



EB-2008-0241

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 Peterborough
Distribution Inc. for an order approving just and reasonable
rates and other charges for electricity distribution to be
effective May 1, 2009.

PROCEDURAL ORDER No. 2

Peterborough Distribution Inc. (Peterborough Dist. or the Applicant) filed an application with the Ontario Energy Board, received on October 10, 2008, under section 78 of the *Ontario Energy Board Act, 1998*, (the Act), seeking approval for changes to the rates that Peterborough Dist. charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0241.

The Board issued Procedural Order No. 1 on December 1, 2008. As part of the Procedural Order No. 1, the Board ordered that interrogatories from parties and Board staff were to be filed by Friday December 19, 2008. Responses from the Applicant were due no later than Friday January 23, 2009. On January 30, 2009 the Applicant filed its responses for the interrogatories from the Vulnerable Energy Consumers Coalition. On February 4, 2009 the Applicant filed its responses for the interrogatories from Board Staff.

Having reviewed the responses by the Applicant, the Board needs to address the following matters:

1. whether further discovery is required, either in the form of further interrogatories or a technical conference;
2. whether a settlement conference would be appropriate; and
3. whether a written or oral hearing is preferred.

The Board is of the view that further discovery is required and that this should be by way of a Technical Conference.. Prior to the actual Technical Conference, parties will

provide the Applicant with clarification questions that relate specifically to the existing interrogatory responses. In order to make the process more efficient, the Board would encourage the Applicant to provide written responses prior to the Technical Conference so that the Technical Conference would be more focused.

Because of the limited number of interested parties, the Board has determined that the use of a Settlement Conference is not appropriate. Therefore, following the Technical Conference the Board will determine whether the review will then proceed by means of a written or an oral hearing.

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. A Technical Conference will be convened on Wednesday March 25, 2009, at the Board's offices at 2300 Yonge Street in the North Hearing Room on the 25th floor starting at 9:30 a.m.
2. Prior to the Technical Conference, intervenors or Board staff who wish to ask clarification questions that relate specifically to the existing interrogatory responses shall file them with the Board and deliver a copy to the Applicant on or before Wednesday March 4, 2009. These matters will form the basis for the Technical Conference. In order to ensure an efficient Technical Conference, Peterborough Dist. will provide written responses by Friday March 20, 2009.

All filings to the Board must quote the file number EB-2008-0241, 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 Board through BoardSec@oeb.gov.on.ca. 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 and be received no later than 4:45 p.m. on the required date.

DATED at Toronto, February 17, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Address

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