



EB-2009-0263

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 Festival 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

Festival Hydro Inc. ("Festival 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 Festival Hydro charges for electricity distribution, to be effective May 1, 2010.

The Board issued a Notice of Application and Hearing on September 11, 2009. The Energy Probe Research Foundation ("Energy Probe"), the School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC") applied for and were granted intervenor status and cost eligibility. In accordance with Procedural Order No. 1, issued on October 16, 2009, Board staff, Energy Probe, SEC and VECC filed interrogatories and Festival Hydro filed responses on November 23, 2009.

The Board has determined that this proceeding will continue by way of a written hearing. The Board has decided to make provision at this time for a round of written supplemental interrogatories followed by written submissions by Board staff and intervenors. The record will close with a reply submission by Festival Hydro.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time..

THE BOARD ORDERS THAT:

1. Board staff and intervenors shall request information and material from Festival Hydro that is in addition to Festival Hydro's responses to interrogatories filed on November 23, 2009, and that is relevant to the hearing, by written interrogatories filed with the Board and delivered to Festival Hydro and all intervenors on or before **December 18, 2009**. Where possible, the questions should specifically reference the evidence on the record to which each interrogatory pertains.
2. Festival Hydro shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **January 7, 2010**.
3. Board staff shall file a submission with the Board and deliver it to Festival Hydro and intervenors no later than **January 22, 2010**.
4. Intervenors who wish to do so may file a submission with the Board and deliver it to Festival Hydro and all other intervenors no later than **January 27, 2010**.
5. Festival 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 10, 2010**.

All filings to the Board must quote the file number, EB-2009-0263, 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 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. 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
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

DATED at Toronto December 7, 2009
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary