



EB-2009-0266

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 Hearst Power
Distribution Company Limited for an order approving just and
reasonable rates and other charges for electricity distribution
to be effective May 1, 2010.

PROCEDURAL ORDER No. 1

Hearst Power Distribution Company Limited ("Hearst Power") filed an application with the Ontario Energy Board (the "Board") on April 28, 2010 (amended on May 21, 2010) 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 Hearst Power charges for electricity distribution, to be effective May 1, 2010. The Board has assigned the File Number EB-2009-0266 to this application.

The Board issued a Notice of Application and Hearing on June 11, 2010. The Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility. No objection to this intervention request was received.

The Board has determined that VECC will be granted intervenor status. VECC's contact details are attached as Appendix A to this Order. The Board has also determined that VECC is eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

In the Notice of Application and Hearing, the Board stated its intention to proceed with its review of this application by way of a written hearing but may include an oral component for certain parts of the application. The Board will reassess the requirement for an oral component as the record develops through the discovery process.

The Board has decided to make provision at this time for preliminary interrogatories in order to clarify certain pre-filed evidence and thus provide a basis for subsequent focused discovery. After its review of the responses, the Board will determine the next steps including whether provision should be made for additional written interrogatories or a technical conference, after which the Board will determine whether to conduct an oral hearing or to make provision for written final submissions.

This Procedural Order addresses the process for the first round of discovery. Please note that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Board staff and VECC who wish clarification from Hearst Power concerning Hearst Power's pre-filed evidence with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to Hearst Power on or before **July 16, 2010**. Where possible, the questions should specifically reference the pre-filed evidence.
2. Hearst Power shall file with the Board complete responses to all interrogatories and deliver them to VECC no later than **August 6, 2010**.

All filings to the Board must quote the file number, EB-2009-0266, 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.

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, July 9, 2010
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A

HEARST POWER DISTRIBUTION COMPANY LIMITED

EB-2009-0266

LIST OF INTERVENOR

**Hearst Power Distribution Company Limited
EB-2009-0266
APPLICANT & LIST OF INTERVENORS**

July 9, 2010

APPLICANT

Rep. and Address for Service

**Hearst Power Distribution
Company Limited**

Nicole Leduc

General Manager
Hearst Power Distribution Company Limited
925 Alexandra Street
Hearst, ON P0L 1N0

Tel: 705-372-2815
Fax: 705-362-5902
NLeduc@hearstpower.com

INTERVENORS

Rep. and Address for Service

**Vulnerable Energy Consumers
Coalition**

William Harper

Senior Consultant
Econalysis Consulting Services Inc.
34 King Street E.
Suite 1102
Toronto ON M5C 2X8
Tel: 416-348-0193 Ext: 29
Fax: 416-348-0641
bharper@econalysis.ca

Michael Buonaguro

Counsel
Public Interest Advocacy Centre
34 King St. E., Suite 1102
Toronto ON M5C 2X8
Tel: 416-767-1666
Fax: 416-348-0641
mbuonaguro@piac.ca