



EB-2008-0249

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 West Perth Power Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2009.

PROCEDURAL ORDER NO. 3

West Perth Power Inc. ("West Perth" or the "Applicant") filed an application with the Ontario Energy Board, received on April 1, 2009 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that West Perth charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0249. The Board issued a Notice of Application and Hearing dated May 14, 2009. In that Notice, the Board stated that it would proceed in two phases, Phase I to review and establish the revenue requirement for 2009, and Phase II to review the allocation of costs to the customer classes and the rate design.

In Procedural Order No. 1 dated June 12, 2009, the Board decided to make provision for a progressive stepped approach to the discovery process for this proceeding. The first step consisted of written interrogatories with responses from the Applicant to be filed by July 15, 2009.

The Board approved intervention by the Vulnerable Energy Consumers Coalition (VECC). On June 25, 2009 VECC filed interrogatories to West Perth.

By way of a letter dated September 9, 2009, West Perth requested to withdraw their application.

COST AWARDS

The Board may grant cost awards to eligible stakeholders pursuant to its power under

section 30 of the Ontario Energy Board Act, 1998. When determining the amount of the cost awards, the Board will apply the principles set out in Section 5 of the Board's Practice Direction on Cost Awards. The maximum hourly rates set out in the Board's Cost Awards Tariff will also be applied.

THE BOARD DIRECTS THAT:

1. VECC shall file with the Board and forward to their respective cost claims within 26 days from the date of this procedural order.
2. West Perth shall file with the Board and forward to VECC any objections to the claimed costs within 40 days from the date of this procedural order.
3. VECC shall file with the Board and forward to West Perth any responses to any objections for cost claims within 47 days of the date of this procedural order.
4. West Perth shall pay the Board's costs incidental to this proceeding upon receipt of the Board's invoice.

All filings with the Board must quote the file number EB-2008-0249, and 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 be received by the Board by 4:45 p.m. on the stated date. 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 e-mail your documents to the attention of the Board Secretary at BoardSec@oeb.gov.on.ca. All other filings not filed via the Board's web portal should be filed in accordance with the Board's Practice Directions on Cost Awards.

DATED at Toronto, October 22, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary