



**EB-2008-0238**

**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 **Northern Ontario Wires 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**

Northern Ontario Wires Inc. ("NOW") filed an application with the Ontario Energy Board (the "Board"), received on August 22, 2008 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that NOW charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the File Number EB-2008-0238 to this application.

The Board issued a Notice of Application and Hearing on September 23, 2008. The Vulnerable Energy Consumers Coalition ("VECC"), the School Energy Coalition ("SEC") and the Association of Major Power Consumers in Ontario ("AMPCO") applied for intervenor status and cost eligibility.

The Board received correspondence from NOW on October 10, 2008 objecting to each intervention request and questioning whether the parties applying to intervene represented interests in the area served by NOW. The Board has considered NOW's objections and the responses provided by VECC, SEC and AMPCO. The participation of intervenors is an important component of a rate proceeding. Each of these groups represents a significant consumer interest and the results of the proceeding will impact these consumers. The Board concludes that these parties should be granted intervenor status.

The Board has also determined that VECC, SEC and AMPCO are each eligible to apply for an award of costs under the Board's *Practice Direction on Cost Awards*.

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 that summarizes the approved cost awards for those distributors that made cost of service applications for their 2008 rates.

A list of parties is attached as Appendix A to this order. A list of intervenor cost awards approved for certain 2008 cost of service applications is attached as Appendix B to this order.

As identified in the Notice of Application, the Board intends to proceed with its review of this application by including an oral component. The Notice indicated that the oral component may be in the form of a technical conference or an oral hearing.

The Board has decided to make provision at this time for written interrogatories and a transcribed technical conference. The purpose of the technical conference will be to allow parties to ask supplemental questions to better understand NOW's interrogatory responses and to provide parties the opportunity to scope issues for a potential settlement conference.

After the technical conference has taken place, the Board will determine whether provision should be made for additional interrogatories, an additional technical conference, or a settlement conference, after which the Board will determine whether to conduct an oral hearing.

This Procedural Order addresses the interrogatory and first technical conference processes. 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 Board staff wishes 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, Board staff shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before **November 7, 2008**. Where possible, the questions should specifically reference the pre-filed evidence.
2. Intervenors 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 **November 14, 2008**. Where possible, the questions should specifically reference the pre-filed evidence.
3. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **December 12, 2008**.
4. A transcribed technical conference will be held at 2300 Yonge Street, 25<sup>th</sup> floor, Toronto, Ontario in the Board's West Hearing Room. The technical conference will be held on **January 13, 2009** commencing at 9:30 a.m. and be expected to conclude by 5:00 p.m.
5. Parties shall confirm their attendance at the technical conference by writing to the Board Secretary by **January 7, 2009**.

All filings to the Board must quote the three file number, EB-2008-0238, 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.

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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.

**ADDRESS**

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

Attention: Kirsten Walli  
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

**DATED** at Toronto, October 27, 2008

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

**Appendix A**  
**LIST OF PARTIES**

**NORTHERN ONTARIO WIRES  
2009 ELECTRICITY DISTRIBUTION APPLICATION**

**EB-2008-0238  
LIST OF PARTIES**

**October 27, 2008**

<b>Applicant</b>	<b>Rep. And Address for Service</b>
<b>Northern Ontario Wires</b>	Monika Malherbe Chief Financial Officer Northern Ontario Wires 153 Sixth Avenue Cochrane ON P0L 1C0  Tel: 705-272-6669 Fax: 705-272-5035 Email: <a href="mailto:monikam@puc.net">monikam@puc.net</a>
<b>Intervenor</b>	<b>Rep. And Address for Service</b>
<b>Association of Major Power Consumers in Ontario</b>	Shelley Grice AMPCO 372 Bay Street, Suite 1702 Toronto ON M5H 2W9  Tel: 416-260-0280 ext.104 Fax: 416-260-0442 Email: <a href="mailto:sgrice@ampco.org">sgrice@ampco.org</a>
<b>AND</b>	Christine Dade Dade and Associates 1449 Connery Crescent Oshawa ON L1J 8E8  Tel: 905-723-9895 Email: <a href="mailto:dade9895@rogers.com">dade9895@rogers.com</a>

**School Energy Coalition**

Bob Williams  
Co-ordinator  
Ontario Education Services Corporation  
c/o Ontario Public School Boards  
Association  
439 University Avenue, 18<sup>th</sup> Floor  
Toronto ON M5G 1Y8

Tel: 416-340-2540  
Fax: 416-340-7571  
Email: [bwilliams@opsba.org](mailto:bwilliams@opsba.org)

**AND**

John De Vellis  
SHIBLEY RIGHTON LLP  
Barristers and Solicitors  
250 University Avenue, Suite 700  
Toronto ON M5H 3E5

Tel: 416-214-5232  
Fax: 416-214-5432  
Email: [john.devellis@shibleyrighton.com](mailto:john.devellis@shibleyrighton.com)

**AND**

Rachel Chen  
Principal Consultant  
Institutional Energy Analysis, Inc.  
250 University Avenue, Suite 700  
Toronto ON M5H 3E5

Tel: 416-214-5218  
Fax: 416-214-5418  
Email: [rachel.chen@ieai.ca](mailto:rachel.chen@ieai.ca)

**Vulnerable Energy Consumers  
Coalition**

Michael Buonaguro  
Counsel  
Public Interest Advocacy Centre  
34 King Street East, Suite 1102  
Toronto ON M5C 2X8

Tel: 416-767-1666  
Fax: 416-348-0641  
Email: [mbuonaguro@piac.ca](mailto:mbuonaguro@piac.ca)

**AND**

Bill Harper  
Econalysis Consulting Services  
34 King Street East, Suite 1102  
Toronto ON M5C 2X8

Tel: 416-348-0193  
Fax: 416-348-0641  
Email: [bharper@econalysis.ca](mailto:bharper@econalysis.ca)



## **Appendix B**

### **LIST OF INTERVENOR COST AWARDS APPROVED FOR CERTAIN 2008 COST OF SERVICE APPLICATIONS**

**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	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>