



Ontario Energy Board

Commission de l'énergie de l'Ontario

Ontario Energy Board

Filing Requirements For Electricity Transmission Applications

October 30, 2025 ~~February 11,~~
~~2016~~

CHAPTER 1 OVERVIEW

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Chapter 1

—Overview

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Chapter 1 Overview

This ~~chapter~~ document provides an overview of how information about the Ontario Energy Board's (OEB) filing requirements for transmission revenue requirement applications and leave to construct applications ~~should be filed~~. It is designed to provide direction to electricity transmitters, who are expected to file applications consistent with the filing requirements. If circumstances warrant, the Ontario Energy Board (OEB) may require an electricity transmitter to file evidence in addition to what is identified in the filing requirements.

On October 13, 2016, the OEB released its *Handbook for Utility Rate Applications* (the Handbook) to provide guidance to utilities and stakeholders on applications to the OEB for approval of rates under the *Renewed Regulatory Framework* (RRF). The Handbook outlines the key principles and expectations the OEB will apply when reviewing rate applications and is applicable to all rate regulated utilities, including electricity distributors, electricity transmitters, natural gas utilities and Ontario Power Generation. The OEB expects utilities to file rate applications consistent with the Handbook unless a utility can demonstrate a strong rationale for departing from it.

These filing requirements apply only to electricity transmitters. Unless specifically identified, the words "utility", "utilities", "applicant" or "applicants", in this document refer to electricity transmitters.

References to a "party" or "parties" may, depending on the context, refer to the electricity transmitter, OEB staff and any registered intervenors, either individually or collectively.

Chapters Included in this Filing Requirements Document

Chapter 1 outlines generic procedural matters and the expectations of the OEB for parties participating in transmission rate-setting and leave to construct processes.

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~~ and related matters under the requirements outlined in ~~section 92~~ Part VI of the *Ontario*

Energy Board Act, 1998.

Completeness and Accuracy of an ApplicationReview

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 electricity transmitter to file for a a clearly written, accurate and 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 yet succinct application that presents information and data presented in their applications. A quality application has information and data that is consistent consistently 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 and demonstrates the need for the proposal, complete with sufficient justifications. To assist electricity transmitters, the OEB has streamlined its filing requirements and offers a pre-application meeting to allow parties to discuss issues that will assist in the preparation of their application.

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.

The filing of a comprehensive application is essential for the development of an accurate Notice of Hearing and for the timely and effective review of an application. Therefore, before the OEB can begin processing the application, it must conduct a preliminary review to determine if the information provided adheres to the filing requirements and provide sufficient information to prepare an accurate Notice of Hearing. As part of the completeness review process, upon the filing of the application, OEB staff checks the application and advises the Registrar of any missing information, errors or inconsistencies in the application. According to the OEB's *Performance Standards*, the OEB has 14 calendar days to complete this review.

If the Registrar determines that the application is consistent with the filing requirements, the Registrar will issue a letter notifying the applicant that the OEB has commenced processing the application. This letter marks the start of the OEB's review of the application.

If there are any information gaps in the application, OEB staff will contact the applicant and provide the applicant with an opportunity to file the missing information. The timing required for filing the missing information is determined by the type of information that is missing.

If the missing information adversely affects the OEB's ability to prepare the Notice of Hearing or materially affects the OEB's ability to assess the application, the applicant will be required to file the missing information within the 14-day preliminary review period. If the information cannot be filed within the 14-day review period, the Registrar will issue an "incomplete letter." This letter will list the information that must be provided before the OEB can commence processing the application.

If the missing information does not adversely affect the OEB's ability to prepare the Notice of Hearing or materially affect the OEB's ability to assess the application, the OEB may commence the proceeding before the missing information is filed. In such applications, the Registrar will issue a letter directing the electricity transmitter to generally file the missing information by the date of the OEB's first procedural order (refer to OEB performance standards for details on the timing of the first procedural order), so that the information is available for the preparation of interrogatories by OEB staff and intervenors. If the information cannot be filed by the noted date and the delay could impact the schedule for the case or the OEB's ability to continue processing the application, the OEB may stop the proceeding and place the application in abeyance until the missing information is filed.

The OEB's policy regarding abeyance is documented in its Protocol for Adjusting Adjudicative Timelines.

Updating an Application

When changes or updates to an application or supporting evidence are necessary, a thorough explanation of the changes electricity transmitters must be provided, along with revisions to the affected evidence and related schedules. This process is contemplated in follow the requirements of Rule 11.02 of the Rules of Practice and Procedure (the Rules of Practice and Procedure). When these changes or updates are contemplated in later stages of a proceeding, applicants updates should proceed with the update only be made if there is a material change to the evidence already before. In these circumstances, there may be a need for further process to review the updated information and the OEB. Rule 11.03 states that any such updates should clearly indicate the OEB's planned decision date of the revision and the part(s) revised may shift to accommodate the added process.

Interrogatories

The OEB is aware of the number of interrogatories that the regulatory review process can generate. The The OEB advises applicants electricity transmitters to consider the clarity, completeness and accuracy of their evidence in order to reduce the need for interrogatories.

Furthermore, the OEB expects that applicants The purpose of an interrogatory process is to test and other parties filing /or to further clarify the 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 not to seek information that they consider is not relevant to or outside the scope of the proceeding. The OEB also advises all parties to carefully consider the relevance and materiality of information being sought before requesting it through interrogatories.

The OEB reminds Parties must consult Rules 26 and 27 of the OEB's Rules for additional information on the filing of interrogatories and responses.

Materiality

It is the OEB's expectation that parties will not to engage in a detailed exploration of items that do not appear to be material. The For rate applications, parties should be guided by the materiality thresholds documented in Chapter 2 of The OEB will consider at the filing requirements should be taken into consideration by the parties. In making cost award stage whether or not specific intervenors have engaged in an excessively detailed exploration of

non-material issues, and may reflect this in 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 To ensure a transparent and accessible rate review process, electricity transmitters should make every effort to file all 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 completely. However, 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 allow electricity transmitters and other parties to request that certain evidence be treated as confidential. In the event a party is requesting confidentiality, the Practice Direction sets out the guidelines for filing a request for confidentiality and associated timelines. On December 17, 2021, the OEB updated its Practice Direction and the requirements for filing confidentiality requests, which now include the requirement to file a table setting out the details for each piece of information for which confidential treatment is requested. Where such requests are made, participants are expected to review and follow the Practice Direction.

The OEB and parties to a proceeding are Electricity transmitters should be aware that the OEB is required to devote additional resources to the administration, management and adjudication of requests for confidentiality requests and confidential filings. Therefore, parties Electricity transmitters must ensure that filings for which they intend to request confidential treatment are clearly both 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 proceeding and in need of confidential treatment in accordance with the Practice Direction. A list of the types/categories of information that the OEB has previously assessed or maintained as will presumptively be considered confidential is set out in Appendix B of the Practice Direction. To reduce the administrative issues associated with the management of those filings, the OEB expects the applicant to minimize, to the extent possible, requests for confidential treatment of information.

If necessary, certain third-party documentation may be filed as part of an application in support of a transmitter's evidence. Examples may include, but are not limited to, reports by consultants and surveys. If such documentation is filed as part of an

application and the documentation is labelled as "confidential" (for example, in the header or footer of the document), the transmitter must confirm that the document(s) do not contain confidential information as defined in the Practice Direction on Confidential Filings, and the transmitter is putting it forth for the public record.

Certifications

Certification Regarding Personal Information

All parties are reminded of the OEB's rules regarding personal information in any filing they make as part of a proceeding. Parties should consult Rule 9A of the OEB's Rules (and the Practice Direction, as applicable) regarding how to file documents (including interrogatories) that have personal information in them.

Rule 9A of the OEB's Rules states that "any person filing a document that contains personal information, as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*, of another person who is not a party to the proceeding shall file two versions of the document." There must be one version of the document that is a redacted version of the document from which the personal information has been deleted or stricken, and a second version of the document that is un-redacted (i.e., that includes the personal information) and should be marked "Confidential—Personal Information".

The OEB does not expect that personal information would typically need to be filed. However, if the transmitter feels that it does need to file personal information as part of its application, the onus is on the transmitter to ensure that the application and any evidence filed in support of the application does not include any personal information unless it is filed in accordance with Rule 9A of the OEB's Rules (and the Practice Direction, as applicable).

Accordingly, an application filed with the OEB must include a certification by a senior officer of the transmitter stating that the application and any evidence filed in support of the application does not include any personal information unless it is filed in accordance with Rule 9A of the OEB's Rules (and the Practice Direction, as applicable).

A transmitter is required to provide a similar certification when filing interrogatory responses or other evidence as part of a proceeding.

Certification of Evidence

An application filed with the OEB must include the following certification by a senior officer of the transmitter :

- that the evidence filed is accurate, consistent and complete to the best of their knowledge.
- The transmitter has processes and internal controls in place for the preparation, review, verification and oversight of account balances being disposed.

If desired, the certifications listed above as well as the certification regarding personal information can be completed by a single individual within a single document, as long as the requirements set out are met (i.e., a senior officer of the transmitter provides all certifications).

The OEB also requires a letter from the governing body (e.g., Board of Directors) certifying that it is aware of and approves the submission of the application.