



EB-2025-0209

**Ottawa River Power Corporation
Application for Accounting Order**

PROCEDURAL ORDER NO. 2

September 4, 2025

On June 27, 2025, Ottawa River Power Corporation (Ottawa River Power) filed an application with the Ontario Energy Board (OEB) under section 78 of the *Ontario Energy Board Act, 1998*. Ottawa River Power sought the OEB's approval to establish a deferral account to record Incremental Capital Module (ICM)-related amounts previously approved by the OEB for inclusion in Ottawa River Power's rates effective May 1, 2022 (OEB file no. EB-2021-0052) but inadvertently omitted from rates in that earlier proceeding due to a formula error. If approved as originally requested, the account would record the omitted revenues from May 1, 2022 to the effective date of Ottawa River Power's next rebasing application. As discussed below, the original request has been modified since the application was filed.

The OEB deemed the application incomplete on July 9, 2025. Ottawa River Power filed an amended application on July 11, 2025 and the OEB issued a completeness letter on July 18, 2025.

The application is being heard by Commissioner Vinay Sharma.

Ottawa River Power originally requested approval for the following:

- The establishment of a deferral account to record the lost revenues resulting from the omission of the approved ICM assets from its rate base in its 2022 cost of service application (EB-2021-0052) due to a formula error
- The account would capture the lost revenues from May 1, 2022 to the effective date of Ottawa River Power's next rebasing application
- The amounts would be calculated based on the difference between the approved and recalculated fixed and variable distribution rates, adjusted for the price cap index, and using actual monthly customer counts/connections and consumption by rate classification.

- The proper calculation of the tracked balance, and Ottawa River Power's entitlement to recovery of all or part of the tracked balance, would be determined in its next cost of service rate application, currently scheduled to be filed in August 2026 for rates effective May 1, 2027

A Notice of Hearing combined with Procedural Order 1 was issued on August 1, 2025. Only intervenors of record in the OEB's proceedings on Ottawa River Power's application for 2022¹ electricity distribution rates were invited to participate in this proceeding as intervenors. Both School Energy Coalition (SEC) and Vulnerable Energy Consumers Coalition (VECC) accepted.

On August 12, 2025, Ottawa River Power filed a letter with the OEB requesting that the OEB make final determinations in the current proceeding with respect to both the mechanics of the deferral account and the amount to be disposed of from the account, so that the issue need not be canvassed a second time in the cost of service proceeding.

After discussions with OEB staff, Ottawa River Power filed another letter with the OEB on August 14, 2025 to rescind its request and ask that the application proceed as contemplated in Procedural Order 1.

On August 28, 2025 Ottawa River Power filed a letter requesting that the OEB allow for a One-day settlement conference to give the parties an opportunity to explore a settlement of the issues in this proceeding, particularly in recognition that all parties to Ottawa River Power's 2022 cost of service proceeding have become parties to this application. In that letter, Ottawa River Power stated that SEC and VECC have confirmed that they would be available for a settlement conference, and that the parties agree that given the limited scope of the issues, the settlement conference can proceed without the need to engage a 3rd party facilitator.

The OEB will schedule a settlement conference in this proceeding. The dates set out in items 4, 5 and 6 of the Notice of Hearing and Procedural Order 1 are canceled. The dates below supersede those dates.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. A settlement conference among parties and OEB staff will be convened on **September 18, 2025**, starting at 10:00 a.m. This will be a virtual event and information on how to participate will be provided in advance of the conference. If

¹ [EB-2021-0052](#)

OEB staff or intervenors intend to submit clarification questions to Ottawa River 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.

2. **Within 2 business days** of the conclusion of the settlement conference, Ottawa River 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.
3. If there is no settlement proposal arising from the settlement conference, Ottawa River Power shall file a statement to that effect with the OEB by **September 22, 2025**. In that event, parties shall file and serve on the other parties by **September 26, 2025**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
4. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **October 3, 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.
5. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **October 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-2025-0209** 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, Kelli Benincasa, at Kelli.Benincasa@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, September 4, 2025

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar