



Elexicon Energy Inc.

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

**PROCEDURAL ORDER NO. 3
July 2, 2026 (revised July 9, 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.

In Procedural Order No. 1, the OEB made provision for, among other things, the filing of OEB staff and intervenor evidence. On May 22, 2026, OEB staff filed expert evidence prepared by Pacific Economics Group (PEG), consisting of two reports, a statistical study of costs for comparable utilities to Elexicon Energy, and a critique of Elexicon Energy's Custom IR framework. PEG's responses to interrogatories on the expert evidence were filed on June 19, 2026.

By [letter](#) dated June 22, 2026, Elexicon Energy requested leave, under Rule 13.02 of the OEB's [Rules of Practice and Procedure](#), to file reply evidence in response to the PEG reports and interrogatory responses. Elexicon Energy stated that the PEG reports and interrogatory responses present new research and analyses, raise new issues regarding Elexicon Energy's proposed Custom Incentive Rate-setting framework, and address matters that are central to the application. Elexicon Energy proposed to file reply evidence, including a reply report from Clearspring Energy Advisors, no later than July 10, 2026.

The OEB has considered the rationale provided by Elexicon Energy and approves its request to file reply evidence by July 10, 2026. As the settlement conference is scheduled to commence on July 27, 2026, the OEB is satisfied that there will be sufficient time for interrogatories on the reply evidence prior to the commencement of the settlement conference. Accordingly, the OEB does not consider it necessary to set new dates for the settlement conference.

The OEB expects that the parties will be prepared to engage in meaningful settlement discussions based on the evidentiary record, including the reply evidence filed by

Elexicon Energy. To the extent intervenors have questions regarding the reply evidence, the OEB expects that Elexicon Energy will cooperate with intervenors in addressing those questions during the settlement conference, as appropriate.

Motions Hearing

Due to a scheduling conflict with another OEB proceeding and to provide parties sufficient time to review undertaking responses, the OEB is rescheduling the transcribed virtual motions hearing, should one be required. The virtual motions hearing is being rescheduled to **July 21, 2026** from its formerly scheduled date of July 9, 2026. The purpose of this hearing is to provide the OEB an opportunity to address any motions that may be filed with respect to interrogatory responses, technical conference undertaking responses, or other matters.

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:

1. Elexicon Energy shall file its reply evidence by **July 10, 2026**.
2. Intervenors and OEB staff seeking additional information and documentation regarding the reply evidence may do so by written interrogatories filed with the OEB and served on all parties by **July 15, 2026**.
3. If necessary, a transcribed virtual motions hearing will be held on **July 21, 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.
4. Elexicon Energy shall file with the OEB complete written responses to the interrogatories relating to its reply evidence and serve them on all intervenors by **July 22, 2026**.
5. 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.
6. 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. The OEB requests that

all parties hold **August 4, 2026** as an additional day for settlement conference activities in the event additional time is required.

7. If intervenors intend to submit clarification questions to Elexicon Energy as part of the settlement process, they are encouraged to submit such questions as far in advance of the settlement conference as possible, to facilitate an efficient settlement process.
8. **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 has been reached or if the parties propose to continue the settlement discussions.
9. 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 4, 2026**. In that event, parties shall file and serve on all parties, by **August 10, 2026**, any submissions on which issues shall be heard in writing, and which issues the OEB should hold an oral hearing.
10. 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.

The OEB is setting a tentative date of **September 8, 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, **July 2, 2026 (revised July 9, 2026)**

ONTARIO ENERGY BOARD

Ann Zeng Digitally signed by Ann
Zeng
Date: 2026.07.09
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Ann Zeng
Deputy Registrar, Adjudicative Projects
Acting under delegated authority of the Registrar