



**EB-2009-0271**

**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 Oakville  
Hydro Electricity Distribution Inc. for an order approving  
just and reasonable rates and other charges for electricity  
distribution to be effective May 1, 2010.

### **PROCEDURAL ORDER No. 1**

Oakville Hydro Electricity Distribution Inc. ("Oakville Hydro") filed an application with the Ontario Energy Board (the "Board") on August 28, 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 Oakville Hydro charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the File Number EB-2009-0271 to this application.

The Board issued a Notice of Application and Hearing on September 11, 2009. The Energy Probe Research Foundation ("Energy Probe"), School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility. No objections were received.

The Board has determined that Energy Probe, SEC and VECC will be granted intervenor status. A list of intervenors in this proceeding is attached as Appendix A to this Order. The Board has also determined that the intervenors are each eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

At this time the Board intends to proceed with its review of this application by way of a written hearing. The Notice of Application indicated that the Board may provide for an oral component. This may be in the form of a technical conference or an oral hearing.

The Board has decided to make provision at this time for written interrogatories. After its review of the responses, the Board will determine the next steps including whether provision should be made for additional interrogatories, a technical conference, or a settlement conference, after which the Board will determine whether to conduct an oral hearing or to make provision for written final submissions.

Oakville Hydro has filed certain information in the application in confidence in accordance with the Board's Practice Direction on Confidential Filings ("the Practice Direction").

In accordance with section 5.1.5 of the Practice Direction, Oakville Hydro has filed a copy of the cover letter requesting confidentiality which identifies the documents that are being filed in confidence, together with a description of the basis on which confidentiality is claimed. As an interim measure, the Board will allow any parties that wish to review the confidential documents to do so after signing a copy of the Board's Declaration and Undertaking, and filing it with the Board. Parties that wish to make submissions on whether or not the Board should ultimately treat the documents as confidential may make submissions on this issue in accordance with the steps described below. If the Board ultimately decides that the documents should not be afforded confidential treatment, they will be placed on the public record.

This Procedural Order addresses the first round of interrogatories process. Please note that this Procedural Order may be amended, and further procedural orders may be issued from time to time.

#### **THE BOARD ORDERS THAT:**

1. Board staff shall request information and material from Oakville Hydro that is in addition to Oakville Hydro's pre-filed evidence with the Board, and that is relevant to the hearing, by written interrogatories filed with the Board and delivered to Oakville Hydro and all intervenors on or before **October 20, 2009**. Where possible, the questions should specifically reference the pre-filed evidence.
2. Intervenors who wish information and material from Oakville Hydro that is in addition to Oakville Hydro'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 Oakville Hydro on or before **October 23, 2009**. Where possible, the questions should specifically reference the pre-filed evidence.

3. Oakville Hydro shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **November 6, 2009**.
4. Parties wishing to make submission on the confidentiality status of the proposed confidential document shall file such submissions with the Board and deliver to them to Oakville Hydro by **October 16, 2009**.
5. If Oakville Hydro wishes to respond to any submissions on the confidentiality status of the proposed confidential document, it shall file such submissions with the Board and deliver them to the relevant intervenor by **October 23, 2009**.

All filings to the Board must quote the three file number, EB-2009-0271, 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.

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, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4  
Attention: Board Secretary

E-mail: [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca)  
Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656

**DATED** at Toronto, October 7, 2009

**ONTARIO ENERGY BOARD**

*Original Signed By*

John Pickernell  
Board Secretary

Oakville Hydro Electricity Distribution Inc.  
EB-2009-0271

**APPLICANT & LIST OF INTERVENORS**

October 7, 2009

**APPLICANT**

**Rep. and Address for Service**

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Distribution Inc.**

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**Oakville Hydro Electricity  
Distribution Inc.**

**Mr Alex Bystrin**

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**INTERVENORS**

**Energy Probe**

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**School Energy Coalition**

**Wayne McNally**

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APPLICANT & LIST OF INTERVENORS

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**Vulnerable Energy Consumers  
Coalition (VECC)**

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