



**EB-2009-0267**

**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 Kitchener-  
Wilmot Hydro 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**

Kitchener-Wilmot Hydro Inc. ("Kitchener-Wilmot Hydro") filed an application with the Ontario Energy Board (the "Board") on August 31, 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 Kitchener-Wilmot Hydro charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the File Number EB-2009-0267 to this application.

The Board issued a Notice of Application and Hearing on September 14, 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.

This Procedural Order addresses the process for the first round of interrogatories. 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 Kitchener-Wilmot Hydro that is in addition to Kitchener-Wilmot 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 Kitchener-Wilmot Hydro and all intervenors on or before **October 23, 2009**. Where possible, the questions should specifically reference the pre-filed evidence.
2. Intervenors who wish information and material from Kitchener-Wilmot Hydro that is in addition to Kitchener-Wilmot 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 Kitchener-Wilmot Hydro on or before **October 26, 2009**. Where possible, the questions should specifically reference the pre-filed evidence.
3. Kitchener-Wilmot Hydro shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **November 16, 2009**.

All filings to the Board must quote the file number, EB-2009-0267, 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, 27th 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 15, 2009

**ONTARIO ENERGY BOARD**

*Original signed by*

John Pickernell  
Assistant Board Secretary

**Appendix 'A'**  
to  
Procedural Order No. 1

Addresses of Applicant and Intervenor  
EB-2009-0267

October 15, 2009

**Kitchener-Wilmot Hydro Inc.**

**EB-2009-0267**

**APPLICANT & LIST OF INTERVENORS**

October 15, 2009

**APPLICANT**

**Rep. and Address for Service**

**Kitchener-Wilmot Hydro Inc.**

**Jerry Van Ooteghem**

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Kitchener-Wilmot Hydro Inc.  
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**INTERVENORS**

**Energy Probe**

**Rep. and Address for Service**

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**Kitchener-Wilmot Hydro Inc.**

**EB-2009-0267**

**APPLICANT & LIST OF INTERVENORS**

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October 15, 2009

**School Energy Coalition**

**John De Vellis**

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**Vulnerable Energy  
Consumers Coalition (VECC)**

**Michael Buonaguro**

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