



EB-2009-0271

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 Oakville Hydro Electricity Distribution Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2010.

PROCEDURAL ORDER No. 6

Oakville Hydro Electricity Distribution Inc. ("Oakville Hydro") filed an application with the Ontario Energy Board (the "Board") on August 28, 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 Oakville Hydro charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the File Number EB-2009-0271 to this application.

The Board issued a Notice of Application and Hearing on September 11, 2009.

Procedural Order No. 1 was issued by the Board on October 7, 2009. It approved a number of intervention requests and established a schedule for the first round of interrogatories.

By a letter dated November 5, 2009, Oakville Hydro requested an extension for filing responses to interrogatories to November 20, 2009, citing a number of factors for the requested extension. The Board issued Procedural Order No. 2 granting the requested extension.

On November 30, 2009, the Board issued Procedural Order No. 3 in which it determined that the case would proceed to a settlement conference and that any unsettled issues would be dealt with by way of an oral hearing. The Board established January 13, 2010 for the settlement conference and January 24 and 25, 2010 for the oral hearing.

On December 22, 2009, Oakville Hydro filed a letter requesting that the proceeding be adjourned to a future date and advised the Board that certain material revisions to the application might be required. A response letter was issued by the Board on December 23, 2009 denying the request due to inadequate reasons provided by Oakville Hydro.

Subsequently, Oakville Hydro filed a letter on December 30, 2009 providing more information on the nature of the changes to the application and their materiality, and stating that the changes to the application could not be accommodated as part of the then current schedule. Oakville Hydro indicated that its amended application would be filed by February 18, 2010.

In Procedural Order No. 4, issued January 8, 2010, the Board cancelled the scheduled settlement conference and oral hearing events outlined in Procedural Order No.3 and directed that the updated information be filed by February 18, 2010. On February 18, 2010, the Applicant filed updated evidence and made certain corrections to its original evidence as a result of the interrogatory process.

On February 25, 2010, the Board issued Procedural Order No. 5 in which it established a schedule for supplemental interrogatories and revised the schedule for the settlement process and oral hearing.

The Board notes that settlement discussions on the application are continuing. Procedural Order No. 5 established April 19, 2010 as the date for the filing of any settlement agreement and April 29, 2010 for the settlement agreement hearing. In light of the ongoing discussions, the Board shall revise these dates to allow more time for parties to continue discussions and to draft any potential agreement, as outlined below.

The Board considers it appropriate to cancel the oral hearing scheduled for April 29 and 30, 2010 at this time. After receipt and review of any settlement agreement, the Board will render its Decision and establish any further steps to be taken in this application.

The Board intends to render its findings on the confidentiality requests made pursuant to two rounds of interrogatories as part of its Decision on this application.

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 Agreement arising from the Settlement Conference conducted on April 6 and 7, 2010 shall be filed with the Board by **April 26, 2010**.
2. The oral hearing scheduled for **April 29 and April 30, 2010** is cancelled.

All filings to the Board must quote the file number, EB-2009-0271, 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. Parties may 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, parties may email their documents 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, April 15, 2010
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary