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

EB-2026-0032

E.L.K. Energy Inc.

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

DECISION ON ISSUES LIST
November 3, 2026

Procedural Order No. 1 made provision for OEB staff to canvas parties for any unique issues that warrant addition to the standard Issues List for electricity distribution rate applications and to file a proposed Issues List for the OEB's consideration.

OEB staff filed a letter indicating that parties came to an agreement and proposed a revised issues list for OEB approval. The revised list provided amendments to Issue 5.6 added Issue 1.3 and Issue 7.3:

- Issue 1.3 Are the amounts proposed for inclusion in rate base for the Incremental Capital Modules approved in EB-2023-0013 and the proposed treatment of the associated true-up appropriate?
- Issue 5.6 Are rate mitigation proposals required and appropriate, including E.L.K. Energy's proposal to defer recovery of part of the 2027 revenue requirement to 2029-2031?
- Issue 7.3 Have the outcomes of the transaction approved by the OEB in the EB-2025-0172 proceeding been appropriately addressed?

The parties have requested approval to file interrogatories according to the exhibit numbers in the application rather than the approved Issues List.

The parties would also like the ability to raise additional matters for inclusion on the Issues List after the responses to interrogatories are received.

Findings

The OEB approves the revised Standard Issues List which is appended herein in Schedule A.

The revised Standard Issues List includes amendments to Issue 5.6, addition of Issue 1.3 and Issue 7.3, as cited above.

The OEB also approves the filing of interrogatories according to the exhibit numbers in the application, thereby waiving the requirement under Rule 26.02(e)(ii) of the *Rules of Practice and Procedure* that interrogatories correspond to the approved Issues List. The OEB finds this to be a prudent and efficient way to proceed in this case.

If a party seeks to raise additional matters for inclusion on the Issues List after the responses to interrogatories are received, the OEB will consider and determine a request at that time.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The approved Issues List is attached as Schedule A of this Decision.
2. Parties may file interrogatories according to the exhibit numbers.

DATED at Toronto, **November 3, 2026**

ONTARIO ENERGY BOARD

Ritchie Murray

Digitally signed by Ritchie Murray
Date: 2026.11.03 09:29:34 -05'00'

Ritchie Murray
Registrar

SCHEDULE A

E.L.K. Energy Inc.

EB-2026-0032

APPROVED ISSUES LIST

Approved Issues List

1. **Capital Spending and Rate Base**
    - 1.1 Are the proposed capital expenditures and in-service additions appropriate?
    - 1.2 Are the proposed rate base and depreciation amounts appropriate?
    - 1.3 Are the amounts proposed for inclusion in rate base for the Incremental Capital Modules approved in EB-2023-0013 and the proposed treatment of the associated true-up appropriate?

2. **OM&A**
    - 2.1 Are the proposed OM&A expenditures appropriate?
    - 2.2 Is the proposed shared services cost allocation methodology and the quantum appropriate?

3. **Cost of Capital, PILs, and Revenue Requirement**
    - 3.1 Is the proposed cost of capital (interest on debt, return on equity) and capital structure appropriate?
    - 3.2 Is the proposed PILs (or Tax) amount appropriate?
    - 3.3 Is the proposed Other Revenue forecast appropriate?
    - 3.4 Have all impacts of any changes in accounting standards, policies, estimates and adjustments been properly identified and recorded, and is the rate-making treatment of each of these impacts appropriate?
    - 3.5 Is the proposed calculation of the Revenue Requirement appropriate?

4. **Load Forecast**
    - 4.1 Is the proposed load forecast methodologies and the resulting load forecasts appropriate?

5. **Cost Allocation, Rate Design, and Other Charges**
    - 5.1 Are the proposed cost allocation methodology, allocations, and revenue-to-cost ratios, appropriate?
    - 5.2 Is the proposed rate design, including fixed/variable splits, appropriate?
    - 5.3 Are the proposed Retail Transmission Service Rates and Low Voltage rates appropriate?
    - 5.4 Are the proposed loss factors appropriate?
    - 5.5 Are the Specific Service Charges and Retail Service Charges appropriate?
    - 5.6 Are rate mitigation proposals required and appropriate, including E.L.K. Energy's proposal to defer recovery of part of the 2027 revenue requirement to 2029-2031?

6. **Deferral and Variance Accounts**
    - 6.1 Are the proposals for deferral and variance accounts, including the balances in the existing accounts and their disposition, requests for new accounts, requests for discontinuation of accounts, and the continuation of existing accounts, appropriate?

7. **Other**
    - 7.1 Is the proposed effective date appropriate?
    - 7.2 Has the applicant responded appropriately to all relevant OEB directions from previous proceedings?
    - 7.3 Have the outcomes of the transaction approved by the OEB in EB-2025-0172 proceeding been appropriately addressed?