



EB-2009-0069

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

AND IN THE MATTER OF an Application by Toronto Hydro-Electric System Limited for an order or orders approving just and reasonable rates and other charges for electricity distribution to be effective May 1, 2009;

NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1

Toronto Hydro-Electric System Limited (“Toronto” or the “Company”) filed an application, dated March 16, 2009 (the “Application”), with the Ontario Energy Board (the Board”) under section 78 of the *Ontario Energy Board Act, S.O. 1998, c.15, Schedule B* (the “Act”) for approval of a draft rate order that would give effect to new rates as of May 1, 2009. Toronto also included with this Application two other applications, both requesting approval of deferral account dispositions commencing May 1, 2009. The first deferral account disposition request relates to expired rate rider excess revenues and the second to amounts related to 2006 and 2007 smart meters.

The Application included customer bill impacts which show the combined impact of the increased distribution rates and the customer credits arising from the disposition of the deferral accounts. The impact on a typical residential customer consuming 1,000 kWh per month is a bill increase of \$1.11 or about 1% on the customer’s total bill.

The Board has determined that it will combine these three applications into one under its authority to consolidate proceedings as prescribed in subsection 21 (5) of the Act. The Board has assigned file number EB-2009-0069 to the Application.

The Board has decided that it will proceed by way of an oral hearing where the parties will come prepared to make submissions on the Application.

For the purposes of this proceeding, the Board will adopt the list of intervenors approved in the most recent Toronto main rates hearing for 2008 and 2009 rates (Board File No. EB-2007-0680). The List of Intervenors is attached as Appendix "A" to this order. Parties deemed eligible for an award for costs in the EB-2007-0680 proceeding shall also be eligible to claim an award of costs in this proceeding. Cost award requests shall be submitted in accordance with the schedule outlined below.

THE BOARD ORDERS THAT:

1. Parties that wish information and material from the Company that is in addition to the evidence already filed, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Company on or before Tuesday, March 24, 2009.
2. The Company shall file with the Board complete responses to the interrogatories and deliver them to the parties no later than Monday, March 30, 2009.
3. The oral hearing will commence in the Board's hearing room on Friday, April 3, 2009 at 2300 Yonge Street, 25th Floor, Toronto at 9:30 a.m.

COST AWARDS

4. Parties that were eligible for costs in the EB-2007-0680 proceeding shall submit any claims for costs within ten (10) days of the Board's rate order.
5. The Company may file with the Board and forward to the affected parties any objections to the claimed costs within 15 days of the date of the Board's rate order.
6. Any affected parties may file with the Board and forward to the Company a response to any objections for cost claims within 20 days of the date of the Board's rate order.

FILINGS

7. All filings with the Board must be in the form of 2 hard copies and received by the Board by 4:45 p.m. on the stated date. The Board requires all correspondence to be in electronic form as well as paper. Therefore, all parties must also e-mail an

-3-

electronic copy of their filings in MS Word and searchable PDF format to the Board Secretary at Boardsec@oeb.gov.on.ca. Parties must also include the Case Manager, Colin Schuch colin.schuch@oeb.gov.on.ca and Board Counsel Michael Millar michael.millar@oeb.gov.on.ca on all electronic correspondence related to this case.

8. If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

DATED at Toronto, March 18, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX "A"

NOTICE OF HEARING AND PROCEDURAL ORDER NO. 1

APPLICANT AND LIST OF INTERVENORS

(see attached list)

EB-2007- 0680
Toronto Hydro-Electric System Limited

List of Applicant and Intervenors

Applicant	Rep. and Address for Service
Toronto Hydro-Electric System Limited	Mr. Glen Winn Manager Rate Applications 14 Carlton Street Toronto ON M5B 1K5 Tel: 416-542-2517 Fax: 416-542-2776 Email: gwinn@torontohydro.com
AND	
Toronto Hydro Energy Services Inc.	Colin McLorg Manager, Regulatory Affairs 14 Carlton Street Toronto ON M5B 1K5 Tel: 416-542-2513 Fax: 416-542-2776 Email: regulatoryaffairs@torontohydro.com

Applicant's Counsel

Borden Ladner Gervais LLP	J. Mark Rodger 40 King Street West, Ste. 4100 Scotia Plaza Toronto ON M5H 3Y4 Tel: 416-367-6190 Fax: 416-361-7088 Email: mrodger@blgcanada.com
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Intervenor	Rep. and Address for Service
1. Consumers Council of Canada (Council)	Julie Girvan Consultant 2 Penrose Road Toronto ON M4S 1P1 Tel: 416-322-7936 Fax: 416-322-9703 E-mail: jgirvan@ca.inter.net

AND
WeirFoulds LLP

Robert B. Warren
The Exchange Tower, Suite 1600
P. O. Box 480
130 King Street West
Toronto ON M5X 1J5

Tel: 416-947-5075
Fax: 416-365-1876
E-mail: rwarren@weirfoulds.com

2. Energy Probe Research
Foundation

David MacIntosh
225 Brunswick Avenue
Toronto ON M5S 2M6

Tel: 416-964-9223 Ext. 235
Fax: 416-964-8239
E-Mail: DavidMacIntosh@nextcity.com

AND

Peter T. Faye
Barrister & Solicitor
42 Eastwood Crescent
Markham ON L3P 5Z7

Tel: 905-294-2013
E-Mail: pfaye@rogers.com

3. Hydro One Networks Inc.

Susan Frank
VP and Chief Regulatory Officer
483 Bay Street, 8th Floor, South Tower
Toronto ON M5G 2P5

Tel: 416-345-5700
Fax: 416-345-5870
Email: susan.e.frank@hydroone.com

4. Pollution Probe Foundation

Jack Gibbons
Public Interest Economics
625 Church Street, Ste. 402
Toronto ON M4Y 2G1

Tel: 416-926-1907 x 240
Fax: 416-926-1601
Email: jgibbons@pollutionprobe.org

AND

Klippensteins Barristers &
Solicitors

Murray Klippenstein
160 John Street, Ste. 300
Toronto ON M5V 2E5

Tel: 416-598-0288
Fax: 416-598-9520
Email: murray.klippenstein@klippensteins.ca

AND

Basil Alexander
160 John Street, Ste. 300
Toronto ON M5V 2E5

Tel: 416-598-0288
Fax: 416-598-9520
Email: basil.alexander@klippensteins.ca

5. Power Stream Inc.

Sarah Griffiths
Manager of Regulatory Affairs
2800 Rutherford Road
Vaughan ON L4K 2N9

Tel: 905-417-6900 Ext. 8138
Fax: 905-303-2006
Email: sarah.griffiths@powerstream.ca

6. School Energy Coalition (SEC)

John De Vellis
Counsel
Shibley Righton LLP
Barristers & Solicitors
250 University Avenue, Suite 700
Toronto ON M5H 3E5

Tel: 416-214-5232
Fax: 416-214-5432
E-mail: john.devellis@shibleyrighton.com

AND

Ontario Education Services
Corporation, c/o Ontario Public
School Boards Association

Bob Williams
Coordinator
439 University Avenue, 18th Floor
Toronto ON M5G 1Y8

Tel: 416-340-2540
Fax: 416-340-7571
E-mail: bwilliams@opsba.org

AND

Institutional Energy Analysis, Inc.

Rachel Chen
Case Manager/ Consultant
250 University Avenue, Suite 700
Toronto ON M5H 3E5

Tel: 416-214-5218
Fax: 416-214-5418
E-mail: Rachel.chen@ieai.ca

7. Vulnerable Energy Consumers
Coalition (VECC)

Michael Buonaguro
Counsel
c/o Public Interest Advocacy Centre
34 King Street East, Ste. 1102
Toronto ON M5C 2X8

Tel: 416-767-1666
Fax: 416-348-0641
Email: mbuonaguro@piac.com

AND

Roger Higgin
Econalysis Consulting Services Inc.
Managing Associate
34 King Street East, Ste. 1120
Toronto ON M5C 2X8

Tel: 416-348-9391
Fax: 416-348-0641
Email: rhiggin@econalysis.ca