

April 20, 2023

**BY EMAIL AND FILED VIA RESS**

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street  
Suite 2700  
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Entegrus Powerlines Inc. (“Entegrus”)  
EB-2022-0178 – SAA Application  
Request for Updated Process Steps**

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We represent Entegrus in its application to amend its service territory to include the property and industrial customer located at 1 Cosma Court, St. Thomas, Ontario (SAA Application).

As contemplated by Procedural Orders No.1 and 2, the intervenors in this proceeding (Hydro One Networks Inc. and Formet Industries) filed evidence on April 17, 2023. The evidence filed by Hydro One and Formet is detailed and wide-ranging, and addresses a number of areas not fully canvassed within the evidence filed by Entegrus in support of the SAA Application.

Entegrus therefore requests that it be permitted to file brief supplemental evidence in support of the SAA Application. Entegrus further requests that the OEB provide for a settlement conference in order for the parties to discuss whether a resolution can be reached without the need for an adjudicated determination by the OEB.

Brief submissions in support of each of these requests are set out below.

**A. Request to file Supplementary Evidence**

In its prefiled evidence, Entegrus sought to include the relevant and known information in support of its position.

One of the steps that Entegrus took (approximately 1 year ago) was to ask a number of written questions to Hydro One, to obtain information about the connection agreement and billing history and asset utilization relevant to Hydro One’s service to Formet. Entegrus also requested permission to speak with Formet, to obtain more information and to understand the customer’s needs and preferences. Hydro One declined to provide the majority of the requested information, and also declined to provide permission to speak with Formet. As a result, Entegrus was limited in the evidence that it could file in relation to the current service arrangements for Formet, and the implications of those arrangements.

On March 17, 2023, after the SAA Application was filed, the OEB confirmed that Entegrus may discuss the application with Formet, which meeting occurred on March 22, 2023. Having now

met with Formet and having received and reviewed the intervenor evidence, Entegrus notes a number of items covered by Hydro One and Formet that Entegrus wishes to address through its own evidence.

The main areas that Entegrus proposes to address in supplementary evidence are the characterization of the application (responding to Hydro One's evidence about 2003 OEB decisions and about whether this is an LTLT); the implications of the MAADs Decision for St. Thomas (responding to Hydro One's evidence); the excess capacity of the facilities currently serving Formet (responding to Hydro One's and Formet's evidence); customer reliability impacts (responding to Hydro One's and Formet's evidence); and the relative costs of each distributor to serve Formet (responding to Hydro One's and Formet's evidence).

Given that the process for this SAA Application contemplates a written hearing, Entegrus submits that it should provide the additional evidence in writing.

Entegrus acknowledges that it would be appropriate for its supplementary evidence to be filed in advance of the discovery (interrogatory) phase of the process, so that intervenors have the opportunity to ask questions about both the original and supplementary evidence.

Entegrus therefore requests that it be provided the opportunity to file supplementary evidence by Friday, May 5, 2023. If approved, this request would also require later deadlines for the subsequent steps set out in Procedural Order No. 2.

#### B. Request for a Settlement Conference

Entegrus always seeks constructive and broadly beneficial outcomes in its dealings with customers, other regulated entities and the OEB. Having the opportunity to meet with Formet and review its evidence in detail has been important for Entegrus.

From the evidence filed to date in this SAA Application, it is clear that the parties have strongly held views. However, it also appears to Entegrus that there may be creative solutions that could allow the parties to each achieve their main goals while also accommodating one another. It may be the case that a hearing process (with relatively binary outcomes) is not the best way to explore and discuss such solutions.

Entegrus therefore requests that the OEB schedule a one-day settlement conference, in order for the parties to explore whether a resolution can be reached. Entegrus suggests that it would be most efficient to schedule this new step after the supplementary evidence is filed, but before the discovery (interrogatory) phase. That way, the time and expense of interrogatories will only be required in the event that no resolution is reached.

Please let us know if you have questions about this letter.

Yours truly,

AIRD & BERLIS LLP



David Stevens  
DS/

c: Entegrus Powerlines, attn. David Ferguson  
All parties registered in EB-2022-0178