



E.L.K. Energy Inc.

**Application for electricity distribution rates and other
charges beginning May 1, 2024**

**PROCEDURAL ORDER NO. 1
November 24, 2023**

E.L.K. Energy Inc. (ELK Energy) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on October 11, 2023 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that ELK Energy charges for electricity distribution, beginning May 1, 2024. ELK Energy has also applied for incremental capital funding for the purchase of two fleet vehicles and the purchase and installation of six recloser switches; as well as a Z-factor claim to recover the costs (and carrying charges) related to the damage caused to its distribution system by an ice storm and a thunderstorm.

The OEB issued a Notice of Hearing on October 30, 2023. Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection to VECC's intervention was received from ELK Energy.

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](#).

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.

At this time the OEB is making provision for the filing of interrogatories, interrogatory responses, and submissions. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. VECC and OEB staff shall request any relevant information and documentation from ELK Energy that is in addition to the evidence already filed, by written

interrogatories filed with the OEB and served on ELK Energy by **December 7, 2023**.

2. ELK Energy shall file with the OEB and send to VECC complete written responses to the interrogatories by **January 11, 2024**.
3. Any written submissions by VECC and OEB staff shall be filed with the OEB and served on ELK Energy by **January 25, 2024**.
4. Any reply submissions by ELK Energy shall be filed with the OEB by **February 8, 2024**.

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-2023-0013** 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, Abla Nur at Abla.Nur@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, **November 24, 2023**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A

LIST OF APPLICANT AND INTERVENORS

PROCEDURAL ORDER NO. 1

E.L.K. ENERGY INC.

EB-2023-0013

DATED: NOVEMBER 24, 2023

**E.L.K. Energy Inc.
EB-2023-0013**

APPLICANT & LIST OF INTERVENORS

November 24, 2023

APPLICANT

Rep. and Contact Information for Service

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APPLICANT

Rep. and Contact Information for Service

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E.L.K. Energy Inc.
EB-2023-0013

APPLICANT & LIST OF INTERVENORS

November 24, 2023

INTERVENORS

Rep. and Contact Information for Service

**Vulnerable Energy
Consumers Coalition**

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