



EB-2007-0063

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c.15 (Schedule B);

AND IN THE MATTER OF applications by electricity
distribution companies for approval of a smart meter
rate adder;

AND IN THE MATTER OF a combined proceeding
initiated by the Ontario Energy Board pursuant to
sections 19(4), 21(1), 21(5) and 78(3.03) of the *Ontario
Energy Board Act*, 1998 to determine issues related to
the recovery of costs incurred by distributors and
associated with authorized discretionary metering
activities.

PROCEDURAL ORDER NO. 4

In January and February of 2007, twelve licensed distributors authorized to conduct discretionary metering activities filed applications pursuant to section 78 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15 (Schedule B) (the "Act") for the approval of distribution rates, which applications included a smart metering rate adder to be effective as of May 1, 2007. These distributors are Chatham-Kent Hydro Inc., Enersource Hydro Mississauga Inc., Horizon Utilities Corporation, Hydro One Brampton Networks Inc., Hydro One Networks Inc., Hydro Ottawa Limited, Middlesex Power Distribution Corporation, Milton Hydro Distribution Inc., PowerStream Inc., Tay Hydro Electric Distribution Co. Inc., Toronto Hydro-Electric System Limited, and Veridian Connections Inc.

On March 26, 2007, the Board received an application from Toronto Hydro-Electric System Limited pursuant to section 78 of the Act for rate adjustments related to smart metering activities and Conservation and Demand Management activities. The Board

will consider the adjustments related to smart metering activities in this Combined Proceeding.

On May 2, 2007, the Board issued a further Notice of a Combined Proceeding pursuant to sections 19, 21 and 78 of the Act to determine the prudence and recovery of costs associated with smart metering activities for the twelve licensed distributors referred to above, and a thirteenth licensed distributor, Newmarket Hydro Limited, that has been authorized by regulation to conduct discretionary metering activities. These thirteen licensed distributors are deemed to be applicants in the Combined Proceeding.

On May 18, 2007 the Board issued Procedural Order No. 1 which identified the issues to be addressed in this proceeding and set out the case timetable. On May 25, 2007 the Board issued Procedural Order No. 2 amending the schedule for the Issues Conference and Issues Day.

The Board held Issues Day on June 1, 2007 and heard submissions from the parties on contested issues and proposed minimum filing requirements. During Issues Day, several applicants made submissions regarding the filing of confidential material that would be required under the Minimum Filing Requirements. The Board issued its oral Decision with respect to these matters on June 1, 2007. Reference should be made to the transcript of the Issues Day proceeding for that oral Decision.

On June 5, 2007 the Board issued Procedural Order No. 3 to provide the Issues List, Minimum Filing Requirements requiring, in part, confidential documents filed in accordance with the Board's *Practice Direction on Confidential Filings*, and the Exhibits List.

In this Procedural Order, the Board is providing direction regarding the hearing of any objections to requests by several applicants for confidentiality received as part of their June 8, 2007 filings. Parties wishing to make submissions in this matter are reminded that if they have not been accepted as intervenors in this proceeding they must seek the

leave of the Board for late intervention. The Board is also providing a timetable to indicate when witness panels are expected to be examined.

The Board may issue further Procedural Orders from time to time.

THE BOARD ORDERS THAT:

1. Any party who wishes to file an objection to any request for confidentiality made by an applicant as part of the materials filed in this proceeding shall file its objection no later than Wednesday, June 13, 2007. Parties shall have reference to the Board's *Practice Direction on Confidential Filings*.
2. Any applicant who has made a confidentiality request in respect of its filings and whose confidentiality request has been the subject of an objection by any party to this proceeding shall have an opportunity to reply to any such objection by filing its reply no later than Thursday, June 14, 2007.
3. All parties shall file their submissions with the Board Secretary, 10 hard copies at the OEB's mailing address and one electronic copy in searchable PDF format at boardsec@gov.on.ca, by 4:30 pm on the date indicated, and copy all parties to this proceeding.
4. A timetable for examination of witness panels is attached as Appendix "A" to this Procedural Order. The Board notes that while it will adhere to the timetable to the extent possible, participants will be required to be prepared to present evidence or proceed with cross-examination in advance of the schedule should the hearing progress at a faster pace than anticipated.

DATED at Toronto, June 11, 2007

ONTARIO ENERGY BOARD

Original signed by

Peter O'Dell
Assistant Board Secretary

APPENDIX “A” to Procedural Order No. 4

Board File No. EB-2007-0063

June 11, 2007

Timetable for Examination of Witness Panels

Hearing Date¹	Witness Panel
June 15, 2007	Chatham-Kent Hydro Inc./Middlesex Power Distribution Corporation Toronto Hydro-Electric System Limited
June 18, 2007 (9:00 am to noon)	Toronto Hydro-Electric System Limited Hydro One Networks Inc./Hydro One Brampton Networks Inc.
June 20, 2007	Hydro One Networks Inc./Hydro One Brampton Networks Inc. Enersource Hydro Mississauga Inc.
June 21, 2007	Enersource Hydro Mississauga Inc. Hydro Ottawa Limited
June 22, 2007	Hydro Ottawa Limited Horizon Utilities Corporation
June 25, 2007	Horizon Utilities Corporation Veridian Connections Inc.
June 26, 2007	Veridian Connections Inc. PowerStream Inc.
June 27, 2007	PowerStream Inc. Milton Hydro Distribution Inc.
June 28, 2007	Milton Hydro Distribution Inc. Newmarket Hydro Ltd./Tay Hydro Electric Distribution Co Inc.

¹ All times 9:30 am to 5:00 pm unless otherwise noted