



EB-2008-0227

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 **ENWIN
Utilities Ltd.** for an order approving just and
reasonable rates and other charges for electricity
distribution to be effective **May 1, 2009**.

PROCEDURAL ORDER NO. 3

ENWIN Utilities Ltd. ("ENWIN" or the "Applicant") filed an application with the Ontario Energy Board, received on September 18, 2008 under section 78 of the *Ontario Energy Board Act*, 1998, seeking approval for changes to the rates that ENWIN charges for electricity distribution, to be effective May 1, 2009. The Board assigned file number EB-2008-0227 to the application. The Board issued a Notice of Application and Hearing dated October 1, 2008.

Procedural Order No. 1 was issued on November 14, 2008, declaring that the Board would proceed by way of an oral hearing, approving the intervention list and setting the date for an Issues Conference. The Issues Conference was held on November 21, 2008, and parties agreed on a proposed Issues List. Procedural Order No. 1 also addressed the Applicant's request for confidentiality in relation to its Load Forecast (Exhibit 3-2-2 "Throughput Revenue, Weather Normalized Forecast Methodology").

Procedural Order No. 2 was issued on November 28, 2008 and established the Issues List for the proceeding, interrogatory submission and response dates, the date for a Settlement Conference and for presentation of the Settlement Proposal.

The Settlement Conference was held on February 2, 2009. Settlement was achieved on all but one issue (Issue 7.2 - Are the Proposed Revenue to Cost ratios Appropriate?), as set out in the Settlement Proposal that was filed with the Board on

February 13, 2009. On February 19, 2009 the Board reviewed the Settlement Proposal and accepted the agreement as filed by the parties.

As part of the Settlement Proposal, parties agreed that the remaining issue could be addressed by way of written submissions.

The Board considers it necessary to make provision for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. The oral hearing in this proceeding, originally scheduled to begin on Tuesday, February 24, 2009 at 9:30 a.m. is now cancelled.
2. The Applicant's Argument-in-Chief regarding Issue 7.2 shall be filed with the Board and all parties on or before Friday, February 27, 2009.
3. Argument from Intervenor and Board staff shall be filed with the Board and other parties on or before Friday, March 6, 2009.
4. The Applicant's Reply Argument shall be filed with the Board and other parties on or before Friday, March 13, 2009.

All filings to the Board must quote file number EB-2008-0227, be made through the Board's web portal at www.erroeb.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.

Address

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

DATED at Toronto, February 23, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary