



EB-2010-0008

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 Ontario Power
Generation Inc. pursuant to section 78.1 of the *Ontario
Energy Board Act, 1998* for an order or orders determining
payment amounts for the output of certain of its generating
facilities.

PROCEDURAL ORDER NO. 2

Ontario Power Generation Inc. (“OPG” or the “Applicant”) filed an application, dated May 26, 2010, with the Ontario Energy Board under section 78.1 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (the “Act”) seeking approval for increases in payment amounts for the output of certain of its generating facilities, to be effective March 1, 2011.

On June 29, 2010, the Board issued Procedural Order No. 1 which set out a schedule for the proceeding. The Board has received correspondence from OPG and certain intervenors suggesting that the schedule for (1) submissions on confidential filings (2) submissions on issues and (3) interrogatories, should be extended.

As noted in OPG’s letter of June 30, 2010, OPG will provide copies of the unredacted Business Plan and Business Cases to parties that have signed the Board’s Declaration and Undertaking on July 5, 2010. As intervenors will have limited time to review the unredacted Business Plan and Business Cases before filing submissions on the original due date, the Board has amended the schedule for submissions and reply submission on confidential filings.

The Board has not amended the schedule for submissions on the revised draft issues list. An Issues Conference will be held on July 6, 2010. Board staff will prepare a revised issues list shortly thereafter, and intervenors will have at least 3 business days to prepare submissions. Similarly OPG will have at least 3 business days to prepare its reply. While the timeframes are limited, parties will have been informed by the Issues Conference discussion.

The Board has not amended the schedule for the filing of interrogatories. The Board will issue its decision on the final issues list and the confidential status of the Tax Information, Business Plan and Business Cases approximately one week prior to the due date for the filing of interrogatories by intervenors. The intervenors should not wait for the Board's decision before starting their development of interrogatories. As an interim efficiency measure, intervenors should assume that interrogatories on material for which confidential treatment is requested will be filed separately from other interrogatories.

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. Parties wishing to make submissions on the confidentiality status of the Tax Information and the Business Plan and Business Case Summaries shall file such submissions with the Board and deliver them to OPG and all other parties on or before **Monday, July 12, 2010**.
2. If OPG wishes to respond to any submissions on the confidentiality status of the Tax Information and the Business Plan and Business Case Summaries, it shall file such submissions with the Board and deliver them to the relevant intervenor and all other parties on or before **Friday, July 16, 2010**.
3. All other dates fixed in Procedural Order No. 1 remain unchanged.

All filings to the Board must quote file number EB-2010-0008, 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 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

ISSUED at Toronto, July 5, 2010

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary