

**London Hydro Inc.**

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

**PROCEDURAL ORDER NO. 3  
March 19, 2024**

London Hydro Inc. (London Hydro) 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 London Hydro charges for electricity distribution, beginning May 1, 2024.

The OEB issued a Notice of Hearing on November 1, 2023. No persons applied for intervenor status.

On November 1, 2024, the OEB issued Procedural Order No. 1, which set out the procedural steps for the discovery process up to reply submission by the applicant.

OEB staff filed its submission on February 23, 2024 and London Hydro filed its reply submission on March 8, 2024. The OEB notes the divergent views in the submissions of London Hydro and OEB staff on complicated accounting matters. There appears to be a disagreement on the method of allocation of the credits received from the IESO associated with the errors with regards to Accounts 1588 and 1589 for the years 2015-2016.

The OEB is of the view that it would be helpful to its determination of the appropriate remedial process to correct the errors in Accounts 1588 and 1589 if a meeting between London Hydro and OEB staff in a “settlement conference” setting took place with the goal of resolving any differences in the method of allocation.

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. An un-transcribed settlement conference between London Hydro and OEB staff will be convened on a mutually agreeable date before end of day **April 5, 2024**. This will be a virtual event and information on how to participate will be provided

in advance of the conference. The OEB has determined that, in accordance with the OEB's Practice Direction on Settlement Conferences, OEB staff will be a party to the settlement conference and to any resulting settlement proposal. This will be a virtual event and information on how to participate will be provided in advance of the conference. If clarifying questions are sent to London Hydro as part of the settlement process, they should be submitted 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.

2. **Within 48 hours** of the conclusion of the conference, London Hydro shall file a letter informing the OEB of the status of the discussions including whether a tentative agreement had been reached or if the parties propose to continue the discussions.
3. If there is no agreement arising from the conference, London Hydro shall file a statement to that effect with the OEB by **April 19, 2024**.
4. If there is an agreement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **April 19, 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.

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-2023-0037** 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.

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, Dana Wong at [dana.wong@oeb.ca](mailto:dana.wong@oeb.ca) and OEB Counsel, Ljuba Djurdjevic at [ljuba.djurdjevic@oeb.ca](mailto:ljuba.djurdjevic@oeb.ca).

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

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

**DATED** at Toronto, **March 19, 2024**

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar