



**EB-2009-0143**

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

**AND IN THE MATTER OF** an application by Essex Powerlines Corporation for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2010.

## **PROCEDURAL ORDER No. 2**

Essex Powerlines Corporation (“Essex”) filed an application with the Ontario Energy Board (the “Board”) on September 28, 2009 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Essex charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the File Number EB-2009-0143 to this application.

The Board issued a Notice of Application and Hearing on October 21, 2009. In accordance with Procedural Order No. 1, issued on November 17, 2009, the Board made provision for written interrogatories. The Energy Probe Research Foundation (“Energy Probe”), the School Energy Coalition (“SEC”), the Vulnerable Energy Consumers Coalition (“VECC”), and Board staff filed interrogatories. Essex filed responses to the interrogatories on December 14, 2010.

Upon review of the responses to the written interrogatories, the Board has decided to make provision for written supplemental interrogatories followed by a settlement conference. In the event that a complete settlement is not achieved, the Board will consider at that time whether the outstanding issues will need to be further examined and whether this examination will need to be conducted by way of a written or oral hearing.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

**THE BOARD ORDERS THAT:**

1. Board staff and intervenors shall request information and material from Essex Powerlines Corporation that is in addition to Essex Powerlines Corporation's response to interrogatories filed on December 14, 2009, and that is relevant to the hearing, by written supplemental interrogatories filed with the Board and delivered to Essex Powerlines Corporation and all intervenors on or before **January 18, 2010**. Where possible, the questions should specifically reference the evidence on the record to which each interrogatory pertains.
2. Essex Powerlines Corporation shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **January 25, 2010**.
3. A Settlement Conference will be convened on **February 3, 2010**, starting at 9:30 a.m. with the objective of reaching a settlement among the parties on the issues. The Settlement Conference will be held at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto in the Board's ADR room.
4. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board by **February 24, 2010**.

All filings to the Board must quote the file number, EB-2009-0143, be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca), and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary

E-mail: [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca)  
Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656

**DATED** at Toronto, January 8, 2010

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary