



Burlington Hydro Inc.

**Application for electricity distribution rates and other
charges beginning January 1, 2026**

**DECISION ON ISSUES LIST
AND PROCEDURAL ORDER NO. 2
June 19, 2025**

BEFORE: **Allison Duff**
Presiding Commissioner

Damien A. Côté
Commissioner

Vinay Sharma
Commissioner

Burlington Hydro Inc. (Burlington Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on April 16, 2025 under section 78 of the *Ontario Energy Board Act, 1998* (OEB Act), seeking approval for changes to the rates that Burlington Hydro charges for electricity distribution, beginning January 1, 2026.

In Procedural Order No. 1 (PO 1), the OEB approved the parties for this proceeding and set out, among other things, procedural steps for the filing of interrogatories, responses to those interrogatories and a settlement conference.¹

Interrogatory Collaboration Pilot

As part of its efforts under the OEB's modernization plan, the OEB is piloting new methods to reduce duplication and improve efficiency in the interrogatory process. This proceeding was selected to pilot item #4 of the [OEB's 10-point Action Plan](#).

As a result, intervenors are being directed to collaborate and file a single, consolidated set of interrogatories on behalf of all intervenors. To assist intervenors, OEB staff has created a private SharePoint site to allow intervenors to prepare interrogatories in one

¹ Procedural Order No. 1 dated June 4, 2025.

file. The objective of the pilot is to increase collaboration, eliminate the duplication of interrogatories, and consolidate similar information requests to reduce the overall number of interrogatories. The intervenors will need to select one representative amongst them to file these interrogatories as a PDF with the OEB. The interrogatories will be placed on the public record, consistent with current practices. Individual interrogatories should not be associated with specific intervenor(s). The PDF placed on the public record will be labelled to indicate a set of collaborative intervenor interrogatories.

As part of the pilot, OEB staff will prepare and file their own set of interrogatories independently. Both sets of interrogatories will be filed with the OEB on the same due date.

Request for Changes to the Schedule

On June 5, 2025, the OEB received a request from the School Energy Coalition (SEC) for an extension to the deadline for filing interrogatories, additional time between the filing of interrogatory responses and the start of the settlement conference and rescheduling the settlement conference to no earlier than the first week of August.

SEC noted that additional time is needed to file interrogatories since eight intervenors will be collaborating and working through new processes and technology to have one set of interrogatories filed with the OEB. SEC further noted that the SEC will not be available for the settlement conference earlier than August 1, 2025.

By separate emails to the OEB, Coalition of Concerned Manufacturers and Businesses of Canada, Consumers Council of Canada and Vulnerable Energy Consumers Coalition (VECC) supported SEC's requests, and supported SEC's request to start the settlement conference no earlier than the first week of August.

Findings

The OEB is revising procedural steps set out in PO 1 to allow for additional time to file interrogatories and additional time between the filing of interrogatory responses and the settlement conference. The revised dates for procedural steps are set out below.

The OEB has also considered the request to file interrogatories according to exhibit number and approves that request.

Issues List

Based on discussions with all parties, OEB staff filed a proposed issues list for the OEB's consideration and approval on June 11, 2025. The proposed issues list is based

on a [standard issues list](#) that has been developed to assist applicants when preparing electricity distribution rate applications filed under section 78 of the OEB Act. However, the proposed issues list included two additional Issues, namely 1.3 (addition of previously approved Incremental Capital Module project assets to rate base) and 7.3 (proposal for an Advanced Capital Module), and revisions to the typical wording for Issues 5.3 and 5.4. In the cover letter filing the proposed issues list, OEB staff conveyed a request from parties for the OEB to waive the requirement under Rule 26.02(e)(ii) of the *Rules of Practice and Procedure* for interrogatories to correspond to the issues list. As explained in the cover letter, parties may wish to file interrogatories according to the exhibit numbers in the Application.

In that same cover letter, OEB staff also advised that parties may wish to propose additional matters for inclusion on the issues list after the interrogatory responses are received, given that the proposed issues list was prepared prior to the interrogatory process.

Findings

The OEB has reviewed the proposed issues list and approves it for the purposes of this proceeding, subject to two edits. First, Issue 1.3 has been updated to include the word “proposed” to make clear that the OEB will assess whether the proposed addition of previously approved Incremental Capital Module project assets to rate base is appropriate. Second, Issue 5.3 was revised to correct a typographical error as the word “appropriate” was accidentally deleted in the proposed issues list. A copy of the approved issues list is attached as Schedule A.

The OEB is making provision for the following related to this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The approved Issues List is attached as Schedule A.
2. OEB staff and intervenors shall request any relevant information and documentation from Burlington Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **June 30, 2025**.
3. Burlington Hydro shall file with the OEB complete written responses to all interrogatories and all intervenors by **July 24, 2025**.

4. A settlement conference will be convened on **August 11-12, 2025**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **August 13, 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 Burlington Hydro 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, Burlington Hydro 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, Burlington Hydro shall file a statement to that effect with the OEB by **August 18, 2025**. In that event, parties shall file with the OEB and serve on the other parties by **August 25, 2025** any submissions on issues which shall be heard in writing, and for those issues for which the OEB should hold an oral hearing.
7. If there is a proposed settlement, the settlement proposal shall be filed with the OEB on or before **August 27, 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 **September 3, 2025**.
9. The OEB is setting a tentative date of **September 10, 2025 at 9:30 am** for Burlington Hydro to present to the OEB any settlement proposal and a summary of any unsettled issues in the case. OEB staff will, at the direction of the OEB, confirm or amend this date in subsequent correspondence.

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-2025-0051** 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.
- 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, Petar Prazic at Petar.Prazic@oeb.ca and OEB Counsel, Lawren Murray at Lawren.Murray@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **June 19, 2025**

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar

SCHEDULE A

BURLINGTON HYDRO INC.

EB-2025-0051

APPROVED ISSUES LIST

June 19, 2025

Approved Issues List

1. Capital Spending and Rate Base

- 1.1 Are the proposed capital expenditures and in-service additions appropriate?
- 1.2 Are the proposed rate base and depreciation amounts appropriate?
- 1.3 Is the addition of previously approved Incremental Capital Module project assets to rate base appropriate?

2. OM&A

- 2.1 Are the proposed OM&A expenditures appropriate?
- 2.2 Is the proposed shared services cost allocation methodology and the quantum appropriate?

3. Cost of Capital, PILs, and Revenue Requirement

- 3.1 Is the proposed cost of capital (interest on debt, return on equity) and capital structure appropriate?
- 3.2 Is the proposed PILs (or Tax) amount appropriate?
- 3.3 Is the proposed Other Revenue forecast appropriate?
- 3.4 Have all impacts of any changes in accounting standards, policies, estimates and adjustments been properly identified and recorded, and is the rate-making treatment of each of these impacts appropriate?
- 3.5 Is the proposed calculation of the Revenue Requirement appropriate?

4. Load Forecast

- 4.1 Is the proposed load forecast methodologies and the resulting load forecasts appropriate?

5. Cost Allocation, Rate Design, and Other Charges

- 5.1 Are the proposed cost allocation methodology, allocations, and revenue-to-cost ratios, appropriate?
- 5.2 Is the proposed rate design, including fixed/variable splits, appropriate?

5.3 Are the proposed Retail Transmission Service Rates appropriate?

5.4 Are the proposed loss factors appropriate, considering OEB requirements and utility measures to cost-effectively reduce distribution losses?

5.5 Are the Specific Service Charges and Retail Service Charges appropriate?

5.6 Are rate mitigation proposals required and appropriate?

6. Deferral and Variance Accounts

6.1 Are the proposals for deferral and variance accounts, including the balances in the existing accounts and their disposition, requests for new accounts, requests for discontinuation of accounts, and the continuation of existing accounts, appropriate?

7. Other

7.1 Is the proposed effective date appropriate?

7.2 Has the applicant responded appropriately to all relevant OEB directions from previous proceedings?

7.3 Is the proposal for an Advanced Capital Module to replace the existing Supervisory Control and Data Acquisition system and implement a fully integrated Advanced Distribution Management System appropriate?