



**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. 2**

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 Procedural Order No. 1 on October 15, 2009. Board staff filed interrogatories on October 23, 2009, and all registered intervenors filed interrogatories by October 26, 2009. Kitchener-Wilmot Hydro filed responses to interrogatories on November 16, 2009. On November 17, 2009, Kitchener-Wilmot Hydro filed updated application evidence. The covering letter dated November 17, 2009 indicated that the updated evidence consisted of an Addendum to Exhibit 10, with tables and a summary of its consultant, Enerspectrum Group, with respect to the estimates for Lost Revenue Adjustment Mechanism and Shared Savings Mechanism recoveries. Bill impact summary tables in Exhibits 1 and 8 affected by this update were also amended.

The Board has determined to continue by way of a written hearing. The Board has decided to make provision at this time for a round of written supplemental interrogatories. After its review of the responses, the Board will allow for a written submission-in-chief by Kitchener-Wilmot Hydro in which the Board expects Kitchener-

Wilmot Hydro, at a minimum, to summarize and clarify its requests, followed by written submissions by Board staff and intervenors. The record will close with a reply submission by Kitchener-Wilmot Hydro.

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 and intervenors shall request information and material from Kitchener-Wilmot Hydro that is in addition to Kitchener-Wilmot Hydro's responses to interrogatories filed on November 16, 2009 or its updated application filed on November 17, 2009, 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 **December 11, 2009**. Where possible, the questions should specifically reference the evidence on the record to which each interrogatory pertains.
2. Kitchener-Wilmot Hydro shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **December 22, 2009**.
3. Kitchener-Wilmot Hydro shall file with the Board a submission-in-chief and deliver it to the intervenors no later than **January 7, 2009**. This submission-in-chief should, at a summary level, document Kitchener-Wilmot Hydro's proposed revenue requirement and rates, and other approvals being sought in this application. Any amendments due to updated information or to reflect responses to interrogatories should be documented in the submission-in-chief. In particular, Kitchener-Wilmot Hydro shall file, as part of its submission-in-chief, a copy of the Revenue Requirement Work Form ("RRWF") in working Microsoft Excel format and corresponding with the revenue requirement as documented in the submission-in-chief. A blank copy of the RRWF is available on the Board's website at [http://www.oeb.gov.on.ca/OEB/Documents/2009EDR/2009\\_Rev\\_Reqt\\_Work\\_Form.xls](http://www.oeb.gov.on.ca/OEB/Documents/2009EDR/2009_Rev_Reqt_Work_Form.xls). Kitchener-Wilmot shall not file any new evidence in its submission-in-chief but must rather direct parties to evidence already on the record of this proceeding when summarizing its requests or making argument.

4. Board staff shall file a submission with the Board and deliver it to Kitchener-Wilmot Hydro and intervenors no later than **January 18, 2009**.
5. Intervenors who wish to do so may file a submission with the Board and deliver it to Kitchener-Wilmot Hydro and all other intervenors no later than **January 22, 2009**.
6. Kitchener-Wilmot Hydro, if it wishes to do so, shall file a reply submission addressing any issues raised in any submissions filed by Board staff or intervenors no later than **February 5, 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, December 2, 2009

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary