applying for a separate rate increase for the areas served by each of the predecessor distributors, referred to as the North Bay Rate Zone and the Espanola Rate Zone. The requested rate increase for each rate zone is set using an OEB-approved formula which is tied to inflation and other factors intended to promote efficiency.

On January 26, 2023, North Bay Hydro filed an update to its application, relating specifically to the rates for the Espanola Rate Zone. The update raises a question about the earnings by the former Espanola Regional Hydro Distribution Corporation in 2021, which may be in excess of the threshold set by the OEB.

If the application is approved as filed, a typical residential customer and general service customer in the North Bay Rate Zone and in the Espanola Rate Zone would see the following increase:

Rate Class	Espanola Rate Zone	North Bay Rate Zone
Residential (750 kWh)	\$2.20 per month	\$1.14 per month
General Service less than 50 kW (2,000 kWh)	\$3.16 per month	\$2.34 per month

Other customers, including businesses may be affected.

The OEB will Hold a Public Hearing

The OEB will hold a public hearing to consider North Bay Hydro's application. We will determine whether the company has used the applicable models and formulas required by the OEB. The OEB will also consider whether to approve North Bay Hydro's request for a rate adjustment for its Espanola Rate Zone, given the potential over earning by the former Espanola Regional Hydro Distribution Corporation. The OEB will also consider questions and arguments from intervenors in the hearing. At the end of the hearing, the OEB will decide what, if any, rate increases will be allowed.

How to See the Application

To access the application, please select the file number **EB-2022-0053** on the OEB website: <https://www.oeb.ca/applications/applications-oeb>. Any questions about this proceeding and the application may be directed to our Consumer Relations Centre 1-877-632-2727.

Intervenors and Requests for intervenor status

Intervenors of record in Espanola Regional Hydro Distribution Corporation's last cost of service application, EB-2020-0020, will be accepted as intervenors in this proceeding if they notify the OEB of their intention to participate in writing by **February 17, 2023**.

Any other party that wishes to participate as an intervenor should apply for intervenor status by **February 17, 2023**. For information on applying for intervenor status, please refer to Rule 22 of the OEB's [Rules of Practice and Procedure](#). If you apply to become an intervenor, all information contained in your request will be public.

The OEB intends to consider cost awards in this proceeding in accordance with the OEB's [Practice Direction on Cost Awards](#), and only in relation to the potential over-earning issue in the Espanola Rate Zone.

Format of Hearing

There are three types of OEB hearings – oral, written and electronic. North Bay Hydro has requested a written hearing, and the OEB intends to proceed by way of a written hearing. If someone believes that an oral hearing or an electronic hearing is needed, they must write to the OEB to explain why by **February 17, 2023**.

Interrogatories and Submissions

At this time, the OEB is making provision for written interrogatories and written submissions. The procedural steps and schedule for the case may change if the OEB determines an oral or electronic hearing is necessary.

Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Intervenors of record in EB-2022-0020 that wish to intervene in the proceeding should notify the OEB by letter by **February 17, 2023**. A copy of the letter must be sent to North Bay Hydro.
2. Any other person that wishes to participate as an intervenor in this proceeding should apply for intervenor status by **February 17, 2023**. For information on applying for intervenor status, please refer to the OEB's Rules of Practice and Procedure.
3. OEB staff and intervenors shall request any relevant information and documentation from North Bay Hydro that is in addition to the evidence filed with the OEB and that is relevant to the scope of this hearing, by written interrogatories filed with the OEB and delivered to all parties by **February 27, 2023**. Parties should consult Rules 26 and 27 of the OEB's Rules of Practice and Procedure regarding required naming and numbering conventions and other matters related to interrogatories.
4. North Bay Hydro shall file with the OEB complete written responses to all interrogatories and serve them on all parties by **March 10, 2023**.
5. Any written submissions by OEB staff and intervenors shall be filed with the OEB and served on all other parties by **March 24, 2023**.
6. Any reply submission by North Bay Hydro shall be filed with the OEB and served on all parties by **April 7, 2023**.

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-2022-0053** 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, Margaret DeFazio at Margaret.DeFazio@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, February 6, 2023

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar