



Elexicon Energy Inc.

**Application for electricity distribution rates and other
charges beginning January 1, 2027**

PROCEDURAL ORDER NO. 1

March 2, 2026

Elexicon Energy Inc. (Elexicon Energy) filed a cost of service application with the Ontario Energy Board (OEB) on December 19, 2025 under section 78 of the *Ontario Energy Board Act, 1998* seeking approval for changes to the rates that Elexicon Energy charges for electricity distribution, beginning January 1, 2027, and for each following year through to December 31, 2031.

The application will be heard by commissioners: Patrick Moran (presiding), Robert Dodds, and James Sidlofsky.

On January 19, 2026, the OEB issued a [Completeness Letter](#) noting that Elexicon Energy did not file certain items which are required to be filed under the OEB's *Chapter 5 Filing Requirements for Electricity Distribution Rate Applications – 2025 Edition for 2026 Rate Applications*. However, the OEB acknowledged that Elexicon Energy was working to meet the OEB's requirement in this regard and decided to commence its review of Elexicon Energy's application and proceed with its Notice of Hearing.

The OEB directed Elexicon Energy to file the items by January 23, 2026 for the OEB to continue processing the application, and Elexicon Energy filed them on January 23, 2026, as updated exhibits.

A Notice of Hearing was issued on January 23, 2026. To date, the OEB has received eight letters of comment from Elexicon Energy customers. The letters have been placed on the record of this proceeding and are publicly available on the OEB's website. Elexicon Energy is required to address the issues raised in letters of comment by way of a document filed before the record of this proceeding is closed.

The following parties applied for intervenor status:

- Building Owners and Managers Association Toronto (BOMA Toronto)
- Coalition of Concerned Manufacturers and Businesses of Canada (CCMBC)
- Consumers Council of Canada (CCC)

- Distributed Resource Coalition (DRC)
- Energy Probe Research Foundation (Energy Probe)
- Pollution Probe
- Power Workers' Union (PWU)
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

BOMA Toronto, CCMBC, CCC, DRC, Energy Probe, Pollution Probe, QMA, SEC, and VECC also applied for cost award eligibility.

Elexicon Energy had no objections to the requests for intervenor status in this proceeding.

All requests for intervenor status are approved. The list of parties to this proceeding is attached as Schedule A to this Procedural Order

BOMA Toronto, CCMBC, CCC, DRC, Energy Probe, Pollution Probe, QMA, SEC, and VECC are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

There are ten intervenors in this proceeding. The OEB will carefully monitor intervenor participation for unnecessary duplication and overlap in the production of any evidence, the conduct of discovery, and the filing of argument in this proceeding. The OEB will be rigorous in ensuring that intervenors limit their participation to the matters that are within the scope of the proceeding, as set through the final Issues List. The OEB draws the attention of intervenors to sections 5.01 (c), (d), (e) and (f) of the *Practice Direction on Cost Awards*.

The OEB notes that CCMBC and Energy Probe have common representation. In making its decision on cost awards, the OEB will consider whether the representatives of CCMBC and Energy Probe made reasonable efforts to avoid duplication and double billing. When submitting their cost claims, CCMBC and Energy Probe should explain how they coordinated efforts in this proceeding, or if not, why that was not appropriate in their view.

Cost eligible intervenors 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.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of the proceeding.

Early Rebasing Request

Elexicon Energy has requested approval to rebase its distribution rates effective January 1, 2027, which is two years before the end of its approved 10 year deferred rebasing period. Elexicon Energy submits that its circumstances have materially changed since the 2019 amalgamation of Veridian and Whitby Hydro. In its application, Elexicon Energy explains that it has experienced sustained system and customer growth, inflationary pressures, increasing renewal needs for aging assets, and new technology and staffing requirements that cannot be supported under the existing framework. These factors underpin Elexicon Energy's request for early rebasing and its proposal to establish cost-based rates for the 2027 to 2031 rate period.

The OEB will consider this request within the scope of the current proceeding, and parties may make submissions on the evidence relied on by Elexicon to support the need for early rebasing. As early rebasing represents a departure from the standard Price Cap IR framework, Elexicon Energy must demonstrate that rebasing at this time is necessary and in the public interest.

Confidentiality

By [letter](#) dated January 23, 2026, Elexicon Energy requested that the OEB keep certain portions of its 2027–2031 distribution rate application confidential or permanently redacted from the public record. Elexicon Energy submitted that disclosure of this information would either be irrelevant to the proceeding, harm competitive or labour positions, or create security or privacy risks.

Elexicon Energy identifies five main categories of information requiring protection:

- **Non-relevant information on tax returns**, including business numbers and detailed employee data, which Elexicon Energy submits does not assist the OEB in determining rates.
- **Labour sensitive forecast information**, such as projected labour escalation rates beyond the current collective agreement, could affect future bargaining.
- **Third-party pricing and commercially sensitive information**, including vendor pricing structures and contract cost details, disclosure of which could harm Elexicon Energy's or its vendors' competitive positions.
- **Cyber and physical security information**, such as system architecture, hardware/software details, site maps, and identified vulnerabilities, which could pose security risks if made public.

- **Personal information**, consistent with privacy legislation, including names and other identifying details.

In accordance with the OEB's [Practice Direction on Confidential Filings](#), Elexicon Energy provided reasons for the redactions, which include requests related to personal information and relevance.

Any objection by a party or OEB staff to the confidentiality requests must be submitted in accordance with sections 5.1.6 and 5.1.7 of the *Practice Direction on Confidential Filings*. Elexicon Energy may respond to any objections in accordance with section 5.1.8 of the *Practice Direction on Confidential Filings*. Parties will be provided access to the confidential documents in accordance with the process outlined in Part 6 of *Practice Direction on Confidential Filings*.

Issues List

OEB staff will canvass parties for any issues that warrant being added 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.

OEB Staff and Intervenor Evidence

On February 24, 2026, OEB staff filed a [letter](#) informing the OEB and all participants that it intends to engage consultants to review Elexicon Energy's evidence and possibly prepare evidence on the Distribution System Plan and the Custom Incentive Rate-setting Framework including econometric modelling and total cost benchmarking. OEB staff stated that it will file a letter indicating what expert evidence it intends to file in accordance with instructions provided in Procedural Order No. 1.

Any intervenor wishing to file evidence in this proceeding must inform the OEB of its intention and the nature of its proposed evidence, and how it is relevant to the issues list. If any cost eligible intervenor plans to file expert evidence in this proceeding and seek recovery of those costs, the intervenor must file a letter with the OEB describing the nature of the evidence, whether the evidence will be commissioned jointly with other intervenors, and the estimated cost. The estimated cost should include an explanation of any assumptions regarding the purpose and scope of the participation of the expert in the proceeding and should include an estimate of any incremental time that will be spent by the intervenor's counsel or any other consultant(s) in relation to the evidence.

In addition, if the intervenor's evidence will cover the topics that OEB staff identified in its February 24, 2026 letter, the intervenor must explain how its evidence is different from, or compliments, OEB staff's potential evidence and satisfy the OEB that there is good reason that the OEB should allow the evidence to be filed. Intervenors wishing to file evidence in this proceeding are encouraged to review Rules 13 and 13A of the OEB's Rules of Practice and Procedure.

OEB staff shall inform the OEB by letter of their plans to file expert evidence by **April 10, 2026**, and intervenors by **April 17, 2026**.

After reviewing the above information, the OEB will consider whether and to what extent any costs associated with the participation of any expert or the preparation of any expert report will be eligible for cost recovery in accordance with the OEB's *Practice Direction on Cost Awards*.

Interrogatories

At this time, provision is being made for written interrogatories. On February 24, 2026, Elexicon Energy informed the OEB that it will be filing an update to its pre-filed evidence as follows:

- Benefit Cost Analyses for potential Non-Wire Solutions
- Updated Exhibit 9 including Group 1 and Group 2 balances
- Updates specific to the System Control Centre OM&A segment

Elexicon Energy estimated that this information will be filed by April 3, 2026. Based on the timing and availability of additional information, the OEB is making provisions for two sets of written interrogatories.

The scope of the first set of written interrogatories on Elexicon Energy's evidence will be limited to information and documents filed with the OEB up to the issuance of this Procedural Order No. 1.

The second set of written interrogatories will pertain to the additional information to be filed by **April 7, 2026**. Further clarification questions arising from responses to first or second round of interrogatories will be followed by a transcribed technical conference.

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.

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.

Technical Conference

The OEB is making provision for a transcribed virtual technical conference. In preparation for the technical conference, the OEB will require parties to file a description of the specific areas that they will be focusing on and an estimate of time required for each area of focus by **June 18, 2026**. This will allow a technical conference schedule to be developed. If parties wish to file specific questions in advance, they may do so.

The technical conference will start on **June 22, 2026** and continue through **June 25, 2026**, if necessary. Responses to undertakings from the technical conference shall be filed with the OEB by **July 6, 2026**.

Motions Hearing

The OEB is making provision for a transcribed virtual motions hearing, if necessary, on **July 13, 2026**. The purpose of this hearing is to provide an opportunity for the OEB to address any motions that may be filed with respect to interrogatory responses, technical conference undertaking responses, or other matters.

