



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. 3

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 assigned the File Number EB-2009-0266 to this application.

In Procedural Order No.1, issued on July 9, 2010, the Board made provision for preliminary interrogatories to clarify certain pre-filed evidence and indicated that after review of the responses to the interrogatories, it would determine the next steps. The approved intervenor – the Vulnerable Energy Consumers Coalition ("VECC") – and Board staff filed interrogatories. Hearst Power filed its responses to the interrogatories on September 15, 2010, and October 1, 2010.

In Procedural Order No.2, issued on October 6, 2010, the Board determined that it would proceed by way of a written hearing and made provision for a round of written supplemental interrogatories due by October 15, 2010. Submissions from Board staff and VECC were due by November 19, 2010, and a reply submission from Hearst Power was due by December 3, 2010. VECC and Board staff filed supplemental

interrogatories on October 14, 2010, and October 13, 2010 respectively. On October 28, 2010, Hearst Power requested an extension to file their responses to the supplemental interrogatories and on November 15, 2010, requested a further extension. Hearst Power filed responses to the supplemental interrogatories on November 22, 2010.

The Board has determined that, due to the late filing of interrogatory responses, it is necessary to modify the dates set out in Procedural Order No.2 as noted below.

Please note that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. If Board staff and VECC wish to make written submissions on the application, they must file those submissions with the Board and deliver same to Hearst Power and VECC no later than **December 13, 2010**.
2. If Hearst Power wishes to respond to a submission, the response must be filed with the Board and delivered to VECC no later than **January 4, 2011**.

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 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 November 24, 2010
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary