



EB-2008-0250

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 Westario
Power 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

Westario Power Inc. ("Westario") 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 Westario charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the File Number EB-2008-0250 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. No objections were received.

The Board has determined that VECC, SEC and AMPCO are granted intervenor status. The Board has also determined that the intervenors 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 intervenors and the Applicant in this proceeding 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 Westario'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 note that this Procedural Order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Board staff shall request information and material from Westario that is in addition to Westario's pre-filed evidence with the Board, and that is relevant to the hearing by written interrogatories filed with the Board and delivered to Westario on or before **November 17, 2008**. Where possible, the questions should specifically reference the pre-filed evidence.
2. Intervenors who wish information and material from Westario that is in addition to Westario'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 Westario on or before **November 24, 2008**. Where possible, the questions should specifically reference the pre-filed evidence.

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3. Westario shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **December 22, 2008**.
4. A transcribed technical conference will be held at 2300 Yonge Street, 25th floor, Toronto, Ontario in the Board's West Hearing Room. The technical conference will be held on **January 20, 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 14, 2009**.

All filings to the Board must quote the three file number, EB-2008-0250, 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.

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, 27th Floor
Toronto, ON M4P 1E4

Attention: Kirsten Walli
Board Secretary

E-mail: Boardsec@oeb.gov.on.ca
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

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DATED at Toronto, November 3, 2008.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A

APPLICANT AND INTERVENORS LIST

**WESTARIO POWER INC.
2009 ELECTRICITY DISTRIBUTION APPLICATION**

**EB-2008-0250
APPLICANT AND LIST OF INTERVENORS**

November 3, 2008

Applicant	Rep. And Address for Service
Westario Power Inc.	Lisa Milne Chief Financial Officer Westario Power Inc. 24 East Ridge Road R.R. #2 Walkerton ON N0G 2V0 Tel: 519-507-6666 ext.216 Fax: 519-507-6777 Email: lisa.milne@westario.com

Intervenor	Rep. And Address for Service
Association of Major Power Consumers in Ontario	Shelley Grice AMPCO 372 Bay Street, Suite 1702 Toronto ON M5H 2W9 Tel: 416-260-0280 ext.104 Fax: 416-260-0442 Email: sgrice@ampco.org
AND	Christine Dade Dade and Associates 1449 Connery Crescent Oshawa ON L1J 8E8 Tel: 905-723-9895 Email: dade9895@rogers.com

School Energy Coalition

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Co-ordinator
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**Vulnerable Energy Consumers
Coalition**

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APPENDIX B

List Of Intervenor Cost Awards Approved For 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
					0.36%	average	\$1.51