



RP-2005-0020

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c.15, Schedule B;

AND IN THE MATTER OF applications by electricity
distribution companies for approval of distribution rates for
2006

**PROCEDURAL ORDER NO. 1
GENERIC ISSUES AND HISTORICAL TEST YEAR
FILINGS**

Pursuant to section 78 of the *Ontario Energy Board Act, 1998*, S.O. c.15, Schedule B, electricity distribution companies have filed applications for the approval of distribution rates to be effective as of May 1, 2006. The utilities filing are listed in Appendix 1 of this Order. The Board has issued Notices for these applications.

In order to expedite the large number of applications, the Board has determined to proceed in the following way:

1. The Board will proceed by way of written hearing for those distribution utilities who have filed on an historical basis and whose applications are substantively in compliance with the Rate Handbook. Utilities for which the intervention period has closed are included in Appendix 1; at a later date, the Board will issue procedural orders covering utilities that are not included at this time.
2. The Board will proceed by way of oral hearings for Hydro One Networks Inc., Hydro Ottawa Ltd. and Toronto Hydro-Electric System Ltd., which have filed for rates based on a prospective 2006 test year, and EnWin Powerlines Ltd.

3. The Board will proceed by way of oral hearing for Bluewater Power Distribution Corporation, EnWin Powerlines Ltd. and Kingston Electricity Distribution Ltd. for purpose of a comprehensive regulatory asset recovery review.
4. The Board will identify any common or generic issues of all the applications and proceed by way of oral hearing on these issues.

In respect to the hearing of generic issues, the Board has established an initial issues list (Appendix 2). Parties will be provided an opportunity to make written submissions on this list. In order for the Board to consider adding an issue to the generic list, a party must clearly articulate the nature of the issue and the reasons it believes that the issue will affect all or a large number of utilities. The Board will also require that all parties identify any matters on which they intend to call evidence.

The Board will establish times for the submission of interrogatories and their response. Interrogatories must be divided into utility-specific or generic issue categories.

The Board will address conservation and demand management programs submitted by distribution utilities on a case specific basis.

The Board will issue specific procedural orders for EnWin Powerlines Ltd., Hydro One Networks Inc., Hydro Ottawa Ltd, and Toronto Hydro-Electric System Ltd.

The Board will also issue procedural orders for a number of utilities for which a comprehensive review of recovery of regulatory assets is being proposed.

Further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

The Generic Hearing:

1. Applicants and intervenors shall file written submissions on the generic issues list (see appendix 2) on or before November 7, 2005.

2. Intervenor shall notify the Board of any intention to file evidence with respect to the generic issues in either the generic proceeding or any of the specific applications on or before November 11, 2005.
3. The Board will issue the approved generic issues list on or before November 15, 2005.
4. All materials filed with the Board by participants (evidence, interrogatories, and interrogatory responses) must be submitted in electronic as well as paper form. Electronic versions should be in MS Word, MS Excel, or pdf format. File names must include the name of the participant.
5. Interrogatories from intervenors and Board staff on the generic issues documented in the pre-filed evidence of applicants shall be filed with the Board and served on those applicants on or before November 23, 2005. Generic interrogatories should be numbered in accordance with the Board's approved generic issues list. The Board will post the interrogatories on its Web site,
6. Applicants shall file their responses to interrogatories on generic issues, including the interrogatory itself, with the Board on or before December 7, 2005. The Board will post these responses on its Web site.
7. Intervenor evidence in respect to generic issues shall be filed with the Board on or before December 2, 2005. The Board will post these filings on its Web site.
8. Interrogatories on intervenor evidence from other intervenors, Board staff and applicants shall be filed on or before December 12, 2005.
9. Intervenor shall file their responses to interrogatories, including the interrogatory itself, with the Board on or before December 22, 2005. The Board will post these responses on its Web site.
10. A hearing will be held at the Board's offices on Monday, January 9, 2006 with respect to the generic issues. This hearing is scheduled for 5 hearing days.

The Historical Test Year Applications (see Appendix 1)

These applications shall be dealt with by way of written hearing.

1. Board staff and intervenors shall file interrogatories with the Board, the specific applicant and registered intervenors on or before November 15, 2005. The list of registered Intervenor for each Application will be posted on the Board's Web site.
2. The applicants shall file their response to any interrogatories with the Board and registered intervenors on or before November 30, 2005.
3. Argument in respect to all issues other than the generic issues and regulatory asset review for Bluewater Power Distribution Corporation and Kingston Electricity Distribution Ltd. shall be filed by intervenors on or before January 3, 2006 and served on applicant(s).
4. Reply argument of the applicants shall be filed with the Board on or before January 13, 2006 and served on registered intervenors.

ISSUED at Toronto, November 2, 2005.

ONTARIO ENERGY BOARD

Original Signed by

Peter H. O'Dell
Assistant Board Secretary

APPENDIX 1

TO PROCEDURAL ORDER No. 1

RP-2005-0020

DATED: November 2, 2005

Appendix 1 – List of Subject Utilities

Part 1 - List of Applicants Subject to a Written Hearing (Historical Test Year)

EB Number	Applicant	Contact Information
EB-2005-0338	Barrie Hydro	Barb Gray Barrie Hydro Distribution Inc. P.O. Box 7000 55 Patterson Road Barrie ON L4M 4V8
EB-2005-0340	Bluewater Power	Janice McMichael Bluewater Power Distribution Corporation P.O. Box 2140 855 Confederation Street Sarnia ON N7T 7L6
EB-2005-0343	Cambridge and North Dumfries Hydro (Energy Plus)	John Grotheer Cambridge and North Dumfries Hydro Inc. 1500 Bishop Street P.O. Box 1060 Cambridge ON N1R 5X6
EB-2005-0353	COLLUS Power	Darius Vaiciunas COLLUS Power Corp. Box 189 43 Stewart Road Collingwood ON L9Y 3Z5
EB-2005-0356	Burlington Hydro	Michael Kysley Burlington Hydro Inc. 1340 Brant Street Burlington ON L7R 3Z7
EB-2005-0358	ELK Energy	Michael Audet E.L.K. Energy Inc. 172 Forest Avenue Essex ON N8M 3E4
EB-2005-0360	Enersource Hydro Mississauga	Ralph Amar Enersource Hydro Mississauga Inc. 3240 Mavis Road Mississauga ON L5C 3K1
EB-2005-0363	Essex Powerlines	Richard Dimmel Essex PowerLines Corporation 360 Fairview Avenue West Suite 218 Essex ON N8M 3G4
EB-2005-0364	Festival Hydro	William Zehr Festival Hydro Inc. P.O. Box 397 187 Erie Street Stratford ON N5A 6T5

EB-2005-0370	Greater Sudbury Hydro	Stanly Pawlowicz Greater Sudbury Hydro Inc. 500 Regent St. P.O. Box 250 Sudbury ON P3E 4P1
EB-2005-0372	Guelph Hydro	James MacKenzie Guelph Hydro Electric Systems Inc. 104 Dawson Road Guelph ON N1H 1A7
EB-2005-0375	Horizon Utilities	Cameron McKenzie Hamilton Hydro Inc. 55 John Street North P.O. Box 2249, Station LCD 1 Hamilton ON L8N 3E4
EB-2005-0385	Kingston Electricity	Nancy Taylor Kingston Electricity Distribution Limited 211 Counter Street P.O. Box 790 Kingston ON K7L 4X7
EB-2005-0386	Kitchener-Wilmot Hydro	Ronald Charie Kitchener-Wilmot Hydro Inc. 301 Victoria Street South P.O. Box 9010 Kitchener ON N2G 4L2
EB-2005-0389	London Hydro	Kenneth Walsh London Hydro Inc. 111 Horton Street London ON N6B 3N9
EB-2005-0391	Milton Hydro	Don Thorne Milton Hydro Distribution Inc. 55 Thompson Road South P.O. Box 189 Milton ON L9T 4N9
EB-2005-0394	Niagara Falls Hydro	Brian Wilkie Niagara Falls Hydro Inc. 7447 Pin Oak Drive P.O. Box 120 Niagara Falls ON L2E 6S9
EB-2005-0396	Norfolk Power	Fred Druyf Norfolk Power Distribution Inc. P.O. Box 588 70 Victoria Street Simcoe ON N3Y 7N6
EB-2005-0401	Orillia Power	John Mattinson Orillia Power Distribution Corporation P.O. Box 398 360 West Street South Orillia ON L3V 6J9

EB-2005-0402	Oshawa PUC	Jeff Rosenthal Oshawa PUC Networks Inc. 100 Simcoe Street South Oshawa ON L1H 7M7
EB-2005-0412	PUC Distribution Inc.	Terrance Greco PUC Distribution Inc. 765 Queen Street East P.O. Box 9000 Sault Ste. Marie ON P6C 6P2
EB-2005-0419	Thunder Bay Hydro	Thomas Wright Thunder Bay Hydro Electricity Distribution Inc. 34 Cumberland Street North Thunder Bay ON P7A 4L4
EB-2005-0422	Veridian Connections	George Armstrong Veridian Connection Inc. 55 Taunton Road East Ajax ON L1T 3V3
EB-2005-0448	Waterloo North	Rene Gatien Waterloo North Hydro Inc. P.O. Box 640 300 Northfield Drive East Waterloo ON N2J 4A3
EB-2005-0428	Welland Hydro	Ross Peever Welland Hydro-Electric System Corp. P.O. Box 280 950 East Main Street Welland ON L3B 5P6
EB-2005-0435	Whitby Hydro	Ramona Abi-Rashed Whitby Hydro Electric Corporation 100 Taunton Road East Whitby ON L1N 5R8
EB-2005-0436	Woodstock Hydro	Mr. Jay Heaman Woodstock Hydro Services Inc. 16 Graham Street P.O. Box 245, Stn. Main Woodstock, ON N4S 7X4

Part 2 – List of Applicants Subject to an Oral Hearing

EB Number	Applicant	Contact Information
EB-2005-0359 (historical test year)	EnWin Powerlines	Giovanna Gesuale EnWin Powerlines Ltd. 4545 Rhodes Drive P.O. Box 1625, Stn. "A"; Windsor ON N9A 5T7

EB-2005-0378 (future test year)	Hydro One Networks	Mr. Glen MacDonald Senior Advisor – Regulatory Affairs Hydro One Networks Inc. 8 th Floor, South Tower Toronto, ON M5G 2P5
EB-2005-0381 (future test year)	Hydro Ottawa	Paul Hughes Hydro Ottawa Limited 3025 Albion Road N. P.O. Box 8700 Ottawa ON K1G 3S4
EB-2005-0421 (future test year)	Toronto Hydro-Electric System Limited	Richard Zebrowski Toronto Hydro-Electric System Limited 14 Carlton Street Toronto ON M5B 1K5

**BARRIE HYDRO DISTRIBUTION INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0338
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**BLUEWATER POWER DISTRIBUTION CORPORATION
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0340
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**CAMBRIDGE AND NORTH DUMFRIES HYDRO INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0343
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**COLLUS POWER CORP.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0353
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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Intervenors

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**BURLINGTON HYDRO INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0356
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**E.L.K. ENERGY INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0358
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**ENERSOURCE HYDRO MISSISSAUGA INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0360
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**ESSEX POWERLINES CORPORATION
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0363
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**FESTIVAL HYDRO INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0364
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**GREATER SUDBURY HYDRO
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0370
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**GUELPH HYDRO ELECTRIC SYSTEMS INC. ("GHESI")
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0372
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**HORIZON UTILITIES CORPORATION
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0376
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**KINGSTON ELECTRICITY DISTRIBUTION LIMITED
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0385
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**KITCHENER-WILMOT HYDRO INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0386
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**LONDON HYDRO INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0389
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**MILTON HYDRO DISTRIBUTION INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0391
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**NIAGARA FALLS HYDRO INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0394
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**NORFOLK POWER DISTRIBUTION INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0396
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**ORILLIA POWER CORPORATION
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0401
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**OSHAWA PUC NETWORKS INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0402
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**THUNDER BAY HYDRO
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0419
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**PUC DISTRIBUTION INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0412
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**VERIDIAN CONNECTIONS- SCUGOG
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0426
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**WATERLOO NORTH HYDRO INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0448
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**WELLAND HYDRO-ELECTRIC SYSTEM CORP.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0428
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**WHITBY HYDRO ELECTRIC CORPORATION
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0435
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**WOODSTOCK HYDRO SERVICES INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0436
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

Applicant

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**ENWIN POWERLINES LIMITED
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0359
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**HYDRO ONE NETWORKS INC.
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0378
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**HYDRO OTTAWA LIMITED
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0381
APPLICANT & LIST OF INTERVENTIONS**

November 2, 2005

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**TORONTO HYDRO-ELECTRIC SYSTEM LIMITED
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020
EB-2005-0421
APPLICANT & LIST OF INTERVENTIONS**

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APPENDIX 2

TO PROCEDURAL ORDER No. 1

RP-2005-0020

DATED: November 2, 2005

APPENDIX 2

2006 EDR Rate Applications

Generic Issues List

Criteria

In establishing the list the following criteria were used:

- Issues of principle with material implications are appropriate for inclusion in a generic hearing;
- Issues for which a party might propose a common test of prudence (for example, a comparator test) or a common solution (for example, an allowance based on cost per customer) are candidates for the generic issues list;
- Issues which have been dealt with expressly in the Report of the Board (RP-2004-0188) or in the 2006 Electricity Distribution Rate Handbook are not appropriate for inclusion; and,
- Issues that are simply common to many utilities, but which rely primarily on the specific facts or circumstances should not be included.

1. Smart Meters

Background

Provincial legislation concerning the roll-out of smart meters is expected shortly. The Board anticipates that utilities will need to begin implementing smart meter programs early in 2006. If the funding for this undertaking is not addressed in that legislation, the Board will be required to authorize and monitor costs for recovery by utilities. A number of utilities have proposed smart meter budgets and spending to be funded through increments to their 2006 rates.

Issues

- 1.1 Should the Board authorize the inclusion of capital and/or operating costs related to the general roll-out of smart meters (i.e., as distinct from any pilot programs in CDM plans) in the 2006 revenue requirements of utilities?

- 1.2 If so, should utilities recover a standard amount in rates (e.g. cost per customer) or should each utility propose a smart meter budget for inclusion in rates?
- 1.3 If a standard amount is used how should it be calculated?
- 1.4 Alternatively, should deferral accounts be established and the amounts spent on smart meters be recovered in future rate periods?
- 1.5 What accounting requirements should be established for reporting and monitoring smart meter spending?

2. Deferral Accounts

2.1 Regulatory Costs

Background

Under the historical test year approach, 'internal' regulatory costs for consultants, legal counsel and direct incremental disbursements incurred in 2004 (other than those assessed by the Board) would serve as proxies for the costs in 2006. Certain utilities contend that such costs are material and are difficult to forecast, and have applied to record such costs in Account 1508 for subsequent disposition and recovery rather than accepting the 2004 value. If the Board were to grant the request, it may wish to accord deferral account treatment to all utilities.

Issue

2.1.1. Should the Board permit utilities to record their costs of consultants, legal counsel and direct incremental disbursements related to all regulatory proceedings in Account 1508, for the purpose of subsequent review and disposition?

2.2 Revenue Losses Attributable to Unforecasted Distributed Generation

Background

Concerns have been raised regarding the load and revenue effects of the accelerating adoption of distributed generation, the effects of which may be material and are difficult to forecast, and therefore warrant subsequent disposition by way of a deferral account.

Issue

2.2.1. Should utilities be permitted to record in a deferral account foregone revenue amounts attributable to unforecasted load losses arising from distributed generation?

3. Generalized Standby Rates for Load Displacement Generation

Background

The importance of standby rates will increase as the adoption of load displacement generation increases. For many utilities, it will be impractical to calculate customer-specific standby rates due to the number of customers and the difficulty of isolating costs. Generalized or standard rates could be developed but different utilities could take different approaches in the absence of policy guidelines.

Issues

- 3.1 Should the Board develop a standardized methodology for stand-by rates?
- 3.2 Should the Board permit utility-specific approaches to the design of stand-by rates.
- 3.3 If so, what should that design basis be?

4. Other Deferral Accounts

Background

Requests have been made by certain utilities for some of the following deferral accounts. It is not clear that there are any tangible generic features of these requests and therefore they may be more appropriately decided on a case-specific basis.

Issue

- 4.1 Should the Board establish deferral accounts for the purpose of subsequent review and disposition for any of the following:
 - 4.1.1. Rate mitigation revenue shortfalls,
 - 4.1.2. Risk Management activities,
 - 4.1.3. Material Bad Debt,
 - 4.1.4. Customer Information System costs?