



EB-2012-0109

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 Brantford
Power Inc. for an order approving just and reasonable rates
and other charges for electricity distribution to be effective
November 1, 2013.

PROCEDURAL ORDER NO. 2

October 1, 2013

Brantford Power Inc. ("BPI") filed a complete application (the "Application") with the Ontario Energy Board (the "Board") on August 15, 2013 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 BPI charges for electricity distribution, to be effective November 1, 2013.

In Procedural Order No. 1, issued on September 19, 2013, the Board granted intervenor status and cost eligibility for parties having requested them and also set dates for interrogatories and interrogatory responses.

On September 30, 2013, the Board received a request for late intervention from the HVAC Coalition. In its Notice of Intervention, the HVAC Coalition also requested recovery of its reasonably incurred costs of participation, as its area of focus in the application impacts not only the HVAC Coalition's commercial interests, but also ratepayers, who may be paying for unregulated activities through subsidies.

The Board has reviewed the HVAC Coalition's Notice of Intervention and will grant the request for late intervention. The Board notes that the HVAC Coalition would not

normally be eligible for an award of costs under Section 3 of the Practice Direction on Cost Awards. In this case, the Board is prepared to consider granting cost eligibility at the end of the process upon assessing the value of the intervention with respect to ratepayer's interests.

THE BOARD ORDERS THAT:

1. The HVAC Coalition shall file its written interrogatories with the Board and serve them on BPI on or before **October 1, 2013**.
2. BPI shall file with the Board complete written responses to the interrogatories and serve them on Intervenors on or before **October 21, 2013**.

All filings to the Board must quote the file number, EB-2012-0109, be made through the Board's web portal at <https://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 <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 and Board Counsel, Ljuba Djurjevic at ljuba.djurjevic@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, October 1, 2013

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary