



EB-2010-0046

IN THE MATTER OF Sections 18 and 19 of the
Electricity Act, 1998;

AND IN THE MATTER OF the Independent Electricity
System Operator Fiscal 2011 Fees Submission for
Review.

PROCEDURAL ORDER NO. 2

On November 2, 2010, the Independent Electricity System Operator (the "IESO" or the "Applicant") filed its fiscal 2011 Fees Submission for Review with the Ontario Energy Board (the "Board") for review in accordance with sections 18 and 19 of the *Electricity Act, 1998*. The Board assigned file number EB-2010-0046 to this proceeding.

The Board issued a Notice of Application ("Notice") dated December 3, 2010 with respect to this matter.

On January 18, 2011, the Board issued Procedural Order No. 1 which included a draft issues list. The procedural order invited comments on the draft issues list and made provisions for a technical conference and a settlement conference.

On February 11, 2011, the Board issued a Decision and Order that included a Board-approved issues list for this proceeding.

A technical conference was held on February 18, 2011 to provide the intervenors and Board staff an opportunity to ask the IESO questions regarding its evidence.

A settlement conference was held on March 8, 2011. On March 16, 2011, the IESO filed a settlement proposal based on the agreements reached at the settlement conference.

The settlement proposal indicates that the IESO, AMPCO, Energy Probe, CME and VECC agreed to a settlement on all issues, with the exception of Issue 3.3 which reads as follows:

Is the IESO's proposal for the treatment of its 2010 accumulated operating surplus appropriate and reasonable?

The Board has decided to address issue 3.3 by way of brief oral submissions by the parties.

With respect to the issues that are the subject of a settlement proposal, the Board will make provision for the parties to present the settlement proposal, with a particular focus on issue 5.3 which reads:

To what extent do any of the IESO's expenditures relate to its support of the SME and are those expenditures adequate to ensure that the SME meets its obligations, including the SME's obligations in relation to smart meters and TOU implementation?

The Board will hear the presentation on the settlement proposal at the oral hearing on April 25, 2011. At the oral hearing, the Board will also hear submissions from the parties regarding Issue 3.3.

The Board expects parties to be prepared to answer questions from the Board Panel on the settlement proposal and on Issues 3.3 and 5.3.

The Board considers it necessary to make provision for the following procedural matters. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

An oral hearing will be held at 2300 Yonge Street, Toronto on the 25th floor in the North Hearing Room commencing at **10:00 a.m. on Monday, April 25, 2011.**

DATED at Toronto April 5, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary