



Hydro One Networks Inc.

Application to change electricity distribution rates in the service areas previously served by Orillia Power Distribution Corporation and Peterborough Distribution Inc., effective January 1, 2024

**PROCEDURAL ORDER NO. 1
October 16, 2023**

Hydro One Networks Inc. (Hydro One) 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**.

A Notice of Hearing was issued on September 29, 2023. The Power Workers' Union (PWU) applied for intervenor status but is not seeking costs eligibility. No objection was received from Hydro One .

Intervention Request of the PWU

In its Annual Filing of Frequent Intervenor, the PWU identifies that it is “a labour union representing the majority of workers in the electricity industry in Ontario. Its mandate and objectives include to represent the interests of its membership and to participate in the regulatory oversight processes affecting the energy industry in Ontario.” It states that the PWU has approximately 15,000 members making up about 70% of the workforce in Ontario’s electricity industry.

The PWU states that it intends to participate in the proceeding in a relatively limited capacity and describes its issues as “ensuring that the inputs used in the applicable formulas are calculated appropriately and in a manner that will not jeopardize the utility’s ongoing ability to ensure the safe and reliable operation of the relevant facilities.”

The base distribution delivery rates for the Orillia and Peterborough rate zones have been frozen, in accordance with the two Merger, Acquisition, Amalgamation and Divestiture (MAAD) applications filed by Hydro One and approved by the OEB¹. As a result, the proceeding will not be adjusting rates through a formula, an area of interest

¹ EB-2018-0270 and EB-2018-0242

identified by the PWU. The current proceeding will not examine capital work programs or Operations, Maintenance and Administration costs related to the operation of facilities.

The current proceeding will consider the reclassification of post-integration Low Voltage Variance Account transactions to sub-transmission revenue, however the PWU does not appear to raise concerns related to these accounting matters in its intervention request.

Rule 22.02 of the OEB's *Rules of Practice and Procedure* provides that the party applying for status must satisfy the OEB that it has a "substantial interest" in the proceeding. Given the issues of concern stated by the PWU and the scope of the current proceeding, the OEB finds that the PWU has not demonstrated that it has a substantial interest in this proceeding and therefore, its intervention request is denied.

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 shall request any relevant information and documentation from Hydro One that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on Hydro One by **October 18, 2023**.
2. Hydro One shall file with the OEB complete written responses to the interrogatories and serve them on OEB staff by **November 1, 2023**.
3. Any written submissions by OEB staff shall be filed with the OEB and served on Hydro One by **November 15, 2023**.
4. Hydro One may file a written reply submission with the OEB by **November 29, 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-2023-0059** 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 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, Kelli Benincasa at Kelli.Benincasa@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, **October 16, 2023**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar