



**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. 4**

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 the parties 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. On February 4, 2010 the Board issued Procedural Order No. 3 establishing a date for filing any proposed settlement agreement and made provision for a Settlement Day before the Board on February 12, 2010. The Board also made provision for the filing of Argument-in-Chief by C&ND Hydro, submissions by Board staff and intervenors, and reply submissions by C&ND Hydro subsequent to the Settlement Day.

The Board understands that C&ND Hydro and registered intervenors would prefer that the Board's decision on any proposed settlement agreement be dealt with by way of a written process. Upon receipt of any proposed settlement agreement, the Board will issue its decision on that proposed settlement agreement, and intends to do so by no later than February 19, 2010.

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. The Settlement Day scheduled for presenting any Settlement Proposal to the Board on **February 12, 2010** is cancelled.
2. The dates for filing written Argument-in-Chief, and any submissions and reply submissions as documented in steps 3, 4 and 5 of Procedural Order No. 3 remain unchanged.

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](http://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](http://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](mailto:Boardsec@oeb.gov.on.ca)  
Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656

**DATED** at Toronto, February 10, 2010

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary