Ontario Energy Board | Commission de l'énergie de l'Ontario

EB-2026-0056

London Hydro Inc.

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

PROCEDURAL ORDER NO. 1
October 16, 2026

London Hydro Inc. (London Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on August 28, 2026 under section 78 of the *Ontario Energy Board Act*, *1998*, seeking approval for changes to the rates that London Hydro charges for electricity distribution, beginning May 1, 2027.

This Procedural Order is being issued by the Registrar under delegated authority, pursuant to section 6 of the OEB Act. The application will be heard by commissioners: James Sidlofsky (presiding), Michael Janigan, and Nalin Sahni.

A Notice of Hearing was issued on September 21, 2026. To date, the OEB has received approximately 80 letters of comment from London Hydro customers. The letters have been placed on the record of this proceeding and are publicly available on the OEB's website. London Hydro 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.[1]

Each of Brooklynn McNorgan, Building Owners and Managers Association Toronto (BOMA Toronto), Consumers Council of Canada (CCC), Environmental Defence, Pollution Probe, School Energy Coalition (SEC), and Vulnerable Energy Consumer Coalition (VECC) applied for intervenor status.

BOMA Toronto, CCC, Environmental Defence, Pollution Probe, SEC, and VECC also applied for cost eligibility.

London Hydro advised that it has no objections to the requests for intervenor status filed in this proceeding.

[1] OEB *Rules of Practice and Procedure*, Rule 23.05

Brooklynn McNorgan's Intervention Request

On October 8, 2026, Brooklynn McNorgan submitted an intervention request as an individual residential ratepayer of London Hydro. The intervenor's concerns relate to the reasonableness and necessity of London Hydro's proposed revenue requirement, including its capital investments, operating costs, rate base, and cost allocation methodologies. The intervenor is particularly interested in the impact of the application on residential customers, whether the proposed expenditure provides sufficient value and customer benefits to justify the requested rate increases, whether lower-cost alternatives have been adequately considered, and whether the resulting rates remain affordable and fair for residential ratepayers.

Brooklynn McNorgan does not intend to file evidence at this time, will make reasonable efforts to coordinate their participation in this proceeding, and is not seeking an award for costs.

Decision on Intervention Requests and Cost Eligibility

The OEB will take additional time to consider Brooklynn McNorgan's intervenor request and will issue its determination shortly.

BOMA Toronto, CCC, Environmental Defence, Pollution Probe, SEC, and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. BOMA Toronto, CCC, Environmental Defence, Pollution Probe, SEC, and VECC are also eligible to apply for an award of costs under the OEB's Practice Direction on Cost Awards.

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.

Consistent with the OEB's Practice Direction on Cost Awards, parties are reminded that, in determining the amount of a cost award, the OEB will consider (among other things) whether the cost eligible party has demonstrated through its participation and documented in its cost claim that it has made reasonable efforts to: (a) combine its intervention with that of one or more similarly interested parties and to co-operate with all other parties, and (b) ensure that its participation was not unduly repetitive and was focused on relevant and material issues.

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 a hearing.

Confidentiality

By letter dated August 28, 2026, London Hydro requested confidential treatment for certain portions of its 2027-2031 distribution rate application.

London Hydro identifies four categories of information for which it seeks confidential treatment:

- **Strategic Labour Information**: London Hydro seeks confidential treatment for compensation forecasts, workforce planning, and compensation strategy information because disclosure could adversely affect recruitment, retention, and labour negotiations (Exhibit 4, Appendix [4-3], Page 3).

- **Salary Architecture and Compensation Data**: London Hydro submits that disclosure of salary ranges and bonus structures could allow parties to infer the compensation of identifiable employees, particularly in positions with few incumbents (Exhibit 4, Appendix [4-3], Pages 4-6).

- **Employee Privacy Concerns**: London Hydro submits that, when combined with information regarding job classifications and employee counts, the information could reveal the compensation of individual employees (Exhibit 4, Appendix [4-3], Pages 4-6).

- **Willis Towers Watson Proprietary Information**: London Hydro seeks protection for consultant datasets, benchmarking methodologies, market data, assumptions, and models on the basis that they constitute commercially valuable proprietary information (Exhibit 4, Appendix [4-3], Pages 8-9).

In accordance with the OEB's Practice Direction on Confidential Filings, London Hydro provided reasons for the confidential treatment, which include requests related to personal information and relevance. London Hydro filed redacted versions of the documents as part of their public filing and un-redacted versions as part of their confidential filing.

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*. London Hydro 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*.

Parties will be provided access to the confidential documents in accordance with the process outlined in Part 6 of the OEB's *Practice Direction on Confidential Filings*, which requires filing with the OEB a signed *Declaration and Undertaking.*

Issues List

OEB staff will canvas parties for any unique issues that warrant addition 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.

Interrogatories

At this time, provision is being made for written interrogatories. 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. The OEB will review the single test year application both in the context of the projects and programs that are requested for the test year and from the perspective of the distributor's plans for the subsequent four years until the next scheduled rebasing application.

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.

Settlement Conference

The OEB is making provision for a settlement conference to be held from **December 14 and 15, 2026**. If necessary, the settlement conference will continue on **December 16, 2026**. Within 48 hours of the conclusion of the settlement conference, a letter from London Hydro shall be filed with the OEB with the status of the settlement discussions.

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:

Confidentiality

1. OEB staff and intervenors who wish to make written submissions on London Hydro's confidentiality request shall file such submissions with the OEB and serve them on all parties by **October 26, 2026**.
2. If London Hydro wishes to respond to any of the submissions, the reply submission shall be filed with the OEB and served on all intervenors by **November 5, 2026**.

Issues List

3. 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 **October 26, 2026**.

Interrogatories

4. OEB staff and intervenors shall request any relevant information and documentation from London Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **November 10, 2026**.
5. London Hydro shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **November 30, 2026**.

Settlement Conference

6. A settlement conference among the parties and OEB staff will be convened on **December 14 and 15, 2026**, commencing at 9:30 a.m. If necessary, the settlement conference will continue on **December 16, 2026**. Should additional time be required, the applicant may submit a written request to the OEB seeking an extension of the settlement conference. 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 London 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.

7. **Within 48 hours** of the conclusion of the settlement conference, London Hydro 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.

8. If there is no settlement proposal arising from the settlement conference, London Hydro shall file a statement to that effect with the OEB by **December 18, 2026**. In that event, parties shall file and serve on the other parties by **January 11, 2027** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.

9. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **January 25, 2027**. 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.

10. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **February 2, 2027**.

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(s) 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 (i.e., **EB-2026-0056)** 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, Arlene Bernardo at Arlene.Bernardo@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

Email: registrar@oeb.ca
Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **October 16, 2026**

ONTARIO ENERGY BOARD

By delegation, before: Ritchie Murray

Ritchie Murray

Digitally signed by Ritchie Murray
Date: 2026.10.16 13:41:59 -04'00'

Ritchie Murray
Registrar

SCHEDULE A

LONDON HYDRO INC.

EB-2026-0056

APPLICANT AND LIST OF INTERVENORS

OCTOBER 16, 2026

London Hydro Inc.

EB-2026-0056

APPLICANT & LIST OF INTERVENORS

October 16, 2026

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October 16, 2026

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October 16, 2026

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