



EB-2007-0514

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
Canadian Niagara Power Inc. – Fort Erie for an order
or orders approving or fixing just and reasonable
distribution rates and other charges, to be effective
May 1, 2007.

PROCEDURAL ORDER NO. 1

Canadian Niagara Power Inc. – Fort Erie (“CNPI – Fort Erie” or “the Applicant”) filed an application with the Ontario Energy Board on January 26, 2007, under section 78 of the *Ontario Energy Board Act*, S.O. 1998, c.15, Schedule B. The Board assigned file number EB-2007-0514 to the application and issued a Notice of Application and Written Hearing dated February 9, 2007.

In determining this application, the Board would be assisted by receiving further information from the Applicant. The Board therefore considers it necessary to amend the procedure set out in the Notice. The amended procedure, including new dates for the filing of submissions, is described in the paragraphs below. A list of Intervenor is attached to this procedural order. Further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Intervenor and Board staff who wish information and material from the Applicant that is in addition to the 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 the Applicant on or before Monday March 19,

2007. The interrogatories should be directed only at the following aspects of CNPI – Fort Erie's application:

- request for the approval and disposition of Z-Factor costs related to storm damage recorded in account 1572, Extraordinary Event Costs.
2. The applicant shall file with the Board complete responses to the interrogatories and deliver them to the Intervenors no later than Monday, March 26, 2007.
 3. Intervenors or Board staff who wish to make a submission on the application must file that submission with the Board, and copy it to the Applicant and other Intervenors by Monday, April 9, 2007.
 4. If the Applicant wishes to respond to a submission, the response must be filed with the Board and copied to Intervenors by Monday, April 16, 2007.
 5. All filings to the Board must quote File No. EB-2007-0514, and must include three paper copies and, if possible, an electronic copy in Word format and in searchable PDF format of the filing. Filings must clearly state the sender's name, postal address and telephone number and, when available a fax number and e-mail address. Applicants are asked to use the file naming convention outlined in the Board's filing instructions issued January 18, 2007. 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, March 9, 2007.

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary

To: All Intervenors
Applicant