



EB-2008-0381

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

AND IN THE MATTER OF a proceeding commenced by the
Ontario Energy Board on its own motion to determine the
accuracy of the final account balances with respect to
account 1562 Deferred PILs (for the period October 1, 2001
to April 30, 2006) for certain 2008 and 2009 distribution rate
applications before the Board.

PROCEDURAL ORDER No. 3

On November 28, 2008, pursuant to sections 78, 19 (4) and 21 (5) of the *Ontario Energy Board Act, 1998*, the Ontario Energy Board commenced a proceeding on its own motion to determine the accuracy of the final account balances with respect to account 1562 Deferred PILs (for the period October 1, 2001 to April 30, 2006) for certain applicants that filed 2008 and 2009 distribution rate applications before the Board. The Board announced its intention to hold such a proceeding in a letter to all distributors issued on March 3, 2008 and assigned this proceeding file number EB-2007-0820, now updated to EB-2008-0381.

Board staff issued a discussion paper summarizing the principles established by the Board to date with respect to the determination of the account 1562 balances on August 20, 2008. The staff discussion paper also identified matters that Board staff believes are outstanding and may require clarification.

Procedural Order No. 1 was also issued on November 28, 2008, setting out the initial steps in the proceeding and Procedural Order No. 2 was issued on December 16, 2008 approving new interventions. A technical conference was held on January 20, 2009.

The Board considers it necessary to make provision for the following procedural

matters. Please be aware that this procedural order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Parties who wish information and material from the applicants that is in addition to the evidence filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board. Board staff shall submit their interrogatories on or before Friday, February 6, 2009. Intervenor shall submit their interrogatories on or before Wednesday, February 11, 2009. Where possible, the questions should specifically reference the pre-filed evidence.
2. The applicants: ENWIN Utilities Ltd., Halton Hills Hydro Inc., and Barrie Hydro Distribution Inc. after considering the scope of the interrogatories, may make submissions to the Board on a reasonable date for the filing of the interrogatory responses. These submissions should be made on or before Tuesday, February 17, 2009.

DATED at Toronto, February 3, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary