



**EB-2008-0248**

**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 West Coast  
Huron Energy Inc. for an order approving just and  
reasonable rates and other charges for electricity  
distribution to be effective May 1, 2009.

### **PROCEDURAL ORDER No. 5**

West Coast Huron Energy Inc. (“West Coast Huron” or the “Applicant”) filed an application with the Ontario Energy Board, received on September 11, 2008 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that West Coast Huron charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0248. The Board issued a Notice of Application and Hearing dated September 26, 2008.

In Procedural Order No. 1, issued on October 31, 2008, the Board made provision for a phased approach to the discovery process, with the first phase consisting of written interrogatories and the possibility of a technical conference at the option of the Applicant. The Applicant chose not to have a technical conference.

On December 19, 2008, the Applicant filed responses to the interrogatories from parties.

The Board indicated that at the completion of this first phase of the discovery process, the Board would determine whether further discovery, either in the form of a further technical conference or further interrogatories, would be required and whether to order that a settlement conference be held.

The Board issued Procedural Order No. 2 on January 5, 2009, seeking the views of the Applicant and all parties regarding the need for additional procedural steps in this proceeding.

The Board considered the submissions of the parties and Procedural Order No. 3 was issued on January 21, 2009 making provision for a second round of written interrogatories. VECC, SEC and Board staff filed supplemental interrogatories. West Coast Huron filed responses on February 2, 2009. The Board indicated that it would determine further procedural steps when the second interrogatory round is completed.

On February 6, 2009 the Board issued Procedural Order No. 4 seeking the views of the Applicant and all parties regarding the need for additional procedural steps. As a result of submissions by parties, on February 20, 2009 a conference call was held with Board staff, VECC and the Applicant to address a number of outstanding items not fully addressed in the second round of interrogatories. On February 27, 2009 the Applicant filed updated interrogatory responses to address these issues.

The Board has considered the submissions of parties in response to Procedural Order No. 4 and determined that a settlement conference is not required in this proceeding. The Board has also determined that this application will be decided by way of a written hearing process.

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. Board staff shall file and deliver any submission on the application no later than **Thursday, March 12, 2009.**
2. Parties who wish to make a submission on the application must file that submission with the Board, and deliver it to the Applicant and all other parties no later than **Tuesday, March 17, 2009.**
3. The Applicant's reply submission must be filed with the Board and delivered to all parties no later than **Tuesday, March 31, 2009.**

All filings to the Board must quote file number EB-2008-0248, be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://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](http://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, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Attention: Board Secretary  
E-mail: [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca)  
Tel: 1-888-632-6273 (toll free)

**DATED** at Toronto, March 3, 2009

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary