



**EB-2011-0123**

**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 Guelph Hydro  
Electric Systems Inc. for an order approving just and  
reasonable rates and other charges for electricity distribution  
to be effective January 1, 2012.

### **PROCEDURAL ORDER NO. 3**

Guelph Hydro Electric Systems Inc. ("Guelph Hydro" or "the Applicant") filed an application with the Ontario Energy Board (the "Board"), received on June 30, 2011 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 Guelph Hydro charges for electricity distribution, to be effective January 1, 2012. The Board has assigned the application File Number EB-2011-0123.

The Board issued a Notice of Application and Hearing dated July 18, 2011

On August 5, 2011, Procedural Order No. 1 was issued establishing the dates for interrogatories, responses and submission on confidential material filed on June 30, 2011. On August 19, 2011 the Board issued a Decision on Confidentiality.

In Procedural Order No. 2, issued on October 12, 2011, the Board determined subsequent procedural steps upon completion of its review of the responses to the first round of interrogatories, and issued the Final Issues List.

On September 15, 2011 Guelph Hydro requested an extension in filing its interrogatory responses. On September 20, 2011 the Board issued a letter granting an extension until September 30, 2011. Guelph Hydro filed partial responses on September 30, 2011 and

the remainder of the interrogatory responses on October 11, 2011. In so doing, Guelph Hydro noted on September 30, 2011 that it was filing Schools Energy Coalition ("SEC") interrogatory response No. 15 in confidence and on October 11, 2011 Guelph Hydro filed SEC interrogatory response No. 25 in confidence, both in accordance with the Board's Practice Direction on Confidential Filings (the "Practice Direction").

In accordance with section 5.1.5 of the Practice Direction, Guelph has filed two corresponding cover letters requesting confidentiality which identify the respective interrogatory responses that are being filed in confidence, each with a description of the basis on which confidentiality is claimed. As an interim measure, the Board will allow any parties that wish to review the confidential documents to do so after signing a copy of the Board's Declaration and Undertaking, and filing it with the Board. The Board notes that in correspondence received on October 5, 2011, School Energy Coalition agreed with the Applicant that the details of the restructuring outlined in the confidential version of interrogatory response No.15 should be treated as confidential and submitted that the revised version provided by Guelph Hydro for the public record is a satisfactory public version. Parties that have not made submissions on the treatment of confidential information provided through interrogatory responses to SEC interrogatories No. 15 and No. 25 or that wish to make additional submissions may do so in accordance with the steps described below.

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 intervenors may make written submission concerning the request for confidential treatment of School Energy Coalition interrogatory responses No. 15 and No. 25 for which Guelph Hydro is claiming confidentiality. Any such submission must be filed with the Board and delivered to Guelph Hydro and all other intervenors on or before **October 19, 2011**. Submissions should comply with the Practice Direction, specifically sections 5.16 and 5.17.
2. Guelph Hydro shall file with the Board and deliver to all intervenors any reply submission relating to the confidentiality request, pursuant to section 5.18 of the Practice Direction on or before **October 21, 2011**.

All filings to the Board must quote the file number, EB-2011-0123, be made through the Board's web portal at <https://www.errr.ontarioenergyboard.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 <http://www.ontarioenergyboard.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@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto October 18, 2011

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary