



EB-2010-0133

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 Hydro Ottawa
Limited for an order approving just and reasonable rates and
other charges for electricity distribution to be effective
January 1, 2011.

PROCEDURAL ORDER No. 1

Hydro Ottawa Limited ("Hydro Ottawa" or "the Applicant") filed an application with the Ontario Energy Board (the "Board"), received on June 14, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, (the "Act") seeking approval for changes to the rates that Hydro Ottawa charges for electricity distribution, to be effective January 1, 2011. The Board has assigned the application File Number EB-2010-0133.

The Board issued a Notice of Application and Hearing dated July 2, 2010. Energy Probe Research Foundation ("Energy Probe"), Vulnerable Energy Consumers Coalition ("VECC"), Consumers Council of Canada ("CCC"), and School Energy Coalition ("SEC") applied for intervenor status and cost eligibility. PowerStream Inc. also applied for intervenor status, however, did not seek cost awards. No objections were received. The Board also received one letter of comment from an individual customer opposing the Applicant's rate adjustment.

The Board has determined that Energy Probe, VECC, CCC, SEC and PowerStream Inc. will be granted intervenor status. The list of intervenors in this proceeding is attached as Appendix A to this Order. The Board has also determined that intervenors, except PowerStream Inc., are each eligible to apply for an award of costs under the Board's *Practice and Direction on Cost Awards*.

On June 14, 2010, Hydro Ottawa filed a request that selected information within two sections of the application be held in confidence by the Board pursuant to the Board's *Practice Direction on Confidential Filings* (the "Practice Direction"). The two sections are:

- Exhibit D4-1-1 'Employee Compensation Breakdown'; and
- Attachment Y 'Employee Compensation Breakdown'.

The Practice Direction permits any party to a proceeding to object to the request for confidentiality by filing a written objection. This Procedural Order addresses the process for receiving such objections. Subsequent to any and all submissions received pursuant to this Procedural Order, the Board intends to make its findings with respect to Hydro Ottawa's claim for confidentiality.

The Board intends to proceed with its review of this application by way of an oral hearing preceded by written interrogatories, a technical conference, and a settlement conference.

The Board considers it necessary to make provision for the following matters related to this proceeding. Please be aware that procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Board staff and intervenors may make written submissions objecting to the request for confidential treatment of either or both documents for which Hydro Ottawa is claiming confidentiality, which must be filed with the Board and delivered to Hydro Ottawa and all other intervenors on or before **August 5, 2010**. Submissions should comply with the *Practice Direction on Confidential Filings*, specifically sections 5.16 and 5.17.
2. Hydro Ottawa shall file any reply submission with respect to any submissions filed pursuant to part 1 above, pursuant to section 5.1.8 of the *Practice Direction on Confidential Filings*, with the Board and delivered to all intervenors on or before **August 9, 2010**.

3. Board staff and all intervenors who wish information and material from Hydro Ottawa that is in addition to Hydro Ottawa'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 Hydro Ottawa and all intervenors on or before **August 20, 2010**. Where possible, the questions should specifically reference the pre-filed evidence.
4. Hydro Ottawa shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **September 9, 2010**.
5. A Technical Conference shall be convened on **September 22, 2010** so that Hydro Ottawa and parties may respond to questions related to the pre-filed evidence and responses to interrogatories. The Technical Conference may proceed on **September 23, 2010** if required. The Technical Conference will be transcribed and will be held in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto at 9:30 a.m.
6. Hydro Ottawa will respond to any undertakings given at the Technical Conference on or before **September 30, 2010**.
7. A Settlement Conference will be convened on **October 13, 2010**, starting at 9:30 a.m., with the objective of reaching a settlement among the parties on the issues. The Settlement Conference will be held in the Board's hearing room at 2300 Yonge Street, 25th Floor, Toronto, and may continue until **October 14, 2010**, if needed.
8. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than **October 29, 2010**.
9. Should there be any unsettled issues arising from the Settlement Conference the Board finds that an oral hearing will commence on **November 8, 2010** at 9:30 a.m. The hearing may proceed on **November 9, and 11, 2010** if needed.

All parties shall file their submissions with the Board Secretary and must quote file number EB-2010-0133. These submissions should 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 and must be sent to the Board by 4:45 p.m. on the date indicated with a copy to all parties. 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 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. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Neil Mather at neil.mather@oeb.gov.on.ca and Board Counsel, Maureen Helt at maureen.helt@oeb.gov.on.ca.

DATED at Toronto, **July 29, 2010**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix 'A'

To

Procedural Order No. 1

Hydro Ottawa Limited

EB-2010-0133

Applicant and List of Intervenors

July 29, 2010

**Hydro Ottawa Limited
EB-2010-0133**

APPLICANT & LIST OF INTERVENORS

July 29, 2010

APPLICANT

Rep. and Address for Service

Hydro Ottawa Limited

Jane Scott

Manager
Hydro Ottawa Limited
Ottawa, ON

Tel: 613-738-5499
Fax: Not Provided
janescott@hydroottawa.com

APPLICANT COUNSEL

Fred Cass

Aird & Berlis LLP
Suite 1800, P.O. Box 754
Brookfield Place, 181 Bay Street
Toronto ON M5J 2T9
Tel: 416-863-1500
Fax: 416-863-1515
fcass@airdberlis.com

INTERVENORS

Rep. and Address for Service

**Consumers Council of
Canada**

Julie Girvan

Consultant
Consumers Council of Canada
62 Hillsdale Ave. East
Toronto ON M4S 1T5
Tel: 416-322-7936
Fax: 416-322-9703
jgirvan@ca.inter.net

Hydro Ottawa Limited

EB-2010-0133

APPLICANT & LIST OF INTERVENORS

- 2 -

July 29, 2010

**Consumers Council of
Canada**

Robert B. Warren

Counsel
WeirFoulds LLP
The Exchange Tower
Suite 1600, P.O. Box 480
130 King Street West
Toronto ON M5X 1J5
Tel: 416-947-5075
Fax: 416-365-1876
rwarren@weirfoulds.com

**Energy Probe Research
Foundation**

David MacIntosh

Case Manager
Energy Probe Research Foundation
225 Brunswick Avenue
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 235
Fax: 416-964-8239
DavidMacIntosh@nextcity.com

Randy Aiken

Aiken & Associates
578 McNaughton Ave. W.
Chatham ON N7L 4J6
Tel: 519-351-8624
Fax: 519-351-4331
randy.aiken@sympatico.ca

PowerStream Inc.

Christine Dade

Manager
PowerStream Inc.
161 Cityview Boulevard
Vaughan ON L4H 0A9
Tel: 905-532-4538
Fax: 905-532-4616
PowerStreamRegulatory@powerstream.ca

Hydro Ottawa Limited

EB-2010-0133

APPLICANT & LIST OF INTERVENORS

- 3 -

July 29, 2010

PowerStream Inc.

Colin Macdonald

Vice President

PowerStream Inc.

161 Cityview Boulevard

Vaughan ON L4H 0A9

Tel: 905-532-4649

Fax: 905-532-4557

colin.macdonald@powerstream.ca

School Energy Coalition

Wayne McNally

SEC Coordinator

Ontario Public School Boards' Association

c/o Ontario Public School Boards Associa

439 University Avenue

18th Floor

Toronto ON M5G 1Y8

Tel: 416-340-2540

Fax: 416-340-7571

wmcnally@opsba.org

Jay Shepherd

Jay Shepherd Professional Corporation

120 Eglinton Avenue East

Suite 500

Toronto ON M4P 1E2

Tel: 416-804-2767

Fax: Not Provided

jay.shepherd@canadianenergylawyers.com

**Vulnerable Energy
Consumers Coalition**

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

Hydro Ottawa Limited
EB-2010-0133

APPLICANT & LIST OF INTERVENORS

- 4 -

July 29, 2010

Vulnerable Energy
Consumers Coalition

Bill Harper

Econalysis Consulting Services Inc.
Toronto On
Tel: 416-348 0193
Fax: Not Provided
bharper@econalysis.ca