



**ELEXICON ENERGY INC.**

**Application for changes to electricity distribution rates  
in the Veridian Rate Zone and the Whitby Rate Zone,  
effective January 1, 2023**

**PROCEDURAL ORDER NO. 1  
September 12, 2022**

ELEXICON ENERGY INC. (Elexicon Energy) filed an incentive rate-setting mechanism application and request for incremental capital funding with the Ontario Energy Board (OEB) on July 28, 2022, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to its electricity distribution rates in the Veridian and Whitby rate zones, effective January 1, 2023.

A Notice of Hearing was issued on August 16, 2022. Each of Brooklin Landowners Group Inc. (Brooklin Landowners), Consumers Council of Canada (CCC), Coalition of Concerned Manufacturers and Businesses of Canada (CCMBC), Power Workers' Union (PWU), Small Business Utility Alliance (SBUA), School Energy Coalition (SEC)<sup>1</sup> and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status. CCC, CCMBC, SBUA, SEC and VECC also applied for cost eligibility.

No objection was received from Elexicon Energy.

Brooklin Landowners, CCC, CCMBC, PWU, SBUA, SEC and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. CCC, CCMBC, SBUA, SEC and VECC are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#) and only in relation to Elexicon Energy's requests for incremental capital funding and adjustments to Account 1595.

Cost eligible intervenors should be aware that the OEB will not generally allow for 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.

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<sup>1</sup> At page 2 of its letter of intervention, dated August 31, 2022, SEC states that "SEC notes that this intervention will not include participation related to the North Brooklin Line, or the DSC exemption."

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.

### Type of Hearing

In each of their letters of intervention, SEC and SBUA noted that it would be premature for the OEB to make a determination on the type of hearing prior to the completion of the interrogatory process. CCMBC noted that it may be possible to resolve all issues through a settlement conference and the OEB should consider making provision for a settlement conference. The OEB Panel will make a determination on the next steps after the filing of interrogatory responses.

### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. 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 Elexicon Energy and all other parties by **September 29, 2022**.
2. Elexicon Energy shall file with the OEB complete written responses to the interrogatories and serve them on all intervenors by **October 13, 2022**.

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-2022-0024** 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](mailto: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, Birgit Armstrong at [birgit.armstrong@oeb.ca](mailto:birgit.armstrong@oeb.ca) and OEB Counsel, Lawren Murray at [lawren.murray@oeb.ca](mailto:lawren.murray@oeb.ca).

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

**DATED** at Toronto, **September 12, 2022**

**ONTARIO ENERGY BOARD**

**By delegation, before: Nancy Marconi**

Nancy Marconi  
Registrar

**SCHEDULE A**  
**PROCEDURAL ORDER NO. 1**  
**ELEXICON ENERGY INC.**  
**EB-2022-0024**  
**APPLICANT & LIST OF INTERVENORS**

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September 12, 2022

**APPLICANT**

**Rep. and Address for Service**

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**Cynthia Chan**

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**INTERVENORS**

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September 12, 2022

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**APPLICANT & LIST OF INTERVENORS**

September 12, 2022

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**APPLICANT & LIST OF INTERVENORS**

September 12, 2022

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**Small Business Utility  
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September 12, 2022

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