



EB-2009-0260

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 Cambridge and
North Dumfries 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

Cambridge and North Dumfries Hydro Inc. ("C&ND 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 C&ND Hydro charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the File Number EB-2009-0260 to this application.

The Board issued Procedural Order No. 1 on October 23, 2009. Board staff filed interrogatories on November 5, 2009, and all registered intervenors filed interrogatories by November 9, 2009. C&ND Hydro filed responses to interrogatories on November 30, 2009.

The Board issued Procedural Order No. 2 on December 14, 2009, allowing for a round of written supplemental interrogatories, followed by a settlement conference. The settlement conference was conducted at the Board's offices on January 20, 2010. Procedural Order No. 2 directed that any settlement arising out of the settlement conference was to be filed with the Board by February 3, 2010.

On January 29, 2010, counsel for C&ND Hydro filed a letter requesting an extension to the filing of a settlement proposal. In the letter, counsel for C&ND Hydro stated that it was important to all parties that the Board render its decision on the settlement proposal in advance of filing written submissions, and presumed that the Board would be able to

render a decision on the settlement proposal prior to the filing of the Applicant's Argument-in-Chief on any unsettled issues.

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. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board by **February 10, 2010**. The Settlement Proposal should contain a list of any unsettled issues, identifying those issues that the parties believe must be dealt with by way of written submissions or oral hearing.
2. Any Settlement Proposal will be presented to the Board on a Settlement Day on **February 12, 2010**. The Settlement Day will be held at 2300 Yonge Street, Toronto in the Board's hearing rooms on the 25th Floor.
3. Cambridge and North Dumfries Hydro shall file with the Board a written Argument-in-Chief with the Board and deliver it to the intervenors no later than **February 19, 2010**. This Argument-in-Chief will present Cambridge & North Dumfries Hydro's submissions on any unsettled issues as documented in the Settlement Proposal and subject to the Board's decision on the Settlement Proposal.
4. Board staff and intervenors who wish to do so shall file written submissions on unsettled issues with the Board and deliver it to Cambridge and North Dumfries Hydro Inc. and all other intervenors no later than **February 26, 2010**.
5. Cambridge and North Dumfries Hydro Inc., if it wishes to do so, shall file a written reply submission addressing any issues raised in any submissions filed by Board staff or intervenors no later than **March 5, 2010**.

All filings to the Board must quote the file number, EB-2009-0260, 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, February 4, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary