



**ERTH Power Corporation Inc.**

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

**PROCEDURAL ORDER NO. 3  
January 10, 2025**

ERTH Power Corporation Inc. (ERTH Power) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on October 11, 2024, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to its electricity distribution rates to be effective May 1, 2025. ERTH Power has also applied for incremental capital funding to support the purchase of property, design, construction, and furnishing of a new administrative and operational facility.

**Request for Extension of Deadline for Requests for Additional Procedural Steps**

There are two intervenors in this proceeding - the School Energy Coalition (SEC) and the Vulnerable Energy Consumers Coalition (VECC). In Procedural Order No. 2, issued on December 17, 2024, the OEB established January 10, 2025 as the deadline for SEC and VECC, to file any request for additional procedural steps after reviewing ERTH Power's interrogatory responses and prior to filing submissions.

Procedural Order No. 1 required ERTH Power to "file with the OEB complete written responses to the interrogatories and serve them on all intervenors by January 7, 2025." The OEB received ERTH Power's interrogatory responses on January 7, 2025. On January 8, 2025, SEC submitted a letter to the OEB noting that the deadline set in Procedural Order No. 2 allowed only three days from the filing of the interrogatory responses for intervenors to determine if any additional procedural steps are appropriate. SEC further noted that Procedural Order No. 1 required ERTH Power to file complete written responses and serve them on all intervenors by January 7, 2025, but SEC advised that ERTH Power did not serve the responses on intervenors until January 8, 2025.

SEC sought a brief extension of the deadline to request additional procedural steps as outlined in Procedural Order No. 2, for both itself and VECC, given the delay in receiving the interrogatory responses and short timeline to file any request.

## Findings

The OEB has determined that it will grant an extension to the deadline for filing any request for additional procedural steps. The procedural steps and associated dates and timelines established in Procedural Order No. 1 and Procedural Order No. 2 are cancelled, as set out below.

The OEB finds it necessary to address the following matters related to this proceeding and may issue additional procedural orders as needed.

### IT IS THEREFORE ORDERED THAT:

1. The deadlines set out in paragraphs 3 and 4 of Procedural Order No. 1 and in paragraphs 1 and 2 of Procedural Order No. 2 are cancelled.
2. If SEC and/or VECC wish(es) to request additional procedural steps before the filing of submissions, such written request(s) shall be filed with the OEB and served on all other parties by **January 14, 2025**.
3. Any written response to these requests from ERTH Power shall be filed with the OEB and served on all other parties by **January 17, 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-2024-0021** 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 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, Urooj Iqbal at [urooj.iqbal@oeb.ca](mailto:urooj.iqbal@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, **January 10, 2025**

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar