



EB-2010-0331
EB-2010-0332

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 One
Brampton Networks Inc. for an Order or Orders granting
approval of initiatives and amounts related to the
Conservation and Demand Management Code;

AND IN THE MATTER OF an Application by Hydro One
Networks Inc. for an Order or Orders granting approval of
initiatives and amounts related to the Conservation and
Demand Management Code.

PROCEDURAL ORDER NO. 3

Hydro One Brampton Networks Inc. ("Hydro One Brampton") and Hydro One Networks Inc. ("Hydro One") have each filed an application with the Ontario Energy Board (the "Board"), dated November 1, 2010 seeking an order granting approval of funding for six individual conservation and demand management ("CDM") programs. The Board assigned file number EB-2010-0331 to the Hydro One Brampton application and file number EB-2010-0332 to the Hydro One application.

The applications have been filed pursuant to the Board's CDM Code that was issued on September 16, 2010. The CDM Code was developed by the Board in response to a Directive from the Minister of Energy dated March 31, 2010.

In its Notice of Application and Hearing, issued November 19, 2010, the Board combined the hearings on these applications. By Procedural Order No. 1, the Board ordered that an oral hearing for the applications would commence on February 3, 2011.

On Friday January 28, 2011, the Board received a letter from the School Energy Coalition, writing on behalf of itself and other intervenors in the proceeding. The letter

proposed that the hearing dates of February 3 and 4, 2011 be converted to a transcribed technical conference, during which the parties to the hearing could substantially complete the factual record in the proceeding, and discuss the scope of the hearing, with a view to creating a more focused process before the Board.

Hydro One and Hydro One Brampton responded to this letter on Monday January 31, 2011, opposing the proposal. The response pointed out the success of the applicants in meeting the Board-mandated timelines for the proceeding, despite a large number of interrogatories. Hydro One and Hydro One Brampton expressed concern that the technical conference would lengthen the process, and emphasized the need for a Board ruling on the programs as soon as possible. The applicants are ready to proceed with the hearing as scheduled, and asked the Board to maintain the original hearing date. No other responses to the School Energy Coalition proposal were received.

The Board finds merit in the proposal for a technical conference. The Board notes that these applications are the first to seek approval of CDM programs under the CDM Code, and may therefore inform subsequent applications. The record in these applications includes technical information of a nature not previously considered by the Board.

The Board expects parties to use the technical conference to establish a factual foundation for the hearing which will follow, with the aim of shortening the time for oral examination of witnesses in the hearing. In addition, the Board encourages parties to discuss, and resolve to the extent possible, questions relating to the scope of the hearing, to allow a focused review of relevant evidence before the Board.

THE BOARD ORDERS THAT:

1. A **technical conference** will commence on **Thursday, February 3, 2011** beginning at 9:30 a.m. in the Board's west hearing room at 2300 Yonge Street, Toronto. The technical conference will continue on February 4, 2011 if necessary.
2. The oral hearing will commence on **Friday March 4, 2011 at 9:30 a.m.**, and continue into the following week, if necessary. The hearing will take place in the Board's north hearing room at 2300 Yonge Street, Toronto.

All filings to the Board must quote the file number, EB-2010-0331 / EB-2010-0332, 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 Guidelines found at www.oeb.gov.on.ca. If the web portal is not available you may e-mail 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.

DATED at Toronto, February 1, 2011
ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary