



**RP-2005-0020
EB-2005-0365**

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 Fort Albany
Power Corporation for approval of 2006 electricity
distribution rates.

PROCEDURAL ORDER NO. 1

Pursuant to section 78 of the *Ontario Energy Board Act, 1998*, S.O. c.15, Schedule B, Fort Albany Power Corporation (FAPC) has filed an application for the approval of distribution rates.

As directed by the Board, FAPC has published notice of its application under docket number EB-2005-0365, and an opportunity has been provided for interested parties to intervene.

Energy Probe filed a Notice of Intervention in this proceeding. FAPC objected to Energy Probe being granted intervenor status, on grounds that the cost of any award would be a burden to the rate-payers of Fort Albany, and that the intervention provides no added benefit to the residential customers of Fort Albany or to the Board. No other parties served notice.

The Board will grant Energy Probe status as an intervenor. The Board notes that Energy Probe, in its reply to the objection, anticipates that any application for costs will be modest.

The process set out below is established on the basis that there will not be intervenor evidence. Should that not be the case, additional procedural orders may be issued.

A table showing participants in this proceeding and their contact information is attached to this Order as Appendix 1.

THE BOARD THEREFORE ORDERS THAT:

1. The application of Fort Albany Power Corporation shall be dealt with by way of written hearing.
2. If it has not already done so, Fort Albany Power Corporation shall immediately serve on Energy Probe a complete set of all documents constituting its application. Service may be effected by emailing the documents (in their original format for spreadsheets).
3. Board staff and Energy Probe may file interrogatories with the Board, and serve them on Fort Albany Power Corporation on or before October 24, 2006.
4. Fort Albany Power Corporation shall file its responses to any interrogatories with the Board and serve them on Energy Probe on or before November 15, 2006.
5. Argument may be filed with the Board by Energy Probe, and comments may be filed by Board Staff, on or before November 29, 2006, and if so shall be served on Fort Albany Power Corporation.
6. Reply argument of Fort Albany Power Corporation shall be filed with the Board and served on Energy Probe on or before December 13, 2006.
7. All filings to the Board noted in this Order must be in the form of 10 hard copies and must be received by the Board by 4:45 p.m. on the stated dates. The Board also requires all filings to be in electronic form. Therefore, all parties must also email electronic copies of their filings to the Board Secretary at Boardsec@oeb.gov.on.ca, or otherwise make them available on CD or diskette. The Board requests that all parties make every effort to provide their filings in MS Word or MS Excel format for word-processed and spreadsheet documents respectively, or at a minimum in searchable PDF format.
8. Service of documents to parties other than the Board may be effected by email only.

ISSUED at Toronto, October 13, 2006.

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary

APPENDIX 1

TO PROCEDURAL ORDER NO. 1

BOARD FILE NO. RP-2005-0020/EB 2005-0365

DATED: October 13, 2006

INTERVENTION LIST

**FORT ALBANY POWER CORPORATION
2006 ELECTRICITY DISTRIBUTION RATES
RP-2005-0020 / EB-2005-0365**

APPLICANT & LIST OF INTERVENTIONS

October 13, 2006

Applicant

Rep. and Address for Service

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Intervenors

Rep. And Address for Service

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