



**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. 3**

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. On July 2, 2010, the Board directed Hydro Ottawa to publish the notice of its application.

Procedural Order No.1 issued on July 29, 2010, made provisions for written interrogatories, a technical conference, a settlement conference and an oral hearing. The Board also made provision for submissions on Hydro Ottawa's request for confidential treatment of certain parts of its pre-filed evidence. In Procedural Order No. 2 issued on August 4, 2010, the Board granted Hydro Ottawa's request for an extension to the dates for submissions. Hydro Ottawa has since withdrawn its earlier request for confidential treatment of the evidence.

In a letter sent to distributors on April 20, 2010 (the "Letter"), the Board indicated that a distributor filing a cost of service application, if it is not on the list attached to the Letter, must demonstrate that it cannot adequately manage its resources and financial needs during the remainder of its IRM plan period, and as such is applying for early rebasing. The Letter states that the Board may determine, as a preliminary matter, whether the application is justified, and if not justified may disallow some or all of the costs associated with preparation and hearing of the application (the "preliminary issue"). The

Board has determined that it will consider the preliminary issue in advance of further procedural steps.

The Board considers it necessary to make provision for the following matters related to this proceeding.

1. Hydro Ottawa shall file with the Board and deliver to all intervenors any submission pursuant to the preliminary issue on or before **September 29, 2010**.
2. Board Staff and intervenors shall file with the Board and deliver to all intervenors any written submissions pursuant to the preliminary issue and Hydro Ottawa's submission on or before **October 7, 2010**.
3. Hydro Ottawa shall file any written reply submissions with the Board and deliver them to all other intervenors on or before **October 14, 2010**.
4. The Settlement Conference is postponed and, should the Board determine that it will proceed with the application, the Settlement Conference will now be convened on **October 27, 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 ADR room at 2300 Yonge Street, 25<sup>th</sup> Floor, Toronto. The Settlement Conference will continue on **October 28** and **October 29, 2010**, if needed.
5. Any Settlement Proposal arising from the Settlement Conference, if it proceeds, shall be filed with the Board by Hydro Ottawa no later than **November 11, 2010**.
6. Should the Board proceed with the application and should there be any unsettled issues arising from the Settlement Conference, the Board finds that an oral hearing will commence on **November 15, 2010** at 9:30 am. The hearing may proceed on **November 18, 19, and 22, 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](http://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](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to the [BoardSec@oeb.gov.on.ca](mailto: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](mailto:neil.mather@oeb.gov.on.ca) and Board Counsel, Maureen Helt at [maureen.helt@oeb.gov.on.ca](mailto:maureen.helt@oeb.gov.on.ca).

**DATED** at Toronto, September 24, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary