

file #1

Ontario Energy  
Board

Commission de l'énergie  
de l'Ontario



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. 1**

**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.

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 COLLUS' 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 31, 2008. Where possible, the questions should specifically reference the pre-filed evidence.
2. 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 will commence on November 13, 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](mailto:Boardsec@oeb.gov.on.ca) and by copying the e-mail to Mr. Daria Babaie at [daria.babaie@oeb.gov.on.ca](mailto:daria.babaie@oeb.gov.on.ca) by November 7, 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 A 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 6, 2008

**ONTARIO ENERGY BOARD**



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



**COLLUS POWER CORP.**

**EB-2008-0226**

**LIST OF INTERVENORS**

**October 6, 2008**

<b>Organization</b>	<b>Rep. And Address for Service</b>
<b>1. 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. 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>

**AND**

Mr. David S. MacIntosh  
c/o Energy Probe  
225 Brunswick Ave.  
Toronto, Ontario  
M5S 2M6

Tel: (416) 964-9223 Ext. 235  
Fax: (416) 964-8239  
Email: [DavidMacIntosh@nextcity.com](mailto:DavidMacIntosh@nextcity.com)

**3. School Energy Coalition**

Mr. Bob Williams  
Ontario Education Services Corporation  
c/o Ontario Public School Boards Association  
439 University Avenue, 18th Floor  
Toronto, ON  
M5G 1Y8  
Tel: (416) 340-2540  
Fax: (416) 340-7571  
Email: [bwilliams@opsba.org](mailto:bwilliams@opsba.org)

**AND**

Mr. John De Vellis  
Shibley Righton LLP  
Barristers and Solicitors  
250 University Avenue, Suite 700  
Toronto, Ontario, M5H 3E5  
Tel: (416) 214-5232  
Fax: (416) 214-5432  
Email: [john.devellis@shibleyrighton.com](mailto:john.devellis@shibleyrighton.com)

**AND**

Ms. Rachel Chen  
Institutional Energy Analysis, Inc.  
250 University Avenue, Suite 700  
Toronto, Ontario, M5H 3E5  
Attn: Rachel Chen, Principal Consultant  
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Email: [rachel.chen@ieai.ca](mailto:rachel.chen@ieai.ca)