



Wataynikaneyap Power LP

Application for electricity transmission rates and other charges

PROCEDURAL ORDER NO. 1

August 14, 2023

Wataynikaneyap Power LP (WPLP) filed a cost of service application with the Ontario Energy Board (OEB) on June 26, 2023, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval to establish electricity transmission rates effective January 1, 2024 and to charge Hydro One Remote Communities Inc. (Hydro One Remotes) a fixed charge effective January 1, 2024.

A Notice of Hearing was issued on July 17, 2023. The OEB did not receive any intervention requests.

WPLP's Confidentiality Request

By letter dated June 23, 2023, WPLP requested confidential treatment of certain information in its application that relates directly to issues which are the subject of ongoing commercial discussions between WPLP and its contractor relating to the Engineering Procurement Contract (EPC) pursuant to which WPLP's transmission system is being constructed. In its letter, WPLP stated that it is requesting confidential treatment of the information because its disclosure would interfere with ongoing commercial discussions, materially prejudice WPLP's position in the commercial discussions and any potential dispute resolution process, and likely cause a significant loss or gain to a person.

In accordance with the OEB's [Practice Direction on Confidential Filings](#) (Practice Direction), the OEB will allow an opportunity for OEB staff to file an objection to WPLP's confidentiality request and for WPLP to respond to any objection.

Issues List

The OEB is making provision for the development of an issues list prior to the filing of written interrogatories. WPLP and OEB staff shall develop and OEB staff shall file a proposed issues list for the OEB's consideration. If there is no agreement on a proposed issues list, OEB staff will advise the OEB in writing. WPLP and OEB staff are

encouraged to reach consensus on the proposed issues list. The OEB will approve an issues list prior to the filing of interrogatories.

Interrogatories

The OEB is making provision for written interrogatories.

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.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. If OEB staff have any objections to WPLP's request for confidentiality, they shall file their written submission by **August 21, 2023**.
2. If WPLP wishes to respond to any submission on confidentiality, it must file its written reply with the OEB and serve it on OEB staff within the timelines specified in section 5.1.8 of the Practice Direction.
3. OEB staff shall file a proposed issues list, or, alternatively, shall advise the OEB in writing that the parties have been unable to reach consensus on a proposed issues list by **August 22, 2023**.
4. OEB staff shall request any relevant information and documentation from WPLP that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on WPLP by **September 8, 2023**.
5. WPLP shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff by **September 28, 2023**.

Parties are responsible for ensuring that any documents they file with the OEB, such as 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-2023-0168** 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.

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, Michael Price at Michael.Price@oeb.ca and OEB Counsel, Ian Richler at ian.Richler@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **August 14, 2023**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar