



**PUC Distribution Inc.**

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

**PROCEDURAL ORDER NO. 5  
March 7, 2023**

PUC Distribution Inc. (PUC Distribution) filed a cost of service application with the Ontario Energy Board (OEB) 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 PUC Distribution charges for electricity distribution, beginning May 1, 2023. The application was accepted by the OEB as complete as of September 14, 2022.

Procedural Order No. 1 was issued on October 18, 2022, which among other matters, set out dates for procedural steps for this case. Procedural Order No. 1 noted that if there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before January 23, 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.

On December 21, 2022, PUC Distribution filed a letter to advise the OEB that a tentative agreement had been reached on all issues in the proceeding, and that the parties had agreed to work together to draft a settlement proposal.

On January 23, 2023, the OEB received a request from PUC Distribution for an extension to the date for filing a settlement proposal from January 23, 2023 to February 13, 2023. The OEB granted the extension and issued Procedural Order No. 2 on January 25, 2023.

On February 13, 2023, the OEB received a request from PUC Distribution for an extension to the date for filing a settlement proposal from February 13, 2023, to February 27, 2023. The letter indicated there were unique aspects of the settlement proposal that were taking additional time to resolve. The OEB granted the extension and issued Procedural Order No. 3 on February 16, 2023.

On February 27, 2023, the OEB received a request from PUC Distribution for an extension to the date for filing a settlement proposal from February 27, 2023, to March 6, 2023. The February 27 letter provided the same reasoning for the extension request as the February 13 letter.

On March 7, 2023, the OEB received a request from PUC Distribution for an extension to the date for filing a settlement proposal from March 6, 2023, to March 8, 2023. The March 7 letter provided the same reasoning for the extension request as the previous two letters.

Given the number of extension requests to the date for filing a settlement proposal, in order to potentially avoid the issuance of further procedural orders, the OEB is granting an extension to the date for the filing of a settlement proposal to **March 10, 2023**. This does not preclude parties from filing any settlement proposal before that time.

As noted in Procedural Orders No. 2-No. 4, the OEB's [Protocol for Adjusting Adjudicative Timelines](#)<sup>1</sup> accounts for delays that are two weeks or longer and are driven by applicant requests. If the request is approved, the application will be paused for the duration of the delay. In a proceeding where the protocol is triggered, the performance standard will be extended by the total number of calendar days associated with the request, including the planned decision issuance date.<sup>2</sup>

**IT IS THEREFORE ORDERED THAT:**

1. Any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **March 10, 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.
2. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties **no later than 7 days** after the settlement proposal is filed with the OEB.

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](#).

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<sup>1</sup> Protocol For Adjusting Adjudicative Timelines, November 1, 2021

<sup>2</sup> Ibid, p. 3

Please quote file number, **EB-2022-0059** 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, Georgette Vlahos at [georgette.vlahos@oeb.ca](mailto:georgette.vlahos@oeb.ca) and OEB Counsel, Ljuba Djurdjevic at [ljuba.djurdjevic@oeb.ca](mailto:ljuba.djurdjevic@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)  
Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto, **March 7, 2023**

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar