



EB-2010-0142

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 Toronto
Hydro-Electric System Limited for an order approving
just and reasonable rates and other charges for
electricity distribution to be effective May 1, 2011.

PROCEDURAL ORDER NO. 5

Toronto Hydro-Electric System Limited ("Toronto Hydro") filed an application, dated August 23, 2010, with the Ontario Energy Board under section 78 of the *Ontario Energy Board Act*, S.O. 1998, c.15, Schedule B, seeking approval for changes to the rates that Toronto Hydro charges for electricity distribution, to be effective May 1, 2011.

The Board issued a Notice of Application and Hearing dated September 15, 2010.

On October 18, 2010, Procedural Order No.1 was issued establishing, among other items, the dates for which interrogatories were to be filed with the Board and responded to by Toronto Hydro.

On November 11, 2010, the Board issued its Issues List Decision and Procedural Order No. 2. In it, the Board approved a Final Issues List and confirmed the schedule for filing interrogatories and responses to interrogatories as set out in Procedural Order No. 1.

On December 6, 2010, Toronto Hydro filed its responses to interrogatories from parties.

On December 13, 2010, the Board issued Procedural Order No. 3 outlining further steps in this proceeding.

On January 12, 2011, the Board issued Decision on Confidentiality and Procedural Order No. 4 which dealt with confidentiality issues raised by Toronto Hydro and the scope of the settlement conference.

On January 14, 2011, the Smart Sub-metering Working Group (“SSMWG”), an intervenor in the proceeding, filed a Notice of Motion (the “Motion”) requesting, among other things, that the Board direct Toronto Hydro to provide full and complete answers to the interrogatories of the SSMWG as contained in Appendix “A” to the Motion.

The SSMWG also requested an order amending the timetable for all future procedural matters and the oral hearing in respect of issues arising out of the interrogatories of the SSMWG to allow the SSMWG such further time as is appropriate to receive THESL’s answers to the subject interrogatories, to prepare for and participate in a Technical Conference, prepare and file evidence and attend and participate in an oral hearing in respect of such issues. The SSMWG requested an oral hearing of the Motion.

The Board has determined that it will hear the Motion orally.

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. The oral hearing of the Motion will commence at 9:30 am on **January 19, 2011** in the Board’s hearing room at 2300 Yonge Street, Toronto.

All filings to the Board must quote file number EB-2010-0142, be made through the Board’s web portal at 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. 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 in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

Address

The Ontario Energy Board:

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

Filings: www.errr.oeb.gov.on.ca
E-mail: Boardsec@oeb.gov.on.ca

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

ISSUED at Toronto, January 18, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary