



EB-2009-0160

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.**

NOTICE OF MOTION AND PROCEDURAL ORDER NO. 1

Pursuant to sections 78, 19 (4) and 21 (5) of the *Ontario Energy Board Act*, 1998, the Ontario Energy Board has commenced a proceeding on its own motion to review the EB-2008-0234 Decision and Order issued by the Board on May 8, 2009.

The Decision and Order was issued pursuant to an application by **Lakeland Power Distribution Ltd.** ("Lakeland" or the "Applicant") 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.

On April 23, 2009 the Board received an application from Lakeland to increase its Smart Meter Funding Adder from \$0.25 per customer per month to \$1.00 per customer per month as part of the EB-2008-0234 application. As a result the Board will, on its own motion, review and vary the May 8, 2009 Decision and Order. The Board has assigned File Number EB-2009-0160 to this matter.

Interventions

The Board will adopt the intervenors and any other parties of record from the EB-2008-0234 proceeding. The intervention list is attached as Schedule A to this notice. Any party that is not automatically adopted as an intervenor by the Board in this proceeding and wishes to participate as an intervenor or observer must notify the Board Secretary immediately. Any additional cost claims incurred by intervenors in this proceeding may be submitted at the time costs are submitted in the EB-2008-0234 case.

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 shall immediately provide a copy of its application for the change to the Smart Meter Funding Adder to all intervenors in this proceeding.
2. Intervenors or Board staff may file with the Board submissions on the application to change the Smart Meter Adder on or before Monday, June 1, 2009.
3. The Applicant may file with the Board reply submissions on or before Wednesday, June 3, 2009.

All filings to the Board must quote file number EB-2009-0160, 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.

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, May 26, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary