



**PUBLIC INTEREST ADVOCACY CENTRE**  
**LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC**

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November 28, 2008

**VIA MAIL and E-MAIL**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge St.  
Toronto, ON  
M4P 1E4

Dear Ms. Walli:

**Re: Procedural Order No. 3**  
**Niagara-on-the-Lake Hydro Inc.**  
**Application for 2009 Electricity Distribution Rates**  
**Board File No. EB-2008-0237**

The following are the submissions of the Vulnerable Energy Consumers Coalition (VECC) on the procedural issues identified in the Board's Procedural Order No. 3 issued November 20, 2008:

- a) *whether further discovery is required, either in the form of further interrogatories or a technical conference;*

Although VECC is content with the answers it received on its interrogatories and does not believe that further discovery is essential in this proceeding, if the Board does provide for further discovery VECC would utilize the opportunity to obtain further clarifications. As to the form of the discovery process, VECC submits that a second round of written interrogatories would be sufficient.

- b) *whether a settlement conference would be appropriate; and*

Given the Applicant's submissions dated November 20, 2008, VECC does not believe that a settlement conference would be beneficial.

c) *Whether a written or oral hearing is preferred.*

VECC believes that for this proceeding a written hearing process is appropriate.

Yours truly,

Michael Buonaguro  
Counsel for VECC

cc: Jim Huntingdon