



**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. 2**

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, 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 Board has assigned File Number EB-2009-0270 to this application.

In Procedural Order No. 1, issued on December 15, 2009, the Board made provision for written interrogatories. The four registered intervenors, Energy Probe, Mr. Donald Rennick, the School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC"), and Board staff, filed interrogatories. North Bay Hydro filed responses to the interrogatories, completing the set of responses on February 5, 2010.

Upon review of the responses to the written interrogatories, the Board has decided to make provision for written supplemental interrogatories followed by a settlement conference. In the event that a complete settlement is not achieved, the Board will proceed with an oral hearing.

The Board considers it necessary to make provision for the following matters related to this proceeding.

**THE BOARD ORDERS THAT:**

1. Intervenor or Board staff who wish to ask questions that relate to existing interrogatory responses filed by North Bay Hydro on or before February 5, 2010 shall file written interrogatories with the Board and deliver a copy to the Applicant on or before **February 18, 2010**. Where possible, the questions should specifically reference the existing response and the pre-filed evidence.
2. North Bay Hydro shall file with the Board complete responses to the supplemental interrogatories and deliver them to the intervenors no later than **March 1, 2010**.
3. A Settlement Conference will be convened on **March 8, 2010**, starting at 9:30 a.m., with the objective of reaching a settlement among the parties on the issues. If necessary, the Conference will continue on March 9, 2010. The Settlement Conference will be in the **ADR** Room at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto.
4. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board by **March 30, 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 oral hearing.
5. Any Settlement Proposal will be reviewed by the Board on **April 8, 2010** at 9:30 am, in the North Hearing Room at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto.
6. Following the review of the Settlement Proposal, an oral hearing on this matter will begin on **April 8, 2010**. In the event that more time is required for the hearing, it will resume on April 9, 2010. The Board will consider additional dates for the oral hearing as required.

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](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 [BoardSec@oeb.gov.on.ca](mailto: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.

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.

Ontario Energy Board  
P.O. Box 2319  
27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Attention: Board Secretary  
Filings: <https://www.errr.oeb.gov.on.ca/>  
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