



Canadian Niagara Power Inc.

**Application for electricity distribution rates effective
January 1, 2024**

**PROCEDURAL ORDER NO. 1
September 29, 2023**

Canadian Niagara Power Inc. (CNPI) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on August 17, 2023, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to its electricity distribution rates to be effective **January 1, 2024**. CNPI has also applied for a Z-factor claim, to recover costs (and carrying charges) related to the damage caused to its distribution system by a windstorm that occurred on December 23, 2022.

A Notice of Hearing was issued on September 8, 2023. Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from CNPI .

VECC is approved as an intervenor and is eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#) in relation to CNPI's Z-factor claim.

Cost eligible intervenors should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing.

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. OEB staff and intervenors shall request any relevant information and documentation from CNPI that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on CNPI and all other parties by **October 13, 2023**.
2. CNPI shall file with the OEB complete written responses to the interrogatories and serve them on intervenors by **October 27, 2023**.
3. Any written submissions by OEB staff and intervenors shall be filed with the OEB and served on all other parties by **November 10, 2023**.
4. CNPI may file a written reply submission with the OEB and serve it on intervenors by **November 24, 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-2023-0009** 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 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, Katherine Wang at Katherine.Wang@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, **September 29, 2023**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A

LIST OF APPLICANT AND INTERVENORS

CANADIAN NIAGARA POWER INC.

EB-2023-0009

PROCEDURAL ORDER NO. 1

SEPTEMBER 29, 2023

Canadian Niagara Power Inc.
EB-2023-0009

APPLICANT & LIST OF INTERVENORS

September 29, 2023

APPLICANT

Rep. and Contact Information for Service

Canadian Niagara Power Inc.

Oana Stefan

Manager, Regulatory Affairs

Canadian Niagara Power Inc.

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INTERVENORS

Rep. and Contact Information for Service

**Vulnerable Energy
Consumers Coalition**

Shelley Grice

Consultant

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