



EB-2008-0241

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 Peterborough
Distribution Inc. for an order approving just and reasonable
rates and other charges for electricity distribution to be
effective May 1, 2009.

INTERIM RATE ORDER AND PROCEDURAL ORDER No. 5

Peterborough Distribution Inc. (Peterborough Distribution or the Applicant) filed an application with the Ontario Energy Board, received on October 10, 2008, under section 78 of the *Ontario Energy Board Act, 1998*, (the Act), seeking approval for changes to the rates that Peterborough Distribution charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0241.

The Board issued Procedural Order No. 3 on February 24, 2009 in which it established the dates for a Technical Conference, the filing of clarification questions by intervenors and Board staff and the responses to these questions by the Applicant.

The Applicant filed its responses to the questions on March 25, 2009. As part of the transmittal letter, the Applicant requested that the Board consider whether the Technical Conference, scheduled for March 31, 2009, would still be necessary.

The Board reviewed the material provided by the Applicant and determined that the Technical Conference was not needed. Procedural Order No. 4 was issued on March 27, 2009 cancelling the Technical Conference.

The Board has determined that the application will be decided by way of a written hearing process. The next steps are set out at the end of this document.

In its initial application, Peterborough Distribution requested that, in the event that the Board was unable to provide a Decision and Order for implementation of rates as of May 1, 2009, the Board issue an interim Order approving the proposed distribution rates and other charges effective May 1, 2009, which may be subject to adjustment based on the Board's final Decision and Order.

The Board will not be able to conclude its review of the application in order to set rates to be implemented May 1, 2009. The Board will not approve the Applicant's request for the proposed rates to be declared interim. However, pending the issuance of final rates for 2009, the Board declares the Applicant's current rates interim, effective May 1, 2009.

In declaring the Applicant's rates interim, the Board emphasizes that this interim rate order should not be construed as predictive, in any way whatsoever, of the final determination of this application with regards to the effective 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 currently approved rates are declared interim as of May 1, 2009 and until such time as a final rate order is issued by the Board.
2. Board staff and intervenors who wish to make a submission on the application shall file it with the Board, and deliver it to the Applicant and all other parties no later than Friday May 1, 2009.
3. The Applicant's reply submission must be filed with the Board and delivered to all parties no later than Friday May 15, 2009.

All filings to the Board must quote file number EB-2008-0241, 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, April 15, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Address

Ontario Energy Board
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Attention: Board Secretary
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