



EB-2009-0270

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 North Bay
Hydro Distribution Limited for an order approving just and
reasonable rates and other charges for electricity distribution
to be effective May 1, 2010.

PROCEDURAL ORDER No. 1

North Bay Hydro Distribution Limited ("North Bay Hydro") filed an application with the Ontario Energy Board (the "Board"), received on October 27, 2009 under section 78 of the *Ontario Energy Board Act, 1998*, 1998, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that North Bay Hydro charges for electricity distribution, to be effective May 1, 2010 (the "application"). The Board has assigned File Number EB-2009-0270 to this application.

The Board issued a Notice of Application and Hearing dated November 5, 2009. Energy Probe Foundation ("Energy Probe"), Vulnerable Energy Consumers Coalition ("VECC"), and School Energy Coalition ("SEC") applied for intervenor status and cost eligibility, and Mr. Donald D. Rennick applied for intervenor status. No objections were received.

The Board has determined that Energy Probe, VECC, SEC, and Mr. Donald D. Rennick are granted intervenor status. The Board has also determined that Energy Probe, VECC, and SEC are eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

A list of the intervenors in this proceeding is attached as Appendix A to this order.

The Board intends to proceed with its review of this application by way of a written

hearing, and has decided to make provision at this time for written interrogatories. The Notice of Application indicated that the Board may provide for an oral component. 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. The Board will then determine whether to conduct an oral hearing or to make provision for written final submissions.

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 shall request information and material from North Bay Hydro that is in addition to North Bay 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 North Bay Hydro and all intervenors on or before **December 21, 2009**. Where possible, the questions should specifically reference the pre-filed evidence.
2. Intervenors who wish information and material from North Bay Hydro that is in addition to North Bay 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 North Bay Hydro on or before **December 23, 2009**. Where possible, the questions should specifically reference the pre-filed evidence.
3. North Bay Hydro shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **January 19, 2010**.

All filings to the Board must quote file number EB-2009-0270, 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 BoardSec@oeb.gov.on.ca. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies. If you have submitted through the Board's web portal an e-mail is not required.

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.

DATED at Toronto, December 15, 2009.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

**Appendix “A”
To The Procedural Order No. 1**

**EB-2009-0270
North Bay Hydro Distribution Limited**

December 15, 2009

LIST OF APPLICANT AND INTERVENORS

**North Bay Hydro Distribution Limited
EB-2009-0270**

APPLICANT & LIST OF INTERVENORS

December 15, 2009

APPLICANT

Rep. and Address for Service

**North Bay Hydro Distribution
Limited**

Todd Wilcox

Chief Operating Officer
North Bay Hydro Distribution Limited
74 Commerce Cres.
P.O. Box 3240
North Bay ON P1B 8Y5

Tel: 705-474-8100
Fax: 705-495-2756
twilcox@northbayhydro.com

INTERVENORS

Energy Probe

Rep. and Address for Service

David MacIntosh

Consultant
Energy Probe
225 Brunswick Avenue
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 235
Fax: 416-964-8239
DavidMacIntosh@nextcity.com

Randy Aiken

Aiken & Associates
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Chatham ON N7L 4J6
Tel: 519-351-8624
Fax: 519-351-4331
raiken@xcelco.on.ca

**North Bay Hydro Distribution Limited
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APPLICANT & LIST OF INTERVENORS

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**Independant Participants -
General Public**

Donald Rennick

Independant Participants - General Public
3921 Surrey Drive
North Bay ON P1C 1E3
Tel: 705-476-2007
Fax: Not Provided
ddrennick@cogeco.ca

School Energy Coalition

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Wayne McNally

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Ontario Public School Boards' Association
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**Vulnerable Energy Consumers
Coalition (VECC)**

Michael Buonaguro

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**North Bay Hydro Distribution Limited
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APPLICANT & LIST OF INTERVENORS

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**Vulnerable Energy Consumers William Harper
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