



**EB-2010-0125**

**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 Brant County  
Power Inc. for an order or orders approving or fixing just and  
reasonable rates and other charges for electricity distribution  
to be effective May 1, 2011.

#### **PROCEDURAL ORDER No. 5**

Brant County Power Inc. ("Brant County") filed an application with the Ontario Energy Board (the "Board"), received on November 5, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Brant County charges for electricity distribution. The Board has assigned the application file number EB-2010-0125.

The Board issued Procedural Order No. 1 on December 24, 2010 granting intervenor status and cost eligibility to Energy Probe and the Vulnerable Energy Consumers Coalition. In addition, the Board set out a schedule for Board staff and intervenors, wishing information and material from Brant County, to file written interrogatories by certain specified dates, and for Brant County to reply by January 31, 2011. Procedural Order No. 2, issued on January 27, 2011 extended the date for interrogatory responses to February 15, 2011. Procedural Order No. 3 set out the dates for a Technical Conference, a Settlement Conference and an oral hearing.

A Settlement Conference was held on March 22 and 23, 2011 in which the parties negotiated all issues contained in the Application. All issues were settled with the exception of revenue-to-cost ratios for some customer rate classes. On April 8, 2011, a proposed Settlement Agreement was filed with the Board.

The Board now finds it necessary to set dates for submissions on the unsettled issue concerning the appropriateness of Brant County's proposal for the revenue-to-cost ratios of the Residential and three General Service classes.

The Board notes that further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

- 1 Brant County Power Inc. shall file its Argument-in-Chief by Wednesday April 13, 2011 on the unsettled issue.
- 2 Board staff and Intervenors that wish to file a submission on the unsettled issue shall do so by Friday April 15, 2011.
- 3 Brant County Power Inc. is to file its Reply Argument on the unsettled issue by Tuesday April 19, 2011.
- 4 The oral hearing set to commence on Monday April 18, 2011 is cancelled.

All filings to the Board must quote file number EB-2010-0125, be made through the Board's web portal at [www.errr.ontarioenergyboard.ca](http://www.errr.ontarioenergyboard.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.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca). If the web portal is not available you may email your document to the [BoardSec@ontarioenergyboard.ca](mailto:BoardSec@ontarioenergyboard.ca). 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 seven paper copies.

**DATED** at Toronto, April 12, 2011

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

**Appendix “A” to Procedural Order No. 1**

**Brant County Power Inc.**

**EB-2010-0125**

**Applicant and List of Intervenors**

**Brant County Power Inc.  
EB-2010-0125**

**APPLICANT & LIST OF INTERVENORS**

April 12, 2011

**APPLICANT**

**Rep. and Address for Service**

**Brant County Power Inc.**

**Bruce Noble**

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**INTERVENORS**

**Rep. and Address for Service**

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**Heather Wyatt**

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**Brant County Power Inc.  
EB-2010-0125**

**APPLICANT & LIST OF INTERVENORS**

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April 12, 2011

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