



E.L.K. ENERGY INC.

**Application for electricity distribution rates and other
charges effective May 1, 2025**

PROCEDURAL ORDER NO. 1

December 9, 2024

E.L.K. ENERGY INC. (E.L.K. Energy) filed an incentive rate-setting mechanism (IRM) application with the Ontario Energy Board (OEB) on October 28, 2024, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to its electricity distribution rates to be effective May 1, 2025. E.L.K. Energy is also requesting disposition of its balances from 2016 to 2023 in a deferral and variance account referred to as a Group 1 account and a single Group 2 account over a four-year period.

A Notice of Hearing was issued on November 19, 2024. The Independent Electricity System Operator (IESO) and School Energy Coalition (SEC) applied for intervenor status. SEC applied for cost eligibility.

No objection was received from E.L.K. Energy.

The IESO and SEC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. SEC is 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.

Interrogatories

At this time, provision is being made for written interrogatories. 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.

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.

Half-Day Settlement Conference

E.L.K. Energy has requested that the OEB schedule a half-day settlement conference to allow parties to explore and negotiate a resolution to the issues that were subject to E.L.K. Energy's 2022 cost of service¹ application. In its current IRM application, E.L.K. Energy has identified and seeks to correct for two issues that were subject to the settlement proposal approved by the OEB in the 2022 cost of service application. E.L.K. Energy submitted that a facilitator is likely not needed for this settlement conference.

The OEB Panel will determine at a later date if OEB staff will be a party to the settlement conference.

The OEB is making provision for the following related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. OEB staff and intervenors shall request any relevant information and documentation from E.L.K. Energy that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on E.L.K. Energy by **January 8, 2025**.
2. E.L.K. Energy shall file with the OEB complete written responses to the interrogatories and serve them on all intervenors by **January 22, 2025**.
3. A settlement conference among the parties will be convened on **February 5, 2025**, starting at 9:30 a.m. This will be a virtual event and information on how to participate will be provided in advance of the conference. The scope of the settlement conference is limited to the issues that E.L.K. Energy has identified and seeks to correct and that were subject to the settlement proposal approved by the OEB in the 2022 cost of service application. If OEB staff or intervenors intend to submit clarification questions to E.L.K. Energy as part of the settlement process, they are encouraged to provide these questions to E.L.K. Energy 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.

¹ EB-2021-0016

4. **Within 48 hours** of the conclusion of the settlement conference, E.L.K. Energy shall file a letter informing the OEB of the status of the settlement discussions including whether a tentative agreement had been reached or if the parties propose to continue the settlement discussions.
5. If there is no settlement proposal arising from the settlement conference, parties shall file and serve on the other parties by **February 10, 2025** any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
6. If there is a tentative settlement, the settlement proposal shall be filed with the OEB on or before **February 20, 2025**.

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-2024-0015** 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 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, Harshleen Kaur at harshleen.kaur@oeb.ca and OEB Counsel, Lawren Murray at lawren.murray@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **December 9, 2024**

ONTARIO ENERGY BOARD

By delegation, before: Nancy Marconi

Nancy Marconi
Registrar

SCHEDULE A

LIST OF APPLICANT AND INTERVENORS

E.L.K. ENERGY INC.

EB-2024-0015

December 9, 2024

E.L.K. Energy Inc.
EB-2024-0015
APPLICANT & LIST OF INTERVENORS

December 9, 2024

APPLICANT

Rep. and Contact Information for Service

E.L.K. Energy Inc.

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Supervisor, Finance & Customer Service

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INTERVENORS

Rep. and Contact Information for Service

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System Operator**

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School Energy Coalition

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