



EB-2010-0184

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF a motion by the Consumers
Council of Canada in relation to section 26.1 of the
Ontario Energy Board Act, 1998 and Ontario Regulation
66/10.

PROCEDURAL ORDER NO. 2

On April 26, 2010, the Ontario Energy Board (the "Board") received a Notice of Motion from the Consumers Council of Canada ("CCC") regarding the assessments issued by the Board pursuant to section 26.1 of the *Ontario Energy Board Act*, 1998 (the "Act") (altogether, the "Motion").

On May 11, 2010, the Board issued a Notice of Hearing and Procedural Order No. 1 (the "Notice") addressed to only CCC, the Attorney Generals of Ontario and Canada, and the Ministry of Energy and Infrastructure. In the Notice, the Board stated that before determining whether or not it will hear the Motion, the Board intends to hear argument on a number of preliminary questions that were set out in the Notice. The Board also set dates for filing of written arguments and oral submissions. The Board issued an Amended Notice of Hearing and Procedural Order No. 1 on May 11, 2010 (the "Amended Notice").

On May 12, 2010, counsel for the Attorney General of Ontario filed a letter with the Board in which the Attorney General of Ontario and CCC jointly requested that the Board extend the timelines made in the Amended Notice.

The Board considers it necessary to make provisions for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD THEREFORE ORDERS THAT:

1. CCC shall file its written argument and any evidence with the Board and serve them on the Attorney General of Canada, the Attorney General of Ontario, and the Ministry of Energy and Infrastructure on or before **May 31, 2010**.
2. If the Attorney General of Canada, the Attorney General of Ontario, or the Ministry of Energy and Infrastructure wishes to file a response to CCC's written argument, they shall file their written response and any evidence with the Board and serve them on CCC on or before **June 11, 2010**.
3. An oral hearing will commence in the Board's hearing room on **July 6, 2010** at 2300 Yonge Street, 25th Floor, Toronto, at 9:30 am.
4. Any filings to the Board must quote file number EB-2010-0184, 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.
5. 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.

Attention: Board Secretary

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4

Filings : www.errr.oeb.gov.on.ca
E-mail: Boardsec@oeb.gov.on.ca

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

ISSUED at Toronto, May 17, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary