



EB-2010-0145

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

PROCEDURAL ORDER No. 1

Woodstock Hydro Services Incorporated ("Woodstock Hydro") filed an application with the Ontario Energy Board, received on November 1, 2010, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Woodstock Hydro charges for electricity distribution, to be effective May 1, 2011. The Board has assigned the application File Number EB-2010-0145.

The Board issued a Notice of Application and Hearing on November 8, 2010. 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.

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*.

In the cover letter to the application, dated October 28, 2010, Woodstock Hydro requested that certain information be held in confidence by the Board pursuant to the

Board's *Practice Direction on Confidential Filings* (the "Practice Direction"). The information in question is filed as Exhibit 9, Tab 5, Appendix G, consists primarily of a number of contracts between Woodstock Hydro and vendors of smart meter equipment and services. In addition, a table entitled Smart Meter Summary has been filed in confidence.

In its Decision in the combined proceeding on recovery of Smart Meter costs (EB-2007-0063, August 8, 2007), the Board found it to be in the public interest that the prices charged to the applicants, including unit prices, installation costs and contractual terms, be kept confidential.

In determining requests for confidentiality the Board may consider whether the type of information in question has previously been determined to be treated as confidential by the Board. In this case, the Board has determined that the information consists of commercial information that is consistently treated in a confidential manner by the Board. Further, the Board has determined that there is no need for the Applicant to redact any of the information submitted.

The Board has decided to proceed with this matter as a written hearing however it is open to the Board to make a determination at a later time to have an oral component to this proceeding. At this time the Board makes provision for written interrogatories. After its review of the responses, the Board will determine the next steps including whether provision should be made for additional written interrogatories, a technical conference or a settlement conference.

The Board considers it necessary to make provision for the following procedural matters.

THE BOARD ORDERS THAT:

1. Woodstock Hydro shall provide all unredacted confidential materials to all parties that have executed a Declaration and Undertaking pursuant to the Board's *Practice Direction on Confidential Filings*, if it has not done so already.
2. Where possible, parties shall frame interrogatories related to the confidential material in a manner that will allow the questions and responses to be placed on the public record.

3. To the extent possible, parties shall frame submissions related to the confidential material in a manner that will allow the submissions to be placed on the public record. If parties are not able to frame submissions in a manner that allows them to be placed on the public record, those submissions must be marked confidential.
4. Parties in receipt of confidential information shall either return the subject information to the Board and communicate to the Applicant that they have done so, or destroy the information and execute a Certificate of Destruction, following the closing of the record to this proceeding. The Certificate must be filed with the Board and a copy sent to the Applicant.
5. Board staff and intervenors who wish information and material from Woodstock Hydro that is in addition to the pre-filed evidence filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to Woodstock Hydro. Board staff shall file its interrogatories no later than **December 9, 2010**. Intervenors shall file their interrogatories no later than **December 16, 2010**.
6. Woodstock Hydro shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **January 13, 2011**.

All filings to the Board must quote the file number, EB-2010-0145, 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 at Toronto, November 26, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A
TO
Procedural Order No. 1
Applicant and List of Intervenors
Board File No: EB-2010-0145
DATED: November 26, 2010

Woodstock Hydro Services Inc.

EB-2010-0145

APPLICANT & LIST OF INTERVENORS

November 26, 2010

APPLICANT

Rep. and Address for Service

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Inc.**

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INTERVENORS

Rep. and Address for Service

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Foundation**

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Woodstock Hydro Services Inc.

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APPLICANT & LIST OF INTERVENORS

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School Energy Coalition

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**Vulnerable Energy
Consumers Coalition**

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