



**Lakeland Power Distribution Ltd.**

**Application for electricity distribution rates and other  
charges beginning May 1, 2025**

**PROCEDURAL ORDER NO. 1  
December 17, 2024**

Lakeland Power Distribution Ltd. (Lakeland Power) filed a cost of service application with the Ontario Energy Board (OEB) on October 31, 2024, under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) seeking approval for changes to the rates that Lakeland Power charges for electricity distribution, beginning May 1, 2025.

A Notice of Hearing was issued on November 25, 2024. School Energy Coalition (SEC), Trestle Brewing Company (Trestle) and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status. SEC and VECC applied for cost eligibility. Trestle did not apply for cost eligibility.

No objection was received from Lakeland Power.

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

SEC and VECC 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.

**Request for “Discovery Day”**

The OEB initiated a pilot process aimed at reducing the regulatory burden associated with filing and reviewing major rate applications for very small utilities (i.e., electricity distributors with fewer than 5,000 customers).<sup>1</sup> The pilot process includes a one-day Issues Meeting prior to the discovery process where parties discuss the application and

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<sup>1</sup> <https://www.rds.oeb.ca/CMWebDrawer/Record/846969/File/document>

seek agreement on (i) an Issues List for the application that sets out issues that are relevant to the application; and (ii) an Interrogatory Issues List that sets out issues that require further discovery.

Lakeland Power requested that the OEB schedule a “Discovery Day” similar to the Issues Meeting that is held as part of the pilot process.<sup>2</sup>

The OEB notes that Lakeland Power has over 14,500 customers. This is significantly more than the 5,000 customer limit set by the OEB for the pilot process. The OEB will not schedule a Discovery Day for the current proceeding. The OEB appreciates Lakeland Power’s interest in the very small utility pilot process and looks forward to sharing outcomes from the pilot once concluded.

### **Request for Confidentiality**

By letter dated November 21, 2024, Lakeland Power requested that the OEB allow certain information to be redacted from the public record.<sup>3</sup> Redacted versions of the exhibits were filed for the public record of this proceeding and unredacted versions were filed confidentially with the OEB pursuant to the [Rules of Practice and Procedure](#) and the [Practice Direction on Confidential Filings](#) (Practice Direction). The confidentiality requests relate to the following:

1. Information related to unit pricing and/or billing rates
  - o Exhibit 4, PDF Pages 218-219, 226, 229
2. Information relating to signatures and initials
  - o Exhibit 4, PDF Pages 218, 220, 223-233
3. Specific information regarding information technology infrastructure within Lakeland Power’s service area
  - o Exhibit 4, PDF Pages 230-233
4. Bank account numbers contained in a Letter of Agreement with a banking institution
  - o Exhibit 5, PDF Pages 23-24
5. Names, salary, and/or compensation benefits for individual Lakeland Power employees
  - o Exhibit 6, PDF Pages 29 and 48-49

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<sup>2</sup> Specifically, Lakeland Power referenced the proceeding on Tillsonburg Hydro Inc.’s 2024 cost of service application, EB-2023-0053

<sup>3</sup> EB-2024-0039, Lakeland Power Letter - 2025 Cost of Service Rate Application Re-Submission, November 21, 2024

With respect to items 1 and 2, Lakeland Power stated that these are presumptively confidential under section 4 of the Practice Direction.

With respect to item 3, the redacted information includes IP addresses and laptop serial numbers. Lakeland Power stated that disclosure of this information could affect the security of Lakeland Power and potentially external parties and should remain redacted.

With respect to item 4, Lakeland Power stated that the redaction of bank account information protects its commercial or financial information and requests that this information remain permanently redacted.

With respect to item 5, Lakeland Power stated that the redacted information is “personal information” under the *Freedom of Information and Protection of Privacy Act* (FIPPA) and that the OEB has previously treated compensation about identifiable individuals as personal information. The OEB agrees that information regarding the employee names and compensation is protected from disclosure by FIPPA and shall remain redacted and shall not be provided to the intervenors in this proceeding.

Parties that wish to object to the confidentiality requests for items 1, 2, 3 and 4 should refer to sections 4 and 5 of the Practice Direction and follow the timelines and process in sections 5.1.6 and 5.1.7 of the Practice Direction. Lakeland Power should follow the timelines and process in section 5.1.8 of the Practice Direction if it wishes to respond to any objections.

## Issues List

OEB staff will canvas parties for any unique issues that warrant addition to the standard [Issues List](#) for electricity distribution rate applications. If parties recommend and agree to revisions, OEB staff will file a revised draft Issues List with the OEB. If there is no agreement on whether the standard Issues List should be revised, OEB staff will advise the OEB in writing. If intervenors and the applicant do not propose any amendments to the standard Issues List, OEB staff will notify the OEB of this fact. The OEB will approve an issues list prior to the filing of interrogatories.

## Interrogatories

At this time, provision is being made for written interrogatories. 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. The OEB will review the single test year application both in the context of the projects and programs that are requested for the test year and from the

perspective of the distributor's plans for the subsequent four years until the next scheduled rebasing application.

Parties should examine the value presented by the proposed investments as opposed to focusing only on the costs. Parties should also assess the fit between the applicant's plans and its stated objectives and consider how the plans contribute to positive outcomes for customers, in particular those outcomes that arise from the asset management decisions reflected in the applicant's distribution system plan. The OEB will consider the entire five-year distribution system plan to assess the planning and pacing proposals of the applicant and whether the test year requests are appropriately aligned with the distribution system plan. The OEB will also consider productivity and benchmarking results in assessing cost forecasts, bill impacts and distributor performance.

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 making its 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.

### **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 Lakeland Power, whether full or partial, and for the presentation of any unsettled issues to be adjudicated by the OEB. Lakeland Power's presentation is intended to summarize and provide any salient information for the OEB's consideration in reviewing the settlement proposal.

The OEB is making provision for the following 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 **January 8, 2025**.
2. OEB staff and intervenors shall request any relevant information and documentation from Lakeland Power that is in addition to the evidence already

filed, by written interrogatories filed with the OEB and served on all parties by **January 17, 2025**.

3. Lakeland Power shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **February 6, 2025**.
4. A settlement conference among the parties and OEB staff will be convened on **February 19-20, 2025**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **February 21, 2025**. 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 Lakeland Power 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, Lakeland Power 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, Lakeland Power shall file a statement to that effect with the OEB by **February 24, 2025**. In that event, parties shall file and serve on the other parties by **February 27, 2025**, 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 **March 12, 2025**. 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 24, 2025**.

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-2024-0039** 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, Georgette Vlahos at [Georgette.Vlahos@oeb.ca](mailto:Georgette.Vlahos@oeb.ca) and OEB Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)  
Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto, **December 17, 2024**

**ONTARIO ENERGY BOARD**

**By delegation, before: Nancy Marconi**

Nancy Marconi  
Registrar

## APPLICANT & LIST OF INTERVENORS

December 17, 2024

### APPLICANT

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### APPLICANT COUNSEL

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### INTERVENORS

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## APPLICANT & LIST OF INTERVENORS

December 17, 2024

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