



**Greater Sudbury Hydro Inc.**

**Application for electricity distribution rates beginning  
May 1, 2025**

**PROCEDURAL ORDER NO. 1  
December 12, 2024**

Greater Sudbury Hydro Inc. (Greater Sudbury Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on October 30, 2024, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Greater Sudbury Hydro charges for electricity distribution, beginning May 1, 2025.

A Notice of Hearing was issued on November 19, 2024. Each of Association of Major Power Consumers in Ontario (AMPCO), the Coalition of Concerned Manufacturers and Businesses of Canada (CCMBC), School Energy Coalition (SEC), and Vulnerable Energy Consumers Coalition (VECC) applied for intervenor status and cost eligibility.

No objection was received from Greater Sudbury Hydro.

**Interventions**

AMPCO, CCMBC, SEC, and VECC are approved as intervenors. The list of parties in this proceeding is attached as Schedule A to this Procedural Order. AMPCO, CCMBC, SEC, and VECC are eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#).

Parties with common interests should coordinate their participation to avoid duplication. In making its decision on cost awards, the OEB will consider whether cost eligible intervenors made reasonable efforts to avoid duplication and to ensure that their participation in the hearing was focused on material issues.

AMPCO states in their annual filing of frequent intervenor form that their members represent major industries and “are major investors, major employers and a major part of the communities in which they operate... who recognize that their business success depends on an affordable and reliable electricity system.” CCMBC states in their annual filing of frequent intervenor form that their mandate is “to advocate for proactive and innovative policies that are conducive to manufacturing and business retention and safeguarding job growth in Canada” and that most of their members are Ontario

manufacturers. As such, AMPCO and CCMBC, who have both indicated they represent large consumers whose business interests are impacted by electricity reliability and prices, should specifically explain how they coordinated efforts when submitting their cost claims, or if not, why that was not appropriate in their view.

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.

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.

### **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 on the application. Following the settlement conference, provision is being made for the filing of (i) a letter advising on the status of the settlement discussions; (ii) any settlement proposal arising from the settlement conference, whether full or partial; (iii) comments from OEB staff on any settlement proposal; and (iv) submissions on the process for hearing any unsettled issues to be adjudicated by the OEB.

### Confidentiality

By letter dated [November 11, 2024](#), Greater Sudbury Hydro requested confidential treatment for some of the information in its application. In accordance with the OEB's [Practice Direction on Confidential Filings](#) (Practice Direction), Greater Sudbury Hydro identified the specific information for which it requested confidential treatment and the grounds for the request which can be summarized as follows:

1. Forecasted wage increases (Exhibit 4, Tab 4, Schedule 1, Line 17). The redacted information relates to collective bargaining negotiations and is presumptively confidential according to the Practice Direction.
2. Employee names in tax return (Exhibit 6, Tab 3, Schedule 1, Attachment 2). The redacted information contains the names of individuals which, if publicized in conjunction with their compensation information, would disclose confidential information contrary to the *Freedom of Information and Protection of Privacy Act* (FIPPA).
3. Bank account numbers (Exhibit 5, Tab 2, Schedule 1). Disclosure of the redacted information may cause potential security risks from unauthorized use.

The OEB finds the redacted information regarding forecasted wage increases related to collective bargaining is presumptively confidential according to the Practice Direction.<sup>1</sup> Parties that wish to object to the confidentiality request for this information should refer

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<sup>1</sup> Practice Direction, Appendix B (Presumptively Confidential Information)

to section 4 of the Practice Direction and follow the timelines and process in sections 5.1.6 and 5.1.7 of the Practice Direction. Greater Sudbury Hydro should follow the timelines and process in section 5.1.8 of the Practice Direction if it wishes to respond to any objections.

Information regarding individual employee names in conjunction with their compensation information is protected from disclosure by FIPPA and has been consistently treated as confidential by the OEB.<sup>2</sup> Similarly, financial information such as bank account numbers is protected from disclosure by FIPPA and is consistently treated as confidential under the Practice Direction.

The OEB finds that information regarding the employee names and compensation and the bank account information shall remain redacted and shall not be provided to the intervenors in this proceeding.

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

**IT IS THEREFORE ORDERED THAT:**

1. 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 **December 17, 2024**.
2. OEB staff and intervenors shall request any relevant information and documentation from Greater Sudbury Hydro that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **January 10, 2025**.
3. Greater Sudbury Hydro shall file with the OEB complete written responses to all interrogatories and serve them on OEB staff and all intervenors by **January 28, 2025**.
4. A settlement conference among the parties and OEB staff will be convened on **February 10, 2025**, starting at 9:30 a.m. If necessary, the settlement conference will continue on **February 11 and 12, 2025**. 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 Greater Sudbury 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

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<sup>2</sup> Practice Direction, Appendix A (Considerations in Determining Requests for Confidentiality)

settlement conference, in the interests of making the settlement process as efficient as possible.

5. **Within 48 hours** of the conclusion of the settlement conference, Greater Sudbury Hydro 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.
6. If there is no settlement proposal arising from the settlement conference, Greater Sudbury Hydro shall file a statement to that effect with the OEB by **February 19, 2025**. In that event, parties shall file and serve on the other parties by **February 26, 2025**, any submissions on which issues shall be heard in writing, and for which issues the OEB should hold an oral hearing.
7. If there is a settlement, any settlement proposal arising from the settlement conference shall be filed with the OEB on or before **March 7, 2025**. 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.
8. Any submission from OEB staff on a settlement proposal shall be filed with the OEB and served on all parties by **March 18, 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-2024-0026** 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 at the address below 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, Ljuba Djurdjevic at [Ljuba.Djurdjevic@oeb.ca](mailto:Ljuba.Djurdjevic@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

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

**DATED** at Toronto, December 12, 2024

**ONTARIO ENERGY BOARD**

**By delegation, before: Nancy Marconi**

Nancy Marconi  
Registrar

**SCHEDULE A**  
**PROCEDURAL ORDER NO. 1**  
**GREATER SUDBURY HYDRO INC.**  
**EB-2024-0026**  
**DATED: December 12, 2024**

Greater Sudbury Hydro Inc.  
EB-2024-0026

**APPLICANT & LIST OF INTERVENORS**

December 12, 2024

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<b>APPLICANT</b>	<b>Rep. and Contact Information for Service</b>
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<b>APPLICANT COUNSEL</b>	<b>Michael Buonaguro</b> Counsel Consultant Tel: 416-767-1666 <a href="mailto:mikebuonaguro@me.com">mikebuonaguro@me.com</a>
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**Coalition of Concerned  
Manufacturers and  
Businesses of Canada**

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**APPLICANT & LIST OF INTERVENORS**

December 12, 2024

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**Vulnerable Energy  
Consumers Coalition**

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