



RP-2000-0005

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 the landown-
ers in the Amended Application for just and equitable com-
pensation in respect of gas or oil rights or the right to store gas
under section 38(3) of the *Ontario Energy Board Act*.

AND IN THE MATTER OF an Application by the landown-
ers in pools being the subject of proceedings in Board file RP-
1999-0047 (Century Pools Phase II) pursuant to the Board's
order of February 2, 2000, for just and equitable compensation
for the Century Pools Phase II development under section
38(2) of the *Ontario Energy Board Act*.

PROCEDURAL ORDER No. 5

An application was filed on January 28, 2000, (the "Application") by the Lambton County Storage Association ("LCSA") with the Ontario Energy Board (the "Board") under section 38(3) of the *Ontario Energy Board Act*, S.O. 1998, c.15 (the "Act"). The Board assigned the Application Board File No. RP-2000-0005.

The Board has issued 4 previous Procedural Orders with regard to this Application.

The Board issued Procedural Order No. 4 on September 11, 2003 ordering an Issues Day. The Issues Day was held on Tuesday, September 16, 2003 in Toronto. The purpose of the Issues Day was for the Board to identify issues that would assist the Board in the conduct of the compensation phase of the proceeding and which would assist the applicants and Union to participate more effectively in the proceeding. Union and the applicants submitted Proposed Issues Lists to the Board to consider. An Issues List approved by the Board is attached as Appendix "B" to this Procedural Order.

Amended evidence was filed with the Board on October 15, 2002. The Board has set a schedule for additional pre-hearing filings and procedures. This schedule is attached as Appendix "C" to this Order. The Board will hold an oral hearing starting March 2, 2004.

Additional procedural orders may be issued by the Board from time to time. Copies of all procedural orders will be sent to all the Parties.

The Board considers it expedient to make provision for the following items related to the Application.

THE BOARD ORDERS THAT:

1. The applicants not represented by counsel may file additional evidence with the Board and provide copies to Union and the applicants, no later than Wednesday, October 15, 2003.
2. Union shall file evidence with the Board and provide copies to the applicants, no later than Thursday, October 30, 2003.
3. The applicants and Union shall file, with the Board and deliver copies to Union and the applicants, written interrogatories requesting information and material from Union and the applicants that is in addition to the evidence filed and is relevant to the hearing no later than Friday, November 28, 2003.
4. The applicants and Union shall file responses to these interrogatories with the Board and deliver them to Union and the applicants no later than Monday, December 22, 2003.
5. The applicants and Union may file supplementary evidence, in addition to the evidence filed, with the Board and deliver this evidence to Union and the applicants no later than Monday, January 12, 2004.
6. The applicants and Union may file with the Board and deliver copies to Union and the applicants written supplementary interrogatories requesting information and material from Union and the applicants, that is in addition to the responses to the main interrogatories and the evidence filed and is relevant to the hearing no later than Monday, January 19, 2004.
7. Union and the applicants shall file responses to the supplementary interrogatories with the Board and deliver them to Union and the applicants no later than Thursday, February 5, 2004.
8. An Alternative Dispute Resolution conference shall be held with participation of Union, the applicants, and their representatives starting Monday, February 9, 2004.
9. A pre-hearing conference shall be held prior to the oral hearing at a time to be set by the Board.
10. An oral hearing shall commence on Tuesday, March 2, 2004. The Board shall issue a notice of hearing specifying the time and location for the hearing.

11. All filings to the Board noted in this Order must include 9 hard copies and must be **received by the Board by 4:45 p.m.** on the stated dates. The Board requests that all parties make every effort to include a copy of their filings on disk, in WordPerfect format, along with the hard copies which are filed. 23
12. All filings shall be distributed to the parties listed in Appendix “A” attached to this Order. 24
13. An Issues List as approved by the Board is attached as Appendix “B” to this Order. 25
14. The schedule for this proceeding determined in this Order is attached as Appendix “C”. 26

ISSUED at Toronto, September 25, 2003 27

ONTARIO ENERGY BOARD

Peter H. O'Dell
Assistant Secretary

**APPENDIX “A” TO
PROCEDURAL ORDER NO. 5
Distribution List [\[oeb:12QBQ-2:1\]](#)
RP-2000-0005
DATED September 25, 2003**

**APPENDIX “B” TO
PROCEDURAL ORDER NO. 5
Issues List [\[oeb:12XCB-0:1\]](#)
RP-2000-0005
DATED September 25, 2003**

**APPENDIX “C” TO
PROCEDURAL ORDER NO. 5
SCHEDULE OF PROCEEDING
RP-2000-0005
DATED September 25, 2003**

Step	Event	Date
1	Applicants w/o Counsel file additional evidence	Wed, Oct 15, 2003
2	Union files Evidence	Thu, Oct 30, 2003
3	Parties Submit Interrogatories	Fri, Nov 28, 2003
4	Respondents File Responses	Mon, Dec 22, 2003
5	Union & Applicants File Supplementary Evidence (if any)	Mon, Jan 12, 2004
6	Parties Submit Supplementary Interrogatories	Mon, Jan 19, 2004
7	Respondents File Responses	Thu, Feb 05, 2004
8	ADR Begins	Mon, Feb 09, 2004
9	Pre-Hearing Conference Starts	To be announced
10	Hearing Starts	Tue, Mar 02, 2004