Evidence Presentation Day

In a [letter](#) filed on **February 25, 2026**, Elexicon Energy requested an opportunity to present an overview of the key strategic and technical aspects of its application.

The OEB is making provisions for a transcribed presentation of the application to the OEB panel on **July 22, 2026**. While parties to this proceeding as well as OEB staff may

attend the presentation, the purpose of the presentation is not to provide an opportunity for cross-examination, but rather for Elexicon Energy to present an overview of its application to the OEB panel and to respond to any questions of clarification by the panel.

Settlement Conference

The OEB is making provision for a settlement conference to be held from **July 27, 2026** to **July 31, 2026**. Within 48 hours of the conclusion of the settlement conference, a letter from Elexicon Energy shall be filed with the OEB with the status of the settlement discussions.

Format of the Hearing

In its application, Elexicon Energy requested the application be disposed of by way of an oral hearing.

In its Notice of Hearing, the OEB invited parties to state their preference for the format of the hearing. Most parties did not express a preference for the type of proceeding or submitted that it was premature to determine the type of hearing until after the discovery process has been completed. Pollution Probe supported Elexicon Energy's request for an oral hearing. The OEB will make its determination on the format of the hearing at a later date.

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

THE ONTARIO ENERGY BOARD ORDERS THAT:

Confidential Filings

1. OEB staff and intervenors who wish to make written submissions on Elexicon Energy's confidential and non-relevant filings request shall file such submissions with the OEB and serve them on all parties by **March 10, 2026**.
2. If Elexicon Energy wishes to respond to any of the submissions, the reply submission shall be filed with the OEB and served on all intervenors by **March 17, 2026**.

Issues List

- 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 **March 18, 2026**.

Updated Evidence

- Elexicon Energy shall file the following information on or before **April 7, 2026**:
 - Benefit Cost Analyses for potential Non-Wire Solutions
 - Updated Exhibit 9 including Group 1 and Group 2 balances
 - Updates specific to the System Control Centre OM&A segment

If Elexicon Energy is unable to meet the deadline noted above, it shall notify the OEB of the delay by submitting a letter that explains why additional time is required.

Interrogatories

- First set of written interrogatories: OEB staff and intervenors shall request any relevant information and documentation from Elexicon Energy that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **April 10, 2026**.
- Elexicon Energy shall file with the OEB complete written responses to the first set of interrogatories and serve them on OEB staff and all intervenors by **May 8, 2026**.
- Second set of interrogatories: OEB staff and intervenors shall request any relevant information and documentation related to the material filed by Elexicon Energy on April 7, 2026, through written interrogatories filed with the OEB and served on all parties by **May 13, 2026**.
- Elexicon Energy shall file with the OEB complete responses to the second set of interrogatories and serve them on all intervenors by **May 27, 2026**.

Technical Conference

9. A transcribed virtual technical conference will be convened on **June 22, 2026**. If necessary, the technical conference will continue through **June 25, 2026**. OEB staff and intervenors shall file with the OEB, and provide to Elexicon Energy, a description of the specific areas they will focus on at the Technical Conference, and time estimates, by **June 18, 2026**. Further information on how to connect to the event will be communicated to parties closer to the date.
10. Responses to undertakings from the technical conference shall be filed with the OEB and sent to all intervenors by **July 6, 2026**.

Motions Hearing

11. If necessary, a transcribed virtual motions hearing will be held on **July 13, 2026**, starting at 9:30 a.m. to hear any motions that have been filed. Further information on how to participate will be communicated to parties closer to the date.

Evidence Presentation Day

12. A transcribed presentation of the application will be held on **July 22, 2026** starting at 9:30 a.m. in the OEB's offices at 2300 Yonge Street, 25th floor, Toronto, Ontario, for Elexicon Energy to present its application to the OEB.

OEB Staff and Intervenor Evidence

13. OEB staff shall inform the OEB by letter of its plans to file expert evidence in this proceeding by **April 10, 2026**, and intervenors by **April 17, 2026**. The letters shall provide a description of the nature of the evidence, whether the expert evidence will be commissioned jointly with other parties, and cost eligible intervenors shall also provide the estimated cost. The estimated cost should include an explanation of any assumptions regarding the purpose and scope of the participation of the expert in the proceeding and should include an estimate of any incremental time that will be spent by the intervenor's counsel or any other consultant in relation to the expert evidence.
14. If OEB staff or any intervenor is filing expert evidence that is relevant to this proceeding, that evidence shall be filed with the OEB, and copied to Elexicon Energy and intervenors, by **May 22, 2026**.
15. If any party seeks information and material with respect to any evidence filed by OEB staff or any intervenor that is in addition to the evidence filed with the OEB, and that is relevant to this proceeding, that information shall be requested by

written interrogatories filed with the OEB, and copied to Elexicon Energy and intervenors, by **June 5, 2026**.

