



EB-2008-0221

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 **Bluewater
Power Distribution Corporation** for an order approving just
and reasonable rates and other charges for electricity
distribution to be effective **May 1, 2009**.

PROCEDURAL ORDER No. 5

Bluewater Power Distribution Corporation ("Bluewater" or the "Applicant") filed an application with the Ontario Energy Board under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Bluewater charges for electricity distribution, to be effective May 1, 2009. The application was received on September 9, 2008 and the Board has assigned the application File Number EB-2008-0221. The Board issued a Notice of Application and Hearing on September 24, 2008, Procedural Order No. 1 on October 22, 2008, Procedural Order No. 2 on January 6, 2009, Procedural Order No. 3 on January 21, 2009, and Procedural Order No. 4 on January 27, 2009.

A transcribed technical conference was held on February 10, 2009. The purpose of this technical conference was for the Applicant to respond to written interrogatories filed by parties and Board staff and to address any follow-up questions related to the UBE closure.

A Settlement Conference was held on February 11, 2009 and resumed on February 12, 2009.

The Board understands that parties have asked for an extension of the deadline of February 13, 2009 for filing any Settlement Proposal arising from the Settlement Conference. The Board notes that the parties are still making an effort to reach a settlement.

The Board will grant an extension of the deadline for the filing of any Settlement Proposal from the original date of February 13, 2009 to February 24, 2009. The Board will also postpone the February 19, 2009 date originally set aside for the review by the Board of any filed Settlement Proposal to March 9, 2009 with an oral hearing to follow on that same date. The oral hearing will resume on March 10, 2009 in the event more time is required for the hearing. The Board will consider additional dates for the oral hearing as required.

Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board on **February 24, 2009**. In addition to outlining the terms of any settlement, the Settlement Proposal should contain a list of any unsettled issues that the parties believe must be dealt with by way of oral hearing.
2. If the parties reach settlement on some or all of the issues in this matter, the Settlement Proposal will be reviewed by the Board on **March 9, 2009 at 9:30 a.m.**, at 2300 Yonge Street, Toronto in the Board's West hearing room on the 25th Floor.
3. Following the Settlement Proposal, an oral hearing of this matter will begin on **March 9, 2009** at 2300 Yonge Street, Toronto in the Board's West hearing room on the 25th Floor. In the event more time is required for the hearing, the oral hearing will resume on **March 10, 2009**. The Board will consider adding additional dates for the oral hearing as required.

All filings to the Board must quote file number EB-2008-0221, 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 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 at the address below, and be received no later than 4:45 p.m. on the required date.

DATED at Toronto, February 18, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Address

The Board:

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

Attention: Board Secretary
E-mail: Boardsec@oeb.gov.on.ca

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