



EB-2008-0409

EB-2009-0013

EB-2009-0014

IN THE MATTER OF sections 25.30 and 25.31 of the
Electricity Act, 1998;

AND IN THE MATTER OF an application by the Ontario
Power Authority for review and approval of the Integrated
Power System Plan and proposed procurement processes;

AND IN THE MATTER OF notices of motion by the Green
Energy Coalition, Pembina Institute and the Ontario
Sustainable Energy Association and Lake Ontario
Waterkeeper, and the Association of Major Power
Consumers in Ontario, the Ontario Mining Association and
the Ontario Federation of Agriculture to vary a decision of
the Ontario Energy Board.

PROCEDURAL ORDER NO. 1

The Ontario Power Authority (the “OPA”) filed an application with the Ontario Energy Board dated August 29, 2007 under the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A. The applicant sought an order of the Board approving the Integrated Power System Plan (“IPSP”) and certain procurement processes. The Board assigned file number EB-2007-0707 to this application.

The Board has proceeded with its review of the IPSP in two phases. Phase 1 involved the determination of an Issues List for the proceeding. Phase 2 was intended to involve the review of evidence filed by the OPA and other parties, the oral hearing and the final decision process. The Board issued its Decision and Order on cost awards for the Phase 1 work on May 8, 2008.

The Board determined that applications for costs for Phase 2A of the proceeding would include that period from the completion of the Phase 1 period up to and including September 2, 2008 (before the start of the oral hearing).

The Board issued its Decision and Order on Cost Awards for the Phase 2A Interrogatory Process of the IPSP Proceeding on November 28, 2008. The Green Energy Coalition, Pembina Institute and the Ontario Sustainable Energy Association (collectively "GEC"), the Association of Major Power Consumers in Ontario, the Ontario Mining Association and the Ontario Federation of Agriculture (collectively "AMPCO") and Lake Ontario Waterkeeper ("LOW") filed motions with the Board on December 9, 17 and 22, 2008 respectively related to the Board's November 28, 2008 Phase 2A Decision and Order. These separate motions filed by each of GEC, LOW and AMPCO requested an order to vary the November 28, 2008 cost awards decision in regard to certain cost matters raised by these intervenors (the "motion proceedings").

The Board issued its decision on motions for GEC and LOW on March 17, 2009 and its decision on the AMPCO motion on March 30, 2009. In Procedural Orders associated with the GEC (EB-2008-0409), AMPCO (EB-2009-0013) and LOW (EB-2009-0014) motion proceedings, the Board indicated that eligible intervenors could file cost claims regarding their involvement in the motion proceedings. The Board has determined that the only parties in the motion proceedings who are eligible for costs in these proceedings are GEC, AMPCO and LOW as these were the only parties that participated in this process.

The Board has determined that it will deal with the cost claim aspect of the three motion proceedings collectively.

The OPA will be responsible for paying the amounts the Board approves in its cost awards to the eligible parties. Furthermore, all eligible parties are reminded that they must submit their cost claims in accordance with the Board's Practice Direction on Cost Awards, which can be found on the Board's website at www.oeb.gov.on.ca, and ensure that their claims are consistent with the Board's required forms and the Cost Awards Tariff.

Please be aware that the Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

- 1) Eligible parties shall submit their cost claims for costs incurred in relation to the motion proceedings associated with the Board Cost Award Decision and Order issued November 28, 2008 by **May 4, 2009**. A copy of the cost claim must be filed with the Board and one copy is to be served on the OPA. The cost claims must be completed in accordance with section 10 of the Board's Practice Direction on Cost Awards.
- 2) The OPA will have until **May 18, 2009** to object to any aspect of the costs claimed. A copy of the objection must be filed with the Board and one copy must be served on the party against whose claim the objection is being made.
- 3) The party whose cost claim was objected to will have until **May 25, 2009** to make a reply submission as to why their cost claim should be allowed. Again, a copy of the submission must be filed with the Board and one copy must be served on the OPA.

All filings to the Board must quote the appropriate file number of the relevant motion proceeding and consist of an electronic copy in searchable / unrestricted PDF format filed through the Board's web portal at www.errr.oeb.gov.on.ca, and three paper copies sent to the address below. 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 BoardSec@oeb.gov.on.ca.

The Board's mailing address is P.O. Box 2319, 2300 Yonge St., 27th Floor, Toronto ON, M4P 1E4. All communications should be directed to the attention of the Board Secretary and be received no later than 4:45 PM on the required date.

DATED at Toronto, April 17, 2009
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary