



EB-2008-0245

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 Thunder Bay Hydro Electricity Distribution 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

Thunder Bay Hydro Electricity Distribution Inc. ("Thunder Bay") filed an application with the Ontario Energy Board (the "Board"), received on September 8, 2008 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Thunder Bay charges for electricity distribution, to be effective May 1, 2009. The Board has assigned the File Number EB-2008-0245 to this application.

The Board issued a Notice of Application and Hearing on October 1, 2008. The School Energy Coalition ("SEC"), the Association of Major Power Consumers in Ontario ("AMPCO") and Energy Probe Research Foundation ("Energy Probe") applied for intervenor status and cost eligibility. No objections were received.

The Board has determined that SEC, AMPCO and Energy Probe are granted intervenor status. A list of intervenors in this proceeding is attached as Appendix A to this order. 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. 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 certain distributors that made cost of service applications for their 2008 rates. This table 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 Thunder Bay'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 Thunder Bay that is in addition to Thunder Bay's pre-filed evidence with the Board, and that is relevant to the hearing, by written interrogatories filed with the Board and delivered to Thunder Bay on or before **November 28, 2008**. Where possible, the questions should specifically reference the pre-filed evidence.
2. Intervenors who wish information and material from Thunder Bay that is in addition to Thunder Bay'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 Thunder Bay on or before **December 5, 2008**. Where possible, the questions should specifically reference the pre-filed evidence.

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3. Thunder Bay shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **January 9, 2009**.
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 **February 3, 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 27, 2009**.

All filings to the Board must quote the three file number, EB-2008-0245, 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: 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 14, 2008
ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix "A"
To The Procedural Order No. 1
EB-2008-0245
Thunder Bay Hydro Electricity Distribution Inc.
November 14, 2008

**THUNDER BAY HYDRO ELECTRICITY DISTRIBUTION INC.
2009 COST OF SERVICE APPLICATION**

**EB-2008-0245
APPLICANT & LIST OF INTERVENTIONS**

November 14, 2008

Applicant

Thunder Bay Hydro Electricity
Distribution Inc.

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Intervenors

**1. Association of Major Power
Consumers in Ontario**

Rep. And Address for Service

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AND

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2. Energy Probe Research Foundation

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AND

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3. School Energy Coalition

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Corporation
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Appendix "B"
To The Procedural Order No. 1
EB-2008-0245
Thunder Bay Hydro Electricity Distribution Inc.
November 14, 2008

**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