



EPCOR Natural Gas Limited Partnership

Motion to review and vary EB-2022-0184 Decision and Order (Phase 2) relating to Customer Volume Variance Account, and a request for stay of the implementation of certain aspects of the Decision

PROCEDURAL ORDER NO. 4 August 22, 2023

EPCOR Natural Gas Limited Partnership (EPCOR) filed an incentive rate-setting mechanism application with the Ontario Energy Board (OEB) on July 18, 2022, under section 36 (1) of the Ontario Energy Board Act, 1998 seeking approval for changes to its natural gas distribution rates to be effective January 1, 2023, for its South Bruce service area (Application).¹

The OEB issued a Phase 2 Decision and Order (Decision) on April 6, 2023, on the Customer Volume Variance Account (CVVA) requested in the Application. On May 10, 2023, EPCOR filed a notice of motion to review and vary the Decision (Motion).

Following the granting of an extension to EPCOR for an extension of the date for filing its submissions, on June 22, 2023, the OEB issued Procedural Order No. 3 granting Vulnerable Energy Consumers Coalition's requested extension to file intervenor and OEB staff submission to July 27, 2023. The OEB also updated its tentatively scheduled virtual hearing, to allow the OEB to ask any questions it may have, to August 24, 2023.

Hearing

The OEB will hold a transcribed virtual hearing on **August 24, 2023**.

The OEB requests that at the hearing each party provide a summary of their submission no longer than ten minutes. EPCOR will go first, followed by intervenors and OEB staff. EPCOR will also be allotted five minutes for rebuttal.

In the context of the EPCOR motion request to vary the Decision regarding the establishment and terms of the CVVA account, the OEB will have questions on the

¹ EB-2022-0184

Common Infrastructure Plan proceeding² and the Custom Incentive Rate-setting proceeding.³

The OEB expects parties to work directly with OEB staff to develop an effective hearing schedule that aligns with the OEB's directions above.

IT IS THEREFORE ORDERED THAT:

1. A transcribed virtual hearing will be held on **August 24, 2023** starting at 9:30 a.m. This event will be conducted by way of a virtual hearing. Further information on how to connect to the proceeding will be communicated to parties closer to the date.

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-2023-0140** 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](#).

² EB-2016-0137/137/139

³ EB-2018-0264

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, Arturo Lau at Arturo.Lau@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **August 22, 2023**

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar