



Ontario Energy Board

Commission de l'énergie de l'Ontario

Ontario Energy Board

Filing Requirements For Electricity Transmission Applications

February 11, 2016

CHAPTER 1 OVERVIEW

**CHAPTER 2 FILING REQUIREMENTS FOR REVENUE
REQUIREMENT APPLICATIONS**

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**CHAPTER 4 FILING REQUIREMENTS FOR LEAVE TO
CONSTRUCT APPLICATIONS**



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Filing Requirements For Electricity Transmission Applications

Chapter 1 - Overview

February 1, 2016

Chapter 1 Overview

This chapter provides an overview of how transmission revenue requirement applications and leave to construct applications should be filed.

Chapter 2 details the filing requirements for a revenue requirement application based on one or more forward test years.

Chapter 4 details the filing requirements for a leave to construct application based on the requirements outlined in section 92 of the *Ontario Energy Board Act, 1998*.

Completeness and Accuracy of an Application

An application to the OEB by a regulated company must provide sufficient detail to enable the OEB to make a determination as to whether the proposals are reasonable. The onus is on the applicant to substantiate the need for and reasonableness of the relief it is seeking.

The filing requirements provide the minimum information that applicants must file for a complete application. However, applicants should provide any additional information that is necessary to justify the approvals being sought in the application.

The OEB's examination of an application and subsequent decision are based only on the evidence filed in that case. This ensures that all interested parties to the proceeding have an opportunity to see the entire record, participate meaningfully in the proceeding and understand the reasons for a decision. Consequently, a complete and accurate evidentiary record is essential. The OEB will consider an application complete if it meets all of the applicable filing requirements.

Applicants must also be cognizant of the need for accuracy and consistency of the information and data presented in their applications. A quality application has information and data that is consistent across all exhibits, appendices and models. If an application does not meet all of these requirements or if there are inconsistencies identified in the information or data presented, the OEB may return the application unless satisfactory explanations for missing or inconsistent information have been provided.

Certification of Evidence

The applicant's Chief Executive Officer, or equivalent, must certify that the evidence filed with the OEB is accurate, consistent and complete to the best of the officer's knowledge.

Updating an Application

When changes or updates to an application are necessary, a thorough explanation of the changes must be provided, along with revisions to the affected evidence and related schedules. This process is contemplated in Rule 11.02 of the *Rules of Practice and Procedure*. When these changes or updates are contemplated in later stages of a proceeding, applicants should proceed with the update only if there is a material change to the evidence already before the OEB. Rule 11.03 states that any such updates should clearly indicate the date of the revision and the part(s) revised.

Interrogatories

The OEB is aware of the number of interrogatories that the regulatory review process can generate. The OEB advises applicants to consider the clarity, completeness and accuracy of their evidence in order to reduce the need for interrogatories. Furthermore, the OEB expects that applicants and other parties filing evidence will file appropriate, relevant, accurate and complete evidence. A sub-standard or inaccurate application, and the re-filing or updating of evidence can extend the time for the OEB's review. Applicants should not file information that they consider not relevant to the proceeding. The OEB also advises all parties to carefully consider the relevance and materiality of information before requesting it through interrogatories.

The OEB reminds parties not to engage in detailed exploration of items that do not appear to be material. The materiality thresholds documented in Chapter 2 of the filing requirements should be taken into consideration by the parties. In making its decision on cost awards, the OEB will consider whether or not intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult Rules 26 and 27 of the OEB's *Rules of Practice and Procedure*, April 24, 2014 revision, for additional information on the filing of interrogatories and responses, and matters related to such filings.

Confidential Information

The OEB relies on full and complete disclosure of all relevant material in order to ensure that its decisions are well-informed. The OEB's expectation is that applicants will make every effort to file material contained in an application publicly in order to ensure the transparency of the review process. The OEB recognizes that applicants may consider some of that information to be confidential and may wish to request that it be protected. In such cases, the relevant rules in the OEB's *Rules of Practice and Procedure* and the procedures set out in the [Practice Direction on Confidential Filings](#) (the Practice Direction) are to be followed by all participants in a proceeding before the OEB, unless otherwise directed by the OEB. Applicants considering the need for confidential filing of material are expected to review and follow the Practice Direction.

The OEB and parties to a proceeding are required to devote additional resources to the administration, management and adjudication of confidentiality requests and confidential filings. Therefore, parties must ensure that filings for which they intend to request confidential treatment are clearly relevant to any matter at issue in the proceeding, whether the information is being filed as part of an application, as an exhibit or in response to an interrogatory. An illustrative list of the types of information that the OEB has previously assessed or maintained as confidential is set out in Appendix B of the Practice Direction.