



EB-2008-0237

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 **Niagara-on-the-Lake Hydro Inc.** for an order approving just and reasonable rates and other charges for electricity distribution to be effective **May 1, 2009**

PROCEDURAL ORDER No. 1

Niagara-on-the-Lake Hydro Inc. ("NOTL" or "the Applicant") filed an application with the Ontario Energy Board, received on August 6, 2008 under section 78 of the *Ontario Energy Board Act*, 1998, seeking approval for changes to the rates that NOTL charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0237. The Board issued a Notice of Application and Hearing dated August 26, 2008.

The Board has decided to make provision for a phased approach to the discovery process for this proceeding. The first phase will consist of written interrogatories followed by a technical conference, which will be held prior the filing of written interrogatory responses. The purpose of the technical conference is to allow parties and the Board to better understand NOTL's application and to facilitate a face-to-face discussion of the interrogatories to ensure clarity regarding the nature of the questions being asked and the responses being sought. Once the technical conference is completed, the Applicant will be required to file full written responses to the interrogatories.

At the completion of this first phase of the discovery process, the Board will determine whether further discovery, either in the form of a further technical conference or further interrogatories, is required and whether to order that a Settlement Conference be held. Depending on the outcome of any Settlement Conference and related proceedings, the Board will then determine whether to hold an oral hearing and will advise the parties accordingly.

This Procedural Order speaks only to the first phase of discovery for this proceeding. Please be aware that this Procedural Order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Intervenors or Board staff who wish information and material from the Applicant that is in addition to the Applicant's pre-filed evidence 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 October 20, 2008. Where possible, the questions should specifically reference the pre-filed evidence.
2. A transcribed technical conference will be held at 2300 Yonge Street, 25th floor, Toronto, Ontario in the Board's North Hearing Room. The technical conference will commence on November 5, 2008 at 9:00 a.m. and is expected to conclude no later than 4:30 p.m. Parties shall confirm their attendance by writing to the Board Secretary or by sending an email to Boardsec@oeb.gov.on.ca and by copying the e-mail to Mr. Daria Babaie at daria.babaie@oeb.gov.on.ca by October 27, 2008.
3. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than November 17, 2008.
4. A list of intervenors is attached as Appendix A to this order.
5. All filings to the Board must quote file number EB-2008-0237, be made through the Board's web portal at www.errr.oeb.gov.on.ca, 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. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

6. 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, October 1, 2008
ONTARIO ENERGY BOARD

Original signed by

Kristen Walli
Board Secretary

Addresses

The Board:

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON
M4P 1E4

Attention: Board Secretary

E-mail: Boardsec@oeb.gov.on.ca

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

The Applicant:

Niagara-on-the-Lake Hydro Inc.
#8 Henegan Road
P.O. Box 460
Virgil, Ontario
L0S 1T0

Attention: Jim Huntingdon

E-Mail: jhuntingdon@notlhydro.com

Tel: 1-905-468-4235 ext 55
Fax: 1-905-468-3861

NIAGARA-ON-THE-LAKE HYDRO INC.

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LIST OF INTERVENORS

October 1, 2008

Organization	Rep. And Address for Service
1. Vulnerable Energy Consumers Coalition	<p>Mr. Michael Buonaguro Public Interest Advocacy Centre 34 King Street East, Suite 1102 Toronto, Ontario M5C 2X8</p> <p>Tel: 416 767-1666 Fax: 416 348-0641 Email: mbuonaguro@piac.ca</p>
AND	<p>Mr. Bill Harper Econalysis Consulting Services 34 King Street East, Suite 1102 Toronto, Ontario M5C 2X8</p> <p>Tel: (416) 348-0193 Fax: (416) 348-0641 Email: bharper@econalysis.ca</p>
2. Energy Probe	<p>Mr. Randy Aiken Aiken & Associated 578 McNaughton Ave. West Chatham, Ontario N7L 4J6</p> <p>Tel: (519) 351-8624 Fax: (519) 351-4331 Email: raiken@xcelco.on.ca</p>
AND	<p>Mr. David S. MacIntosh c/o Energy Probe 225 Brunswick Ave. Toronto, Ontario M5S 2M6</p>

Organization	Rep. And Address for Service
	Tel: (416) 964-9223 Ext. 235 Fax: (416) 964-8239 Email: DavidMacIntosh@nextcity.com
3. School Energy Coalition	Ontario Education Services Corporation c/o Ontario Public School Boards Association 439 University Avenue, 18th Floor Toronto, ON M5G 1Y8 Attn: Bob Williams, Co-ordinator Tel: (416) 340-2540 Fax: (416) 340-7571 Email: bwilliams@opsba.org
AND	Shibley Righton LLP Barristers and Solicitors 250 University Avenue, Suite 700 Toronto, Ontario, M5H 3E5 Attn: John De Vellis Tel: (416) 214-5232 Fax: (416) 214-5432 Email: john.devellis@shibleyrighton.com
AND	Institutional Energy Analysis, Inc. 250 University Avenue, Suite 700 Toronto, Ontario, M5H 3E5 Attn: Rachel Chen, Principal Consultant Tel: (416) 214-5218 Fax: (416) 214-5418 Email: rachel.chen@ieai.ca