



PUBLIC INTEREST ADVOCACY CENTRE
LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC

ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7

Tel: (613) 562-4002. Fax: (613) 562-0007. e-mail: piac@piac.ca. <http://www.piac.ca>

Michael Buonaguro
Counsel for VECC
(416) 767-1666

February 10, 2009

VIA MAIL and E-MAIL

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge St.
Toronto, ON
M4P 1E4

Dear Ms. Walli:

Re: Procedural Order No. 3
West Coast Huron Energy Inc. (WCHEI)
Application for 2009 Electricity Distribution Rates
Board File No. EB-2008-0248

The following are the submissions of the Vulnerable Energy Consumers Coalition (VECC) on the procedural issues identified in the Board's Procedural Order No. 4 issued February 6, 2009

a) *whether further discovery is required, either in the form of further interrogatories or a technical conference;*

VECC has reviewed the interrogatory responses of the Applicant and further clarification on some of the responses would be useful and facilitate the preparation of final submissions. By way of examples, VECC notes:

- Given the response to SEC Round 2 - #1 it is not clear what WCHEI is requesting for regulatory legal costs for 2009 (\$75,000, \$60,000 or \$40,000).
- Given the response to VECC Round 2 - #3 c) there appears to be an inconsistency between the Application (which excludes the Volvo accounts for 2009) and current circumstances.
- The schedule provided in response to VECC Round 2 - #9 did not remove the allocated costs as requested.

- Given the various corrections and reconciliations (e.g., VECC #8) it would be useful if WCHE were to produce a summary of the currently proposed Revenue Requirement (by cost element) and document the source of changes from the original Application.

However, it is not clear to VECC that a formal process is required and notes that in other circumstances Board Staff has facilitated conversations between parties that have resulted in the Applicant filing revised/corrected responses fairly expeditiously.

b) *whether a settlement conference would be appropriate; and*

Unless the Board determines that a technical conference is needed to address the further discovery required under part (a), VECC does not believe that gathering parties together for a settlement conference would be a cost-effective way to manage the balance of the process.

c) *Whether a written or oral hearing is preferred.*

VECC believes that a written hearing would suffice and be more cost-effective than an oral proceeding.

Yours truly,

Michael Buonaguro
Counsel for VECC

cc: West Coast Huron Energy Inc.