



EB-2007-0691

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S. O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF a review of a notice of proposal
filed by Kruger Energy Inc. under section 81 of the *Ontario
Energy Board Act, 1998*.

PROCEDURAL ORDER NO. 5

On September 13, 2007, the Board issued a notice of review of Kruger Energy Inc.'s ("KEI") notice of proposal filed under section 81 of *Ontario Energy Board Act, 1998* relating to the construction and operation of a 100 MVA substation in the Municipality of Chatham-Kent. The proposed facility, which would be located near the Bloomfield Business Park, would be connected to the 230 kV transmission lines between the Chatham Transformer Station and the Lauzon Transformer Station. In accordance with section 82 of the Act, the Board has proceeded with the review of the proposal.

On March 27, 2008, the Board issued Procedural Order #2 wherein the Board convened a technical conference for April 14, 2008 and provided all parties the opportunity to file the questions that they would be asking at the technical conference by April 4, 2008.

On April 2, 2008, KEI filed a letter with the Board requesting that the technical conference be adjourned to early June. It was KEI's belief that it would not be in a position to address Board staff questions, filed on April 2, 2008, as fully as would be beneficial to the Board in its consideration of the section 81 notice of proposal. No party objected to the adjournment request.

On April 11, 2008, the Board issued Procedural Order #3 granting the adjournment request. On May 8, 2008, the Board issued Procedural Order #4. Parties were informed that the technical conference scheduled for April 14, 2008 was adjourned to June 12, 2008. The Board provided an opportunity for parties to file the questions that they would be asking at the technical conference by May 30, 2008.

On June 9, 2008, KEI filed a letter with the Board requesting that the technical conference be adjourned for a second time. KEI proposed that the technical conference take place sometime after August 2008.

The Board has decided to grant the adjournment. However, the Board notes that this is now the second time that the technical conference has been adjourned at KEI's request, this time only three days before the technical conference was to take place. The Board will not grant any further adjournment requests for this proceeding.

The technical conference will be rescheduled, but on the following conditions. KEI must provide the Board and all intervenors with several suggested dates for the rescheduled technical conference by August 29, 2008. Furthermore, the technical conference must take place on or before September 30, 2008. If the technical conference does not take place on or before September 30, 2008, the Board will consider this file to be abandoned.

An updated intervenor list is attached as Appendix A to this procedural order.

The Board considers it necessary to make provision for the procedural matters set out below. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. The technical conference scheduled for June 12, 2008 is adjourned.
2. Kruger Energy Inc. shall provide the Board and all intervenors with several suggested dates for the rescheduled technical conference by August 29, 2008.

ISSUED at Toronto, June 11, 2008

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

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APPENDIX A

KRUGER ENERGY INC.

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LIST OF PARTIES

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Intervenors	Rep. And Address for Delivery
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Intervenors	Rep. And Address for Delivery
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