



EB-2009-0132

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 Cooperative Hydro Embrun 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

Cooperative Hydro Embrun Inc. (“Embrun”) filed an application with the Ontario Energy Board (the “Board”) on September 17, 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 Embrun charges for electricity distribution, to be effective May 1, 2010. The Board has assigned File Number EB-2009-0132 to this application.

The Board issued a Notice of Application and Hearing on October 6, 2009. The School Energy Coalition (“SEC”) and the Vulnerable Energy Consumer Consumers Coalition (“VECC”) applied for intervenor status and cost eligibility. No objections were received.

In Procedural Order No. 1, issued on November 4, 2009, the Board made provision for a phased approach to the discovery process, with the first phase consisting of written interrogatories and the possibility of a technical conference at the option of the Applicant. The Applicant chose not to have a technical conference.

On December 10, 2009, the Applicant filed responses to the interrogatories from Board staff and on December 11, 2009, filed responses to VECC’s interrogatories.

The Board indicated that at the completion of this first phase of the discovery process the Board would determine whether further discovery, either in the form of further interrogatories, a technical conference or a settlement conference would be required as the next step in discovery.

The Board is of the opinion that some of the responses need clarification, and will therefore proceed with a second round of interrogatories.

Please be aware 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 who wish information and material from Embrun that is of a clarifying or correcting nature of the existing interrogatory responses shall request information and material from Embrun by written interrogatories filed with the Board and delivered to Embrun and all intervenors on or before Monday January 11, 2010. The questions should specifically reference the interrogatory response in question.
2. Embrun shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than Monday January 25, 2010.

All filings to the Board must quote the file number, EB-2009-0132, 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 January 5, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary