



**EB-2012-0167**

**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 Thunder Bay Hydro Electricity Distribution Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2013.

## **PROCEDURAL ORDER NO. 2**

**March 5, 2013**

Thunder Bay Hydro Electricity Distribution Inc. ("Thunder Bay Hydro") filed an application with the Ontario Energy Board (the "Board") on November 9, 2012 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 Thunder Bay Hydro charges for electricity distribution, to be effective May 1, 2013.

In Procedural Order No. 1, issued on January 9, 2013, the Board set dates for interrogatories and interrogatory responses. The Board notes that Thunder Bay Hydro filed its interrogatory responses three days after the date prescribed in the Procedural Order and failed to either request additional time for filing or provide an explanation for the delay. The Board reminds Thunder Bay Hydro that it is expected to comply with all directions set out in the Board's procedural orders.

After reviewing the responses to the interrogatories, the Board has determined that provision should be made for supplemental interrogatories for the purpose of clarifying the information provided in the responses filed by Thunder Bay Hydro. The Board encourages parties to use a continuous numbering system that starts from the last number utilized by the intervenor, modified with the addition of the letter "s". The reference tag for the supplemental interrogatory would be the original tag of the interrogatory in question. For example, a supplemental interrogatory regarding the

response to interrogatory “1-Staff-2” would be tagged “**1-Staff-49s**” beneath which “ **Ref: 1-Staff-2**” would appear.

The Board has also decided that it will convene a settlement conference. The Board will provide at this time for an oral hearing to examine any unsettled issues and to present any settlement agreement, as required.

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. Intervenors and Board staff who wish to ask questions that relate to the existing interrogatory responses filed by Thunder Bay Hydro shall file written supplemental interrogatories with the Board and deliver a copy to Thunder Bay Hydro on or before **March 13, 2013**.
2. Thunder Bay Hydro shall file with the Board complete responses to the supplemental interrogatories and deliver them to the intervenors no later than **March 25, 2013**.
3. A Settlement Conference will be convened on **April 2, 2013** starting at 9:30 a.m. in the Board’s offices at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, with the objective of reaching a settlement among the parties on the issues. If necessary, the Settlement Conference will continue on **April 3, 2013**.
4. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than **April 16, 2013**. In addition to outlining the terms of any settlement, the Settlement Proposal should contain a list of any unsettled issues, identifying those issues that the parties believe must be dealt with by way of a hearing.
5. An oral hearing will commence on **April 25, 2013** starting at 9:30 a.m. in the Board’s hearing room at 2300 Yonge Street, 25th Floor, Toronto. The hearing may continue on **April 26, 2013**. In the event that a settlement agreement is filed

with the Board, the presentation of the agreement will be made at the commencement of the oral hearing on April 25, 2013.

All filings to the Board must quote the file number, EB-2012-0167, be made through the Board's web portal at [www.pes.ontarioenergyboard.ca/service/](http://www.pes.ontarioenergyboard.ca/service/), 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 [www.ontarioenergyboard.ca/OEB/Industry](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, March 5, 2013

### **ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary