



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. 3

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 issued Procedural Order No. 2 on December 2, 2009. The Board determined to continue by way of a written hearing, and made provision for a supplemental round of interrogatories, to be followed by written submissions. The Board allowed 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.

On December 8, 2009, Kitchener-Wilmot Hydro filed a letter requesting an extension for filing of its submission-in-chief, citing scheduling conflicts and recent short-staffing of regulatory personnel. Energy Probe filed a letter on December 8, 2009 agreeing to the requested extension but submitting that all subsequent dates be revised by one week. The Board approves Kitchener-Wilmot Hydro's request for the extension. The Board has also adjusted subsequent filing dates in light of the extension. The Board is mindful of the need to deal with this application in a timely manner and is not adjusting all

subsequent dates by the full week requested by Energy Probe. The Board considers that the issues pertinent to this application can be dealt with in the adjusted timelines and expects that all parties will cooperate to achieve this.

The Board reminds all parties that the timelines for supplemental interrogatories are unaffected, and remain as documented in Procedural Order No. 2.

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. Kitchener-Wilmot Hydro shall file with the Board a submission-in-chief and deliver it to the intervenors no later than **January 13, 2010**. 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. 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.
2. Board staff shall file a submission with the Board and deliver it to Kitchener-Wilmot Hydro and intervenors no later than **January 21, 2010**.
3. 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 28, 2010**.

4. 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 8, 2010**.

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, 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 10, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary