



EB-2008-0234

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

PROCEDURAL ORDER NO. 5

Lakeland Power Distribution Ltd. ("Lakeland" or the "Applicant") filed an application with the Ontario Energy Board, received on September 15, 2008 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Lakeland charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0234. The Board issued a Notice of Application and Hearing dated September 26, 2008.

In Procedural Order No. 1, issued on November 5, 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, Energy Probe and Board staff filed supplemental interrogatories. Lakeland filed responses on January 29, 2009.

In Procedural Order No. 3, the Board also decided to proceed by way of a written hearing. Procedural Order No. 4 was issued on February 5, 2009 and set the dates for submissions by Board staff and Intervenors, as well as the date for reply submissions from the Applicant.

On February 26 and 27, 2009, the Board received notice from SEC and VECC that their submissions would be slightly delayed and would not be filed until March 2, 2009. On March 2, 2009 the Board received a letter from the Applicant requesting an extension to their reply submission filing date.

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. The Applicant's reply submission date will be amended. The reply submission must now be filed with the Board and delivered to all parties no later than **Wednesday, March 18, 2009.**

All filings to the Board must quote file number EB-2008-0234, 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.

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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, March 9, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary