



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. 2

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 issued a Notice of Application and Hearing on September 23, 2008. Procedural Order No. 1 was issued on November 3, 2008. The Board made provision for written interrogatories and a transcribed technical conference. The purpose of the technical conference was 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.

The Board has determined that the technical conference is not required. Instead, the Board has determined that intervenors and Board staff may submit supplemental interrogatories. These supplemental interrogatories should arise out of responses provided to the first set of interrogatories or new information filed by Westario since it filed its original application. It is the Board's expectation that parties will use the supplemental interrogatories to ensure both clarity of the record and that any new information is filed and tested in advance of final arguments.

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. If Board staff and intervenors wish information and material that is supplemental to Westario's pre-filed evidence and responses to interrogatories, Board staff and intervenors shall request it by written supplemental interrogatories, filed with the Board and delivered to Westario on or before **January 20, 2009**.
2. Westario shall file with the Board complete responses to the supplemental interrogatories and deliver them to the intervenors no later than **February 3, 2009**.
3. If Board staff wishes to make a written submission on the application, Board staff must file that submission with the Board, and deliver it to Westario and other intervenors by **February 27, 2009**.
4. Intervenors who wish to make a written submission on the application must file that submission with the Board, and deliver it to Westario and other intervenors by **March 2, 2009**.
5. If Westario wishes to respond to a submission, the response must be filed with the Board and delivered to intervenors by **March 16, 2009**.

All filings to the Board must quote 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.

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

DATED at Toronto, January 14, 2009.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary