



EB-2010-0136

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 Kingston Hydro
Corporation for an order approving just and reasonable rates
and other charges for electricity distribution to be effective
May 1, 2011.

PROCEDURAL ORDER NO. 1

Kingston Hydro Corporation ("Kingston Hydro") filed an application with the Ontario Energy Board (the "Board") on August 23, 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 Kingston Hydro charges for electricity distribution, to be effective May 1, 2011. The Board assigned File Number EB-2010-0136 to this application.

The Board issued a Notice of Application and Hearing on September 14, 2010. The Energy Probe Research Foundation ("Energy Probe"), the School Energy Coalition ("SEC"), and the Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility. No objections were received.

The Board has determined that Energy Probe, SEC and VECC 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 Energy Probe, SEC, and VECC are eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

At this time the Board intends to proceed with its review of this application by way of a written hearing. The Notice of Application indicated that the Board may provide for an

oral component. This could be in the form of a technical conference or an oral hearing or both.

The Board has decided to make provision at this time for two rounds of written interrogatories, followed by a settlement conference after which the Board will determine whether to conduct an oral hearing or to make provision for written final submissions.

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. Board staff and Intervenor who wish information and material from Kingston Hydro that is in addition to Kingston Hydro'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 Kingston Hydro on or before **October 26, 2010** for Board staff and **October 29, 2010** for intervenors. If at all possible, the questions should specifically reference the pre-filed evidence.
2. Kingston Hydro shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **November 15, 2010**.
3. A second round of Interrogatories will take place, to clarify or expand on the responses provided in the first round of interrogatories. Board staff and intervenors shall file the second round of interrogatories on or before **November 24, 2010**.
4. Kingston Hydro shall file with the Board complete responses to all second round interrogatories and deliver them to the intervenors no later than **December 7, 2010**.
5. A Settlement Conference will be convened on **December 14, 2010** starting at 9:30 a.m. and, if needed, may continue until **December 16, 2010**. The Settlement Conference will be held at 2300 Yonge Street, Toronto in the Board's ADR room on the 25th Floor.

6. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than **December 23, 2010**.

All filings to the Board must quote the file number, EB-2010-0136, 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. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca/OEB/Industry. If the web portal is not available parties may email their documents 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 at Toronto, October 12, 2010
ONTARIO ENERGY BOARD

Original signed by

John Pickernell
Assistant Board Secretary

Appendix “A”

**Procedural Order No. 1
EB-2010-0136
Kingston Hydro Corporation
Intervention List
October 12, 2010**

**Kingston Hydro Corporation
EB-2010-0136
APPLICANT & LIST OF INTERVENORS**

October 12, 2010

APPLICANT

Rep. and Address for Service

Kingston Hydro Corporation

Nancy Taylor

Vice President
Kingston Hydro Corporation
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Randy Murphy

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APPLICANT COUNSEL

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INTERVENORS

Rep. and Address for Service

**Kingston Hydro Corporation
EB-2010-0136**

APPLICANT & LIST OF INTERVENORS

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October 12, 2010

**Energy Probe Research
Foundation**

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David MacIntosh

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School Energy Coalition

Jay Shepherd

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Wayne McNally

SEC Coordinator
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**Kingston Hydro Corporation
EB-2010-0136**

APPLICANT & LIST OF INTERVENORS

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October 12, 2010

**Vulnerable Energy Consumers
Coalition Michael Buonaguro**

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