



**Upper Canada Transmission 2, Inc.**

**Application for electricity transmission rate changes  
beginning January 1, 2024**

**PROCEDURAL ORDER NO. 1  
November 28, 2023**

Upper Canada Transmission 2, Inc. (Upper Canada Transmission) filed an application with the Ontario Energy Board (OEB) on October 10, 2023 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval to change the rates that it charges for electricity transmission, effective January 1, 2024.

A Notice of Hearing was issued on November 2, 2024. Each of Association of Major Power Consumers in Ontario (AMPCO), Canadian Manufacturers & Exporters (CME), Coalition of Concerned Manufacturers and Businesses of Canada (CCMBC), Consumers Council of Canada (CCC), School Energy Coalition (SEC), and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status. AMPCO, CCC, CCMBC, CME, SEC, and VECC also applied for cost eligibility.

No objection was received from Upper Canada Transmission.

AMPCO, CCC, CCMBC, CME, SEC, and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. AMPCO, CCC, CCMBC, CME, SEC, and VECC are 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.

### **Issues List**

The OEB is making provision for the development of an issues list prior to the filing of written interrogatories. Upper Canada Transmission, OEB staff and intervenors shall develop and OEB staff shall file a proposed issues list for the OEB's consideration. If

parties are unable to reach consensus on a proposed issues list for OEB approval, OEB staff shall advise the OEB in writing of (i) any issues that the parties agree on and (ii) any issues that remain in dispute. The OEB will approve an issues list prior to the filing of interrogatories.

### **Interrogatories**

The OEB is making provision for written interrogatories. Parties should not engage in detailed exploration of items that do not appear to be material. Parties should use the materiality thresholds documented in Chapter 2 of the Filing Requirements as a guide. In preparing interrogatories, parties should refer to the OEB's approved Issues List.

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.

### **Settlement Conference**

The OEB is making provision for a settlement conference. Following the settlement conference, provision is being made for the filing of letters informing the OEB of the status of the settlement discussions, the presentation of any settlement proposal filed by Upper Canada Transmission, whether full or partial, and for the presentation of any unsettled issues to be adjudicated by the OEB.

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 file a proposed issues list, or, alternatively, shall advise the OEB in writing that the parties and OEB staff have been unable to reach an agreement on a draft issues list by **December 6, 2023**.
2. OEB staff and intervenors shall request any relevant information and documentation from Upper Canada Transmission that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties, by **January 10, 2024**.
3. Upper Canada Transmission shall file with the OEB complete written responses to all interrogatories and serve them on all intervenors by **January 30, 2024**.
4. A settlement conference among the parties and OEB staff will be convened on **February 8, 2024**, starting at 9:30 a.m. If necessary, the settlement conference

will continue on **February 9, 2024**. This will be a virtual event and information on how to participate will be provided in advance of the conference. If OEB staff or intervenors intend to submit clarification questions to Upper Canada Transmission as part of the settlement process, they are encouraged to submit these questions as far in advance as possible of the commencement of the settlement conference, in the interests of making the settlement process as efficient as possible.

5. **Within 48 hours** of the conclusion of the settlement conference, Upper Canada Transmission shall file a letter informing the OEB of the status of the settlement discussions including whether a tentative settlement has been reached or if the parties propose to continue the settlement discussions.
6. If there is no settlement proposal arising from the settlement conference, Upper Canada Transmission shall file a statement to that effect with the OEB by **February 16, 2024**. In that event, parties shall file with the OEB and serve on the other parties by **February 23, 2024** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
7. If there is a settlement, the settlement proposal shall be filed with the OEB on or before **February 29, 2024**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating with reasons whether the parties believe those issues should be dealt with by way of oral or written hearing.
8. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **March 7, 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-2023-0298** 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](mailto: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 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](mailto:Michael.Price@oeb.ca) and OEB Counsel, Lawren Murray at [Lawren.Murray@oeb.ca](mailto:Lawren.Murray@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

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

**DATED** at Toronto, November 28, 2023

**ONTARIO ENERGY BOARD**

**By delegation, before: Nancy Marconi**

Nancy Marconi  
Registrar

**Schedule A**  
**Upper Canada Transmission 2, Inc.**  
**EB-2023-0298**  
**Applicant and List of Intervenors**

Upper Canada Transmission 2, Inc.  
EB-2023-0298

**APPLICANT & LIST OF INTERVENORS**

November 28, 2023

**APPLICANT**

**Rep. and Contact Information for Service**

**Upper Canada Transmission  
2, Inc.**

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**APPLICANT**

**Rep. and Contact Information for Service**

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2, Inc.**

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**INTERVENORS**

**Rep. and Contact Information for Service**

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**APPLICANT & LIST OF INTERVENORS**

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Consumers in Ontario**

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President

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**Coalition of Concerned  
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**APPLICANT & LIST OF INTERVENORS**

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Canada**

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**School Energy Coalition**

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**Vulnerable Energy  
Consumers Coalition**

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