16. OEB staff or intervenors that receive interrogatories on their evidence shall file with the OEB complete responses to the interrogatories and copy the responses to Elexicon Energy and intervenors by **June 19, 2026**.

Settlement Conference

17. A virtual settlement conference among the parties will be convened on **July 27, 2026**, starting at 9:30 a.m. If necessary, the settlement conference will continue through **July 31, 2026**. This will be a virtual event and information on how to participate will be provided in advance of the conference.
18. **Within 48 hours** of the conclusion of the settlement conference, Elexicon Energy 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.
19. If there is no settlement proposal arising from the settlement conference, Elexicon Energy shall file a statement to that effect with the OEB by **August 3, 2026**. In that event, parties shall file and serve on the other parties by **August 10, 2026** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
20. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **August 20, 2026**. In addition to outlining the terms of any settlement, the settlement proposal should contain a list of any unsettled issues, indicating reasons whether the parties believe those issues should be dealt with by way of oral or written hearing. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **August 31, 2026**.
21. The OEB is setting a tentative date of **September 7, 2026**, starting at 9:30 a.m. for Elexicon Energy 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.

Direction for preparing materials

- 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](#).

- Filings should clearly state the filing date and the sender's name, postal address, telephone number and e-mail address.
- Other than for applications or as otherwise required or directed by the OEB, parties are not required to submit a cover letter for materials that are self-evident (e.g., interrogatories, submissions) unless the cover letter includes a request or additional information not included in the materials themselves.
- Parties are strongly encouraged to use bookmarks in their filings to aid in navigation.
- Parties should not append to their evidence entire OEB documents (e.g., decisions, policy documents, guidelines). Rather, parties should provide citations to the documents and a clear and concise summary of the relevant part of the document. Parties are encouraged to use hyperlinks for complete, permanent, and publicly available versions of the documents, when possible.
- Parties should refrain from quoting material from documents unless it is essential to support their interrogatories or arguments.
- Parties are not required to provide a summary of the procedural history of a proceeding but may refer to that history where and to the extent needed for context to orient an issue or discussion.
- Parties must: (a) disclose where generative artificial intelligence was used to generate content included in a filing and (b) confirm that the accuracy of the portion of the filing generated by generative artificial intelligence has been verified by the party or its representative without the assistance of generative artificial intelligence.

How to file documents with the OEB

- Parties are required to quote file number **EB-2025-0312** for all materials filed and submit them in **searchable/unrestricted PDF format** (i.e., no printing or copying restrictions) with a digital signature through the [OEB's online filing portal](#).
- Parties should 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. Parties are encouraged to visit the [File documents online page](#) of the OEB's website for

more information. Parties that are eligible for a cost award and that do not currently have an account in the cost claim portal should create an account as soon as their cost award eligibility has been confirmed by the OEB. All parties shall download a copy of their submitted cost claim for the purposes of service on the party(ies) paying cost awards as per the [Practice Direction on Cost Awards](#). All communications should be directed to the attention of the Registrar and be received by **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, Vithooshan Ganesanathan at vithooshan.ganesanathan@oeb.ca and OEB Counsel, Tobias Hobbins at tobias.hobbins@oeb.ca

Email: registrar@oeb.ca

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

DATED at Toronto, **March 2, 2026**

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar

SCHEDULE A
LIST OF APPLICANT AND INTERVENORS
ELEXICON ENERGY INC.
EB-2025-0312
MARCH 2, 2026

Elexicon Energy Inc. – Cost of Service
EB-2025-0312

APPLICANT & LIST OF INTERVENORS

March 2, 2026

APPLICANT

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Elexicon Energy Inc. – Cost of Service
EB-2025-0312

APPLICANT & LIST OF INTERVENORS

March 2, 2026

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**Elexicon Energy Inc. – Cost of Service
EB-2025-0312**

APPLICANT & LIST OF INTERVENORS

March 2, 2026

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Elexicon Energy Inc. – Cost of Service
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APPLICANT & LIST OF INTERVENORS

March 2, 2026

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Elexicon Energy Inc. – Cost of Service
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APPLICANT & LIST OF INTERVENORS

March 2, 2026

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Elexicon Energy Inc. – Cost of Service
EB-2025-0312

APPLICANT & LIST OF INTERVENORS

March 2, 2026

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**Elexicon Energy Inc. – Cost of Service
EB-2025-0312**

APPLICANT & LIST OF INTERVENORS

March 2, 2026

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