



EB-2008-0230

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 **Greater Sudbury Hydro Inc.** for an order approving just and reasonable rates and other charges for electricity distribution to be effective **May 1, 2009.**

PROCEDURAL ORDER NO. 1

Greater Sudbury Hydro Inc. ("Greater Sudbury" or the "Applicant") filed an application with the Ontario Energy Board, received on December 22, 2008 under section 78 of the *Ontario Energy Board Act*, 1998, seeking approval for changes to the rates that Greater Sudbury charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0230. The Board issued a Notice of Application and Hearing dated January 13, 2009.

The Board received two requests for intervenor status and cost eligibility in this proceeding. These requests were from the Vulnerable Energy Consumers Coalition ("VECC") and the Consumers Council of Canada ("CCC"). No objections were received from the Applicant.

The Board hereby approves the intervention and cost eligibility status for VECC and CCC. A list of intervenors is attached as Appendix B to this order.

The Board recognizes that the costs of an intervention can be relatively significant for a smaller distributor. While the Board encourages active participation in the review of an application, intervenors should be mindful of the potential impact of these costs upon ratepayers, which the Board will take into consideration when it determines its cost awards. The Board will also take into account the quality and relevance of the intervention. In addition, the Board will consider any duplication of effort by intervenors in this proceeding. As a guide, the Board has attached a table (Appendix A) that

summarizes the approved cost awards for those distributors that made cost of service applications for their 2008 rates.

The Board has decided to make provision for a phased approach to the discovery process for this proceeding. The first phase will consist of written interrogatories with the potential for a technical conference at the request of the Applicant, which would be held prior the filing of written interrogatory responses. The purpose of the technical conference would be to allow the Applicant to better understand and discuss interrogatories received from the parties and Board staff to clarify the nature of the questions being asked and the responses being sought. The Board will accept a submission from the Applicant within one week of receipt of the interrogatories as to whether it wishes a technical conference. Whether or not a technical conference is held at this stage of the proceeding, the Applicant will be required to file full written responses to the interrogatories.

At the completion of this first phase of the discovery process, the Board will determine whether further discovery, in the form of a technical conference or additional interrogatories is required, and whether to order that a Settlement Conference be held. Subsequently, the Board will determine what additional aspects of the review may be dealt with through an oral hearing and will advise the Applicant and parties accordingly.

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 Applicant that is in addition to the Applicant's pre-filed evidence with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant. Board staff shall submit their interrogatories on or before February 26, 2009. Intervenors shall submit their interrogatories on or before March 3, 2009. Where possible, the questions should specifically reference the pre-filed evidence.

2. If requested by the Applicant, on or before Friday, March 6, 2009, a transcribed technical conference will be held at 2300 Yonge Street, 25th floor, Toronto, Ontario in the Board's West Hearing Room. The technical conference would be held on Wednesday, March 11, 2009 commencing at 9:30 a.m. and be expected to conclude by 4:30 p.m. The Board will inform the interested parties as to the status of the technical conference on or before Monday, March 9, 2009.
3. If a technical conference is determined to be held on March 11, 2009, parties shall confirm their attendance by writing to the Board Secretary or by sending an email to Boardsec@oeb.gov.on.ca and by copying the e-mail to Mr. Harold Thiessen, case manager at harold.thiessen@oeb.gov.on.ca by March 10, 2009.
4. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than March 19, 2009.
5. All filings to the Board must quote file number EB-2008-0230, 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.
6. 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

APPENDIX A

2008 COS EDR COMPARISON OF COST AWARDS TO REVENUE REQUIREMENT by LDC and INTERVENOR COST PER CUSTOMER							
Distributor	Number of Intervenor	File Number	Proposed Revenue Requirement	Cost Award	% of Revenue	Number of Customers	Cost per Customer
Hydro 2000 Inc.	1	EB-2007-0704	\$333,872	\$5,196.75	1.56%	1,159	\$4.48
Chapleau Public Utilities Corporation	1	EB-2007-0755	\$736,568	\$6,756.25	0.92%	1,338	\$5.05
Espanola Regional Hydro Distribution Corporation	2	EB-2007-0901	\$1,304,404	\$9,735.32	0.75%	3,316	\$2.94
Rideau St. Lawrence Distribution Inc.	2	EB-2007-0762	\$2,267,241	\$12,388.05	0.55%	5,864	\$2.11
Lakefront Utilities Inc.	2	EB-2007-0761	\$5,077,851	\$17,257.19	0.34%	9,057	\$1.91
Halton Hills Hydro Inc.	2	EB-2007-0696	\$10,446,283	\$21,206.04	0.20%	20,214	\$1.05
Norfolk Power Distribution Inc.	2	EB-2007-0753	\$12,800,352	\$12,699.65	0.10%	18,641	\$0.68
PUC Distribution Inc.	1	EB-2007-0931	\$17,191,211	\$5,338.36	0.03%	32,512	\$0.16
Oshawa PUC Networks Inc.	3	EB-2007-0710	\$20,440,000	\$22,204.50	0.11%	50,978	\$0.44
AMPCO Motion	4	EB-2008-0099	\$20,440,000	\$45,032.40	0.22%	50,979	\$0.88
Barrie Hydro Distribution Inc.	2	EB-2007-0746	\$35,008,572	\$11,968.00	0.03%	68,535	\$0.17
Enersource Hydro Mississauga Inc.	5	EB-2007-0706	\$124,300,000	\$111,258.31	0.09%	183,706	\$0.61
Hydro Ottawa Ltd.	4	EB-2007-0713	\$147,951,054	\$81,425.95	0.06%	286,995	\$0.28
Toronto Hydro-Electric System	5	EB-2007-0680	\$498,400,000	\$250,344.26	0.05%	679,864	\$0.37
					0.36%	average	\$1.51

APPENDIX B
GREATER SUDBURY HYDRO INC.
EB-2008-0230

LIST OF INTERVENORS

Organization	Rep. And Address for Service
1. Vulnerable Energy Consumers Coalition	Mr. Michael Buonaguro Vulnerable Energy Consumers Coalition Public Interest Advocacy Centre 34 King Street East, Suite 1102 Toronto ON M5C 2X8 Tel: 416 767-1666 Fax: 416 348-0641 Email: mbuonaguro@piac.ca
AND	Mr. Bill Harper Econalysis Consulting Services 34 King Street East, Suite 1102 Toronto ON M5C 2X8 Tel: (416) 348-0193 Fax: (416) 348-0641 Email: bharper@econalysis.ca
2. Consumers Council of Canada (the "Council")	Ms. Julie Girvan 2 Penrose Road Toronto ON M4S 1P1 Tel: 416 322-7936 Fax: 416 322-9703 Email: jgirvan@ca.inter.net
AND	Mr. Robert Warren WeirFoulds LLP The Exchange Tower Suite 1600, P.O. Box 480 130 King Street West Toronto ON M5X 1J5 Tel: 416 947-5075 Fax: 416 365-1876 Email: rwarren@weirfoulds.com