



E.L.K. Energy Inc.

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

**PROCEDURAL ORDER NO. 7
October 17, 2025**

E.L.K. Energy Inc. (E.L.K. Energy) filed an incentive rate-setting mechanism application with the Ontario Energy Board (OEB) on October 28, 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. E.L.K. Energy also requested disposition of its Group 1 Deferral and Variance Account (DVA) balances from 2016 to 2023 and a single Group 2 account over a four-year period.

Issues Day and Remaining Procedural Steps

Pursuant to Procedural Order No. 6, an Issues Day was held on October 2, 2025 for parties and OEB staff to discuss the evidentiary record related to Accounts 1550, 1588 and 1589. The Issues Day also provided an opportunity for parties and OEB staff to clarify outstanding issues concerning the accounts and explore what, if any, additional evidence was needed for the proceeding's record to support the filing of any submissions.

On October 9, 2025, E.L.K. Energy provided supplemental evidence stemming from the discussions held at the Issues Day. The evidence included, among other things, an updated response to interrogatory Staff-12 clarifying E.L.K. Energy's efforts and position on the 1% threshold test for Account 1588 balances, and an updated response to interrogatory SEC-2(i) which updated the outstanding balances and allocation to ratepayers of amounts in Accounts 1550, 1588, and 1589.

By letter dated October 16, 2025, OEB staff informed the OEB of its involvement in the Issues Day. The letter also explained that following the Issues Day, OEB staff met with the Independent Electricity System Operator (IESO) who is an intervenor in this proceeding on October 8, 2025, to discuss the application of the two-year limitation rule. OEB staff noted that the IESO indicated that, if requested through a procedural order, it would be amenable to providing a letter of correspondence and/or submission outlining how it applies the two-year limitation period.

The OEB is requesting the IESO file a letter on the record of this proceeding outlining how it applies the two-year limitation period. This will assist parties in preparing their submissions on the outstanding issues.

Following the IESO's filing of the letter, and in conjunction with the supplemental evidence and October 16, 2025 letter, the OEB is providing for submissions on E.L.K. Energy's outstanding requested relief regarding: (i) an order disposing of Accounts 1588 and 1589 balances, (ii) an order disposing of Account 1550 balances, and (iii) an order enabling collection of under-recovered amounts from the IESO.

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 IESO shall file a letter of correspondence regarding how it applies the two-year limitation period with the OEB and serve it on all other parties by **October 27, 2025**.
2. Any written submissions by OEB staff and intervenors shall be filed with the OEB and served on all other parties by **November 5, 2025**.
3. E.L.K. Energy shall file a written reply submission with the OEB and serve it on all intervenors by **November 19, 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-2024-0015** 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 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, Harshleen Kaur at Harshleen.Kaur@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, **October 17, 2025**

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar