



**EB-2007-0906**

## **NOTICE OF PROCEEDING**

### **Application by Five Nations Energy Inc. for Approval of Customer Delivery Point Performance Standards**

On October 25, 2007, Five Nations Energy Inc. (“FNEI” or the “applicant”) filed with the Ontario Energy Board (the “Board”) an application under section 4.5.2 of the Transmission System Code (the “TSC”) for approval of its customer delivery point performance standards. Section 4.5.2 of the TSC requires transmitters to develop performance standards at the customer delivery point level and to file those performance standards and any material amendments to them with the Board for review and approval. The Board has assigned File Number EB-2007-0906 to FNEI’s application.

#### **How to See and Obtain FNEI’s Pre-filed Evidence**

Copies of the application and the pre-filed evidence in support of FNEI’s application are available for public inspection at the Board’s offices, at FNEI’s head office, and at the offices of FNEI’s legal counsel (addresses below), and are also available from FNEI’s website at [www.fivenations.ca](http://www.fivenations.ca) and from the Board’s website at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca).

#### **How to Participate**

You may participate in this proceeding in one of three ways:

You may send the Board a letter of comment. Your letter should include any request to make an oral presentation to the Board, and must be received by the Board **no later than 30 days** from the publication date of this notice or, if you have been served this notice personally, **no later than 30 days** from the date of service.

You may request observer status in order to receive documents issued by the Board in the proceeding. Your request must be made by letter received by the Board **no later than 10 days** from the publication date of this notice, or, if you have been served this notice personally, **no later than 10 days** from the date of service.

You may request intervenor status if you wish to actively participate in the proceeding. Your request must be made by letter of intervention received **no later than 10 days** from the publication date of this notice, or, if you have been served this notice personally, **no later than 10 days** from the date of service. Your letter of intervention must include a description of how you are, or may be, affected by the proceeding and, if you represent a group, a description of the group and its membership. The Board intends to proceed with this proceeding by way of a written hearing unless a party satisfies the Board that there is good reason for not holding a written hearing.

The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. Any approved costs allowed by the Board will be recovered from the applicant. You must provide a copy of your letter of intervention to the applicant at the address listed below.

### **Need More Information?**

Further information on how to participate may be obtained by visiting the Board's Web site at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca) or by calling our Consumer Relations Centre at 1-877-632-2727.

**Responding to this Notice**

In responding to this notice please reference Board File Number EB-2007-0906. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. 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.

For your convenience, the Board accepts letters of comment by either post or e-mail. Our e-mail address is [boardsec@oeb.gov.on.ca](mailto:boardsec@oeb.gov.on.ca). Please include the Board File Number in the subject line of your e-mail.

Letters of intervention must be sent to the Board by regular mail to the address below. Please remember that you must also send a copy of your request for intervention to the applicant at the address listed below.

**Addresses****ONTARIO ENERGY BOARD**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Ms. Kirsten Walli  
Board Secretary

Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656  
E-mail: [boardsec@oeb.gov.on.ca](mailto:boardsec@oeb.gov.on.ca)

**APPLICANT**

Five Nations Energy Inc.  
36 Birch South  
Timmins ON P4N 2A5

Mailing Address:  
70-C Mountjoy Street North  
Suite 421  
Timmins ON P4N 4V7

Attention: Mr. E. Chilton

Tel: 1-705-268-0056  
Fax: 1-705-268-0071  
Email: [echilton@hurontel.on.ca](mailto:echilton@hurontel.on.ca)

**LEGAL COUNSEL FOR THE  
APPLICANT**

Ogilvy Renault LLP  
Royal Bank Plaza, South Tower,  
Suite 3800  
200 Bay Street  
P.O. Box 84  
Toronto ON M5J 2Z4  
Attention: Mr. Richard J. King

Telephone: 416-216-2311  
Fax : 416-216-3930  
E-mail: [rking@ogilvyrenault.com](mailto:rking@ogilvyrenault.com)

**IF YOU DO NOT REQUEST TO PARTICIPATE IN ACCORDANCE WITH THIS  
NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT  
BE ENTITLED TO ANY FURTHER NOTICE OF THESE PROCEEDINGS.**

**DATED** at Toronto, February 4, 2008

ONTARIO ENERGY BOARD

*Original signed by*

Kirsten Walli  
Board Secretary