

ERTH Power Corporation

**Application for electricity distribution rates beginning
May 1, 2024**

**PROCEDURAL ORDER NO. 3
February 15, 2024**

ERTH Power Corporation (ERTH Power) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on November 3, 2023 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that ERTH Power charges for electricity distribution, beginning May 1, 2024.

The OEB issued a Notice of Hearing on December 4, 2023. No persons applied for intervenor status. On January 9, 2024, the OEB issued Procedural Order No. 1, which set out the procedural steps for the discovery process and for written submissions from OEB staff and ERTH Power. On January 15, 2024, OEB staff filed interrogatories and ERTH Power filed its responses on January 29, 2024. In its responses, ERTH Power stated that it would respond to Question 7(a)(ii) for the Main Rate Zone and Question 6 for the Goderich Rate Zone in further detail on February 12, 2024. ERTH Power's responses to Question 7(b), 7(c)(ii), 7(i), 7(j), 7(k), and Question 8(b) and 8(d), incorrectly numbered as Question 9(b) and 9(d) in the responses, for the Main Rate Zone are subject to ERTH Power's response to Question 7(a)(ii). The OEB granted the extension and issued Procedural Order No. 2 on February 5, 2024.

On February 14, 2024, ERTH Power submitted a letter requesting a further extension to the deadline for filing responses to outstanding interrogatories, to February 20, 2024. The OEB grants this extension request and provides a revised schedule for responses to the remaining questions and for written submissions below. It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. ERTH Power shall file its responses to OEB staff Question 7(a)(ii), 7(b), 7(c)(ii), 7(i), 7(j), 7(k), and Question 8(b) and 8(d), incorrectly numbered as Question 9(b) and 9(d) in the responses, for the Main Rate Zone, and to OEB staff Question 6 for the Goderich Rate Zone by **February 20, 2024**.

2. Any written submissions by OEB staff shall be filed with the OEB and served on ERTH Power by **March 5, 2024**.
3. Any reply submissions by ERTH Power shall be filed with the OEB by **March 19, 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-2023-0019** 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.

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, Serena Jia at Serena.Jia@oeb.ca and OEB Counsel, James Sidlofsky at James.Sidlofsky@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **February 15, 2024**

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar