



EB-2005-0252

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

AND IN THE MATTER OF a proceeding on the Board's own
motion under section 74 of the *Ontario Energy Board Act*,
1998, S.O. 1998, c.15 Schedule B.

PROCEDURAL ORDER NO. 1

The Board commenced a proceeding on its own motion under section 74 of the *Ontario Energy Board Act*, 1998, to determine whether distributor licences should be amended and guidelines issued to address issues related to sub-metering. The Board has assigned file number EB-2005-0252 to the proceeding and has issued a Notice of Proceeding and Notice of Written Hearing dated April, 4, 2005.

The Board received expressions of interest from thirty-two persons or organizations ("the Interested Parties"). The Board received three submissions objecting to a written hearing primarily citing the complexity of the issues. The Board will further consider whether to dispose of this matter by written or oral hearing after the written evidence and interrogatory phases.

The Board will award costs to eligible Interested Parties in this hearing in accordance with the Board's Practice Directions on Costs Awards. Since the proceeding is to determine whether or not to amend distributor licences, all licensed distributors, even those who do not actively participate, are parties to the proceeding and costs will be assessed against all licensed distributors.

The Board considers it necessary to make provision for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Interested Parties who wish to seek an award of costs in this proceeding must, if they have not already done so, file their request for cost eligibility by Monday, May 16, 2005.

2. Interested Parties who wish to provide written evidence shall file that evidence with the Board and deliver it to all Interested Parties on or before Monday, May 16, 2005.
3. Interested Parties and Board Staff who wish information and material related to the filings of Interested Parties that is in addition to the written evidence filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to all Interested Parties on or before Monday, May 30, 2005.
4. The relevant Interested Party shall file with the Board complete responses to the interrogatories and deliver them to all Interested Parties on or before Monday, June 6, 2005. A list of Interested Parties is attached as Appendix "A" to this Order.
5. All filings with the Board noted in the Order must be in the form of 6 hard copies and received by the Board by 4:45 p.m. on the stated date. All parties must also include a copy of their filings either on disk or by e-mail to Boardsec@oeb.gov.on.ca in .pdf format. Individuals may file one copy.

DATED at Toronto, April 26, 2005.

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary

APPENDIX "A" TO
PROCEDURAL ORDER NO. 1
DATED: APRIL 26, 2005
BOARD FILE NO. EB-2005-0252
LIST OF INTERESTED PARTIES

