



Elexicon Energy Inc.

Application for electricity distribution rates and other charges effective January 1, 2023

PROCEDURAL ORDER NO. 5

February 15, 2023

Elexicon Energy Inc. (Elexicon Energy) filed an incentive rate-setting mechanism (IRM) application 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 to be effective January 1, 2023.

On November 1, 2022, the OEB bifurcated the application into two phases. The OEB issued a Partial Decision and Order deciding on Phase 1, IRM elements of this application, on December 8, 2022. In Phase 2, the OEB will decide on three incremental capital module requests: (i) the Whitby Smart Grid project (WSG) in the Whitby rate zone to be in service in 2025, (ii) the Advanced Distribution Management System costs associated with the WSG in the Veridian rate zone to be in service in 2025, and (iii) an expansion project called Sustainable Brooklin with an expected in-service date of 2023.

In Procedural Order No. 4 and Decision on Confidentiality (PO4), the OEB determined, among other things, that it would hold an oral hearing for Phase 2 on March 3 and 6, 2023 and set out the procedural steps to that effect. PO4 also set dates for Elexicon Energy to respond to written questions by the OEB panel in advance of the oral hearing.

Following the issuance of PO4, the OEB was advised of a scheduling conflict by Elexicon Energy. As a result, the OEB has revised the dates for the oral hearing as well as the filing of written arguments. The date for Elexicon Energy to respond to the OEB panel's written questions remains unchanged.

The OEB's Protocol for Adjusting Adjudicative Timelines¹ accounts for delays that are two weeks or longer and are driven by applicant requests. As the request is approved, the application will be paused, following the filing of answers to the OEB panel questions on February 21, 2023. In a proceeding where the protocol is triggered, the

¹ <https://www.oeb.ca/sites/default/files/protocol-for-adjusting-adjudicative-timelines-20211101.pdf>

performance standard will be extended by the total number of calendar days associated with the request, including the planned decision issuance date.²

The OEB considers it necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. A transcribed oral hearing will be held on **March 31 and April 3, 2023** starting at 9:30 a.m. This event will be conducted by way of a virtual hearing. Further information on how to connect to the proceeding will be communicated to parties closer to the date.
2. Elexicon Energy Inc. shall file its Argument-in-Chief with the OEB and deliver to all parties by **April 18, 2023**.
3. OEB staff and intervenors shall file any submissions with the OEB and deliver them to all other parties by **May 4, 2023**.
4. Elexicon Energy Inc. shall file any reply submissions with the OEB and deliver it to all other parties by **May 18, 2023**.

DATED at Toronto **February 15, 2023**

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar

² Ibid, p. 3