



**EB-2009-0243**

**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 Toronto Hydro-  
Electric System Limited for an order or orders approving just  
and reasonable rates and other charges for electricity  
distribution to be effective May 1, 2010.

### **PROCEDURAL ORDER NO. 1**

Toronto Hydro-Electric System Limited ("Toronto Hydro") has filed an application with the Ontario Energy Board, (the "Board"), received on June 30, 2009, under section 78 of the Ontario Energy Board Act, 1998, S.O. 1998, c.15 (Schedule B), seeking approval for changes to the rates that Toronto Hydro charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the application File No. EB-2009-0243.

The application requests the Board's approval of rate riders to recover costs incurred by Toronto Hydro for the emergency remediation of contact voltage conditions on its system, mainly incurred from February through March of 2009.

The Board issued a Notice of Application and Hearing dated July 17, 2009. The Vulnerable Energy Consumers Coalition ("VECC"), the School Energy Coalition ("SEC"), Energy Probe Research Foundation ("Energy Probe") and the Canadian Union of Public Employees, Local One, ("CUPE One") applied for intervenor status and cost eligibility. The Board has determined that VECC, SEC, Energy Probe and CUPE One be granted intervenor status and that VECC, SEC and Energy Probe are eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*. The Board has determined that CUPE One is not eligible for an award of costs as it does not meet the criteria outlined in the Board's *Practice Direction on Cost Awards*. In so finding, the Board also considered that the application before the Board is a rates matter

and CUPE One does not possess any particular expertise in that area that would justify deviating from the Board's Practice Direction.

The Board intends to proceed by way of written hearing in this matter. However, the Board may include an oral component if in the Board's view it is warranted. This determination will be made at a later stage.

**THE BOARD THEREFORE ORDERS THAT:**

1. Intervenors or Board staff who wish information and material from the Applicant that is in addition to the Applicant's pre-filed evidence with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before **September 4, 2009**. Where possible, the questions should specifically reference the pre-filed evidence.
2. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **September 18, 2009**.
3. A list of intervenors is attached as Appendix A to this order.
4. Any filings to the Board must quote file number EB-2009-0243, 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.

5. 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.

ISSUED at Toronto, August 19, 2009

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

**Appendix A to**  
**Procedural Order No. 1**  
**Toronto Hydro-Electric System Limited**

**EB-2009-0243**

**DATED: August 19, 2009**

**Toronto Hydro-Electric System Limited  
EB-2009-0243**

**APPLICANT & LIST OF INTERVENORS**

**August 19, 2009**

**APPLICANT**

**Rep. and Address for Service**

**Toronto Hydro-Electric System Limited**

**Colin McLorg**

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**INTERVENORS**

**Rep. and Address for Service**

**Canadian Union of Public Employees (Local One)**

**Lorne Richmond**

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**Vic Demelo**

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**Energy Probe**

**David Macintosh**

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**Toronto Hydro-Electric System Limited  
EB-2009-0243**

**APPLICANT & LIST OF INTERVENORS**

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**August 19, 2009**

**School Energy Coalition**

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Barristers and Solicitors  
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**Vulnerable Energy Consumers Coalition  
(VECC)**

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