



EB-2009-0278

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 Algoma Power Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective July 1, 2010 and January 1, 2011.

PROCEDURAL ORDER No. 2

Algoma Power Inc. (“Algoma Power”) filed a cost of service application with the Ontario Energy Board (the “Board”) on June 1, 2010, and amended on June 7, 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 for 2010 and 2011 that Algoma Power charges for electricity distribution, to be effective July 1, 2010 and January 1, 2011 respectively. The Board has assigned the application File No. EB-2009-0278.

The Board issued a Notice of Application and Hearing on June 24, 2010. The current listing of intervenors for this proceeding is attached as Appendix A to this Order.

On July 20, 2010, the Board issued Procedural Order No. 1 which made provision for a technical conference and a settlement conference to be held on August 24, 2010 and August 25, 2010 respectively with the expectation that any Settlement Proposal would be filed by September 8, 2010 and would be orally heard and reviewed by the Board on September 13, 2010.

On September 8, 2010, Algoma Power notified the Board that the parties to the Settlement Proposal would not be in a position to file the Settlement Proposal on September 8, 2010 and requested that the September 13, 2010 review be re-scheduled.

By way of letter dated September 9, 2010 the Board cancelled the September 13, 2010 oral hearing to review the Proposed Settlement. The Board indicated that it expected the Settlement Proposal to be filed by September 13, 2010 and that any oral hearing to review the Settlement Proposal would occur on Thursday September 16, 2010 in the Board's offices.

Algoma Power filed the Settlement Proposal with the Board on September 10, 2010.

The Settlement Proposal indicates that the parties to the Settlement agree on all but three issues. The three unresolved issues are:

- A. What is the appropriate method of calculating the average rate adjustments of other distributors in order to calculate the rate increase for the customers of API, and the remaining amount that is payable under RRRP?;
- B. Should API's proposal to recover amounts in Account 1572 Extraordinary Event Costs be approved? and;
- C. Should API's proposal to establish a new IFRS Deferral Account be approved?

The Board has decided to review the Settlement Proposal orally on September 16, 2010 at 1:00 pm.

Please note that this Procedural Order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. The Board will review the Settlement Proposal on **September 16, 2010 at 1:00pm** at 2300 Yonge Street, Toronto in the Board's hearing room.

All filings to the Board must quote the file number, EB-2009-0278, 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

DATED September 14, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

**Algoma Power Inc.
EB-2009-0278**

APPLICANT & LIST OF INTERVENORS

September 14, 2010

APPLICANT

Rep. and Address for Service

Algoma Power Inc.

Douglas Bradbury

Director
Algoma Power Inc.
1130 Bertie St.
P.O. Box 1218
Fort Erie, ON L2A 5Y2

Tel: 905-994-3634
Fax: 905-994 2207
doug.bradbury@cnpower.com

APPLICANT COUNSEL

Andrew Taylor

Andrew Taylor, Energy Law
120 Adelaide Street West
Suite 2500
Toronto ON M5H 1T1
Tel: 416-644-1568
Fax: 416-367-1954
ataylor@energyboutique.ca

INTERVENORS

Rep. and Address for Service

Algoma Coalition

Paul Cassan

Wishart Law Firm LLP
390 Bay Street
Suite 500
Sault Ste. Marie ON P6A 1X2
Tel: 705-949-6700 Ext: 230
Fax: 705-949-2465
pcassan@wishartlaw.com

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APPLICANT & LIST OF INTERVENORS

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September 14, 2010

**Energy Probe Research
Foundation**

Peter Faye

Counsel

42 Eastwood Crescent
Markham ON L3P 5Z7
Tel: 905-294-2013
Fax: Not Provided
pfaye@rogers.com

Olena Loskutova

Energy Probe Research Foundation
225 Brunswick Ave.
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 234
Fax: 416-964-8239
olena.loskutova@gmail.com

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

Garden River First Nation

Janine Zack

Executive Assistant to Chief & Council
Garden River First Nation
7 Shingwauk St. RR#4
Garden River ON P6A 6ZB
Tel: 705-946-6300
Fax: 705-945-1415
jzack10@hotmail.com

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EB-2009-0278**

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September 14, 2010

**Great Lakes Power
Transmission LP**

Andy McPhee

Vice President and General Manager
Great Lakes Power Limited
2 Sackville Road
Sault Ste. Marie ON P6B 6J6
Tel: 705-941-5661
Fax: 705-941-5600
amcphee@glp.ca

Charles Keizer

Torys LLP
79 Wellington St. W.
Suite 3000, Maritime Life Tower
P.O. Box 270, TD Centre
Toronto ON M5K 1N2
Tel: 416-865-0040
Fax: 416-865-7380
ckeizer@torys.com

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

**Algoma Power Inc.
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APPLICANT & LIST OF INTERVENORS

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September 14, 2010

School Energy Coalition

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**

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