



EB-2012-0081

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 Burlington
Hydro Inc. for an order approving just and reasonable rates
and other charges for electricity distribution to be effective
May 1, 2012.

PROCEDURAL ORDER NO. 1

May 9, 2012

Burlington Hydro Inc. ("Burlington Hydro") has applied to the Ontario Energy Board (the "Board") for permission to increase its delivery charges beginning May 1, 2012 to reflect the recovery of costs for deployed smart meters. The application was filed on February 28, 2012 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B), under the Board's *Guideline G-2011-0001: Smart Meter Funding and Cost Recovery – Final Disposition*. The Board assigned the application file number EB-2012-0081.

The Board issued a Notice of Application and Hearing ("the Notice") dated March 19, 2012 in which the Board made provision for the filing of intervenor and cost eligibility requests, and established dates for the filing of written interrogatories and written submissions. The Vulnerable Energy Consumers Coalition ("VECC") applied for intervenor status and cost eligibility. No objection was received. The Board confirms VECC as an intervenor and has determined that VECC is eligible to apply for an award of costs under its *Practice Direction on Cost Awards* (the "Practice Direction").

The Notice specified that Board staff and intervenors' interrogatories were to be filed with the Board and delivered to Burlington Hydro on April 18, 2012. Burlington Hydro was required to submit its responses to interrogatories to the Board and intervenors no later than May 2, 2012. Written final submissions by Board staff were to be filed on May

10, 2012 and written final submissions from intervenors were to be filed on May 14, 2012. Burlington Hydro's written response to parties' submissions was to be filed on May 22, 2012.

On April 18, 2012, Board staff and VECC served and filed interrogatories in accordance with the dates established in the Notice. Burlington Hydro filed its responses to Board staff's interrogatories on May 1, 2012.

In correspondence dated May 8, 2012, Burlington Hydro notified the Board that it had just come to its attention that day that it had not responded to the VECC interrogatories filed on April 18, 2012. The contact for Burlington Hydro's application had not been notified that the interrogatories had been served. Burlington Hydro requested an extension of the date to file responses to interrogatories to May 16, 2012 and a corresponding extension of the dates for submissions.

The Board notes that Burlington Hydro's requested extension date for providing its responses to VECC's interrogatories occurs subsequent to the Board's specified date for submissions by Board staff and VECC. As the submissions by Board staff are due on May 10, 2012, and VECC's submissions are due on May 14, 2012, the Board will extend the submission dates established in the Notice.

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. Burlington Hydro shall file with the Board complete responses to VECC's interrogatories and deliver them to VECC no later than **May 16, 2012**.
2. Written final submissions by Board staff must be filed with the Board, and served on all parties, by **May 23, 2012**.
3. Written final submissions by VECC must be filed with the Board and served on Burlington Hydro, by **May 25, 2012**.
4. If Burlington Hydro wishes to respond to the submissions, its written response must be filed with the Board and delivered to VECC by **June 4, 2012**.

All filings to the Board must quote the file number, EB-2012-0081, 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Martha McOuat at martha.mcouat@ontarioenergyboard.ca.

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
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, May 9, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Burlington Hydro Ltd.

Applicant and List of Intervenors

Board File No. EB-2012-0081

DATED: May 9, 2012

**Burlington Hydro Inc.
EB-2012-0081**

APPLICANT & LIST OF INTERVENORS

May 9, 2012

APPLICANT

Rep. and Address for Service

Burlington Hydro Inc.

Stephen Shields

Manager, Regulatory Affairs
Burlington Hydro Inc.
1340 Brant St.
Burlington ON L7R 3Z7

Tel: 905-332-1851 x 234
Fax: 905-322-8384
sshields@burlingtonhydro.com

Burlington Hydro Inc.

Michael Kysley

Executive V.P. and Chief Financial Officer
Burlington Hydro Inc.
1340 Brant Street
Burlington ON L7R 3Z7
Tel: 905-332-1851
Fax: 905-332-8384
mkysley@burlingtonhydro.com

INTERVENORS

Rep. and Address for Service

**Vulnerable Energy
Consumers Coalition**

Michael Buonaguro

Counsel
Public Interest Advocacy Centre
34 King St. E.
Suite 1102
Toronto ON M5C 2X8
Tel: 416-767-1666
Fax: 416-367-1954
mbuonaguro@piac.ca

**Burlington Hydro Inc.
EB-2012-0081**

APPLICANT & LIST OF INTERVENORS

May 9, 2012

**Vulnerable Energy
Consumers Coalition**

Shelley Grice

Consultant
Econalysis Consulting Services
34 King Street East
Suite 1702
Toronto ON M5C 2X8
Tel: 416-260-0225
Fax: 416-260-0442
shelley.grice@rogers.com