



**Niagara Reinforcement Limited Partnership**

**Application for 2025-2029 electricity transmission rates  
January 1, 2025**

**PROCEDURAL ORDER NO. 1  
July 19, 2024**

Niagara Reinforcement Limited Partnership (NRLP) filed a transmission revenue requirement application with the Ontario Energy Board (OEB) on May 24, 2024, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that NRLP charges for electricity transmission, beginning January 1, 2025.

A Notice of Hearing was issued on June 25, 2024. Each of Association of Major Power Consumers in Ontario (AMPCO), Consumers Council of Canada (CCC), and School Energy Coalition (SEC), applied for intervenor status and cost eligibility. AMPCO, CCC and SEC also applied for cost eligibility.

No objection was received from NRLP.

AMPCO, CCC, and SEC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. AMPCO, CCC and SEC are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

AMPCO, CCC and SEC 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.

**Request to Combine Proceedings**

On July 12, 2024, SEC filed a letter on behalf of itself, AMPCO and CCC (collectively the Consumer Groups). The Consumer Groups noted that current rate application by NRLP is similar to a recent rate application filed by B2M Limited Partnership (B2M LP)<sup>1</sup> in that both applicants are single asset transmitters that are requesting similar rate

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<sup>1</sup> EB-2024-0116

frameworks for the same five-year term and whose applications are being brought on behalf of the specific entities by Hydro One Networks Inc. (Hydro One).

To promote regulatory efficiency and to help ensure consistent decision-making, the Consumer Groups requested that the OEB combine the applications into a single proceeding. The Consumer Groups state that SEC raised the request with Hydro One and that it agrees that the two applications could be heard together, however since the entities are distinct, any interrogatories and orders should still be referenced separately by their respective application case numbers.

In light of Hydro One's response, the OEB will not combine these applications into a single proceeding, but the OEB agrees with the Consumer Groups that regulatory efficiency may be gained by coordinating them. With one exception, the OEB will align the two procedural schedules such that the events occur on the same dates (e.g., interrogatories, interrogatory responses). The exception is that the OEB does not plan to combine the two settlement conferences at this time. The OEB will schedule the settlement conferences such that the settlement conference for the NRLP proceeding is immediately followed by the settlement conference for the B2M LP proceeding over the course of two days.<sup>2</sup>

### **Issues List**

The OEB is making provision for the development of an issues list prior to the filing of written interrogatories. NRLP, 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 (a) any issues that the parties agree on and (b) 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. In preparing interrogatories, parties should refer to the OEB's approved Issues List.

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 for Electricity Transmission Applications](#) as a guide. In making its

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<sup>2</sup> In Procedural Order No. 1 for the proceeding on B2M LP's application for 2025-2029 electricity transmission rates (EB-2024-0116) issued July 12, 2024, the OEB indicated that the two settlement conferences would be coordinated over three days. The two settlement conferences will now be coordinated over two days, and parties to the B2M proceeding will be advised of this change. Additional time will be scheduled if required.

decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

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 NRLP, 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 **July 24, 2024**.
2. OEB staff and intervenors shall request any relevant information and documentation from NRLP that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **August 20, 2024**.
3. NRLP shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **September 9, 2024**.
4. A settlement conference among the parties and OEB staff will be convened on **September 24, 2024**. The start time will be coordinated among the parties, with consideration being given to the timing of the settlement conference for the B2M LP rate proceeding.<sup>3</sup> If necessary, the settlement conference will continue on a date to be determined. 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 NRLP as part of the settlement process, they are encouraged to submit these questions as far in

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<sup>3</sup> EB-2024-0116

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, NRLP shall file a letter informing the OEB of the status of the settlement discussions including whether a tentative agreement had been reached or if the parties propose to continue the settlement discussions.
6. If there is no settlement proposal arising from the settlement conference, NRLP shall file a statement to that effect with the OEB by **October 2, 2024**. In that event, parties shall file and serve on the other parties by **October 9, 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, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **October 15, 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 **October 22, 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-2024-0117** 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, Muhammed Yunus at [Muhammed.Yunus@oeb.ca](mailto:Muhammed.Yunus@oeb.ca) and OEB Counsel, James Sidlofsky at [James.Sidlofsky@oeb.ca](mailto:James.Sidlofsky@oeb.ca).

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

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

**DATED** at Toronto, **July 19, 2024**

**ONTARIO ENERGY BOARD**

**By delegation, before: Nancy Marconi**

Nancy Marconi  
Registrar

**Schedule A**  
**Niagara Reinforcement Limited Partnership**  
**EB-2024-0117**

**APPLICANT & LIST OF INTERVENORS**

**July 19, 2024**

**APPLICANT**

**Rep. and Contact Information for Service**

**Niagara Reinforcement  
Limited Partnership**

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**INTERVENORS**

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**Schedule A**  
**Niagara Reinforcement Limited Partnership**  
**EB-2024-0117**

**APPLICANT & LIST OF INTERVENORS**

**July 19, 2024**

**Consumers Council of  
Canada**

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**School Energy Coalition**

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