



**EB-2008-0226**

**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 **COLLUS  
Power Corp.** for an order approving just and  
reasonable rates and other charges for electricity  
distribution to be effective **May 1, 2009**

### **PROCEDURAL ORDER No. 2**

**COLLUS Power Corp.** ("COLLUS" or "the Applicant") filed an application with the Ontario Energy Board, received on August 18, 2008 under section 78 of the *Ontario Energy Board Act*, 1998, seeking approval for changes to the rates that COLLUS charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the application File Number EB-2008-0226. The Board issued a Notice of Application and Hearing dated September 2, 2008 and Procedural Order No. 1 on October 6, 2008.

In Procedural Order No. 1, the Board indicated that it would adopt a phased approach to the discovery process for this proceeding, including a first phase consisting of written interrogatories followed by a technical conference, which was to be held prior the filing of written interrogatory responses.

The Board has since decided that it will make the technical conference optional at the Applicant's request. The purpose of the technical conference would be to allow the Applicant to better understand and discuss interrogatories received from the parties and Board staff to clarify the nature of the questions being asked and the responses being sought. The Board will accept a submission from the Applicant within one week of the deadline for receipt of the interrogatories as to whether it wishes a technical conference. Whether or not a technical conference is held at this stage of the proceeding, 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, in the form of a technical conference or additional

interrogatories is required, and whether to order that a Settlement Conference be held. Subsequently, the Board will determine what additional aspects of the review may be dealt with through an oral hearing and will advise the Applicant and parties accordingly.

The Vulnerable Energy Consumers Coalition, the School Energy Coalition, Energy Probe Research Foundation, and the Association of Major Power Consumers in Ontario (AMPCO) applied for intervenor status and cost eligibility in this matter. No objections were received from the Applicant. The Board has considered the requests from these parties and confirms their intervenor status and eligibility for costs in this proceeding. The Practice Direction on Cost Awards and related forms are available on the Board's Web site at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca).

The Board recognizes that the costs of an intervention can be relatively significant for a smaller distributor. While the Board encourages active participation in the review of an application, intervenors should be mindful of the potential impact of these costs upon ratepayers, which the Board will take into consideration when it determines its cost awards. The Board will also take into account the quality and relevance of the intervention. In addition, the Board will consider any duplication of effort by intervenors in this proceeding. As a guide, the Board has attached a table (Appendix A) that summarizes the approved cost awards for those distributors that made cost of service applications for their 2008 rates.

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. If requested by the Applicant, on or before November 4, 2008, a transcribed technical conference will be held at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, Ontario in the Board's North Hearing Room. The technical conference would be held on November 13, 2008 commencing at 9:00 a.m. and be expected to conclude by 4:30 p.m. The Board will inform the interested parties as to the status of the technical conference on or before November 6, 2008.
2. If a technical conference is determined to be held on November 13, 2008, Parties shall confirm their attendance by writing to the Board Secretary by November 10, 2008.

3. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than November 28, 2008.
4. A list of intervenors is attached as Appendix B to this order.
5. All filings to the Board must quote file number EB-2008-0226, be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://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](http://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 22, 2008  
**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten 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](mailto:Boardsec@oeb.gov.on.ca)

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

**The Applicant:**

COLLUS Power Corp.  
Box 189,  
43 Stewart Road  
Collingwood, ON  
L9Y 3Z5

Attention: Darius Vaiciunas

E-Mail: [dvaiciunas@collus.com](mailto:dvaiciunas@collus.com)

Tel: +1 (705) 445-1800

## APPENDIX A

### 2008 COS EDR COMPARISON OF COST AWARDS TO REVENUE REQUIREMENT by LDC and INTERVENOR COST PER CUSTOMER

DECISION & ORDER ON COST ISSUED							
<u>Distributor</u>	<u>Number of Intervenors</u>	<u>EB Number</u>	<u>Proposed Revenue Requirement</u>	<u>Approved Cost Award</u>	<u>% Revenue</u>	<u>Number of Customers</u>	<u>Cost per Customer</u>
Hydro 2000 Inc.	1	EB-2007-0704	\$333,872	\$5,196.75	1.56%	1,159	\$4.48
Chapleau Public Utilities Corporation	1	EB-2007-0755	\$736,568	\$6,756.25	0.92%	1,338	\$5.05
Espanola Regional Hydro Distribution Corporation	2	EB-2007-0901	\$1,304,404	\$9,735.32	0.75%	3,316	\$2.94
Rideau St. Lawrence Distribution Inc.	2	EB-2007-0762	\$2,267,241	\$12,388.05	0.55%	5,864	\$2.11
Lakefront Utilities Inc.	2	EB-2007-0761	\$5,077,851	\$17,257.19	0.34%	9,057	\$1.91
Halton Hills Hydro Inc.	2	EB-2007-0696	\$10,446,283	\$21,206.04	0.20%	20,214	\$1.05
Norfolk Power Distribution Inc.	2	EB-2007-0753	\$12,800,352	\$12,699.65	0.10%	18,641	\$0.68
PUC Distribution Inc.	1	EB-2007-0931	\$17,191,211	\$5,338.36	0.03%	32,512	\$0.16
Oshawa PUC Networks Inc.	3	EB-2007-0710	\$20,440,000	\$22,204.50	0.11%	50,978	\$0.44
AMPCO Motion on Oshawa PUC Networks Decision	4	EB-2008-0099	\$20,440,000	\$45,032.40	0.22%	50,979	\$0.88
Barrie Hydro Distribution Inc.	2	EB-2007-0746	\$35,008,572	\$11,968.00	0.03%	68,535	\$0.17
Enersource Hydro Mississauga Inc.	5	EB-2007-0706	\$124,300,000	\$111,258.31	0.09%	183,706	\$0.61
Hydro Ottawa Ltd.	4	EB-2007-0713	\$147,951,054	\$81,425.95	0.06%	286,995	\$0.28
Toronto Hydro-Electric System	5	EB-2007-0680	\$498,400,000	\$250,344.26	0.05%	679,864	\$0.37
					<b>0.36%</b>	<b>average</b>	<b>\$1.51</b>

**Appendix B**  
**COLLUS Power Corp.**  
**EB-2008-0226**

**LIST OF INTERVENORS**

**October 22, 2008**

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

	<b>AND</b>	<p>Mr. David S. MacIntosh c/o Energy Probe 225 Brunswick Ave. Toronto, Ontario M5S 2M6</p> <p>Tel: (416) 964-9223 Ext. 235 Fax: (416) 964-8239 Email: <a href="mailto:DavidMacIntosh@nextcity.com">DavidMacIntosh@nextcity.com</a></p>
<b>3.</b>	<b>School Energy Coalition</b>	<p>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: <a href="mailto:bwilliams@opsba.org">bwilliams@opsba.org</a></p>
	<b>AND</b>	<p>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: <a href="mailto:john.devellis@shibleyrighton.com">john.devellis@shibleyrighton.com</a></p>
	<b>AND</b>	<p>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: <a href="mailto:rachel.chen@ieai.ca">rachel.chen@ieai.ca</a></p>

4.	<b>AMPCO</b>	Mr. Adam White President, AMPCO 372 Bay Street, Suite 1702 Toronto, ON M5H 2W9 Tel.: 416-260-0225 Fax: 416-260-0442 E-mail: <a href="mailto:awhite@ampco.org">awhite@ampco.org</a>
	<b>AND</b>	Ms. Christine Dade 1449 Connery Crescent Oshawa, ON L1J 8E8 Tel.: 905-723-9895 E-mail: <a href="mailto:dade9895@rogers.com">dade9895@rogers.com</a>
	<b>AND</b>	Ms. Shelley Grice c/o AMPCO 372 Bay Street, Suite 1702 Toronto, ON M5H 2W9 Tel.: 416-260-0280 ext. 104 Fax: 416-260-0442 E-mail: <a href="mailto:sgrice@ampco.org">sgrice@ampco.org</a>