



EB-2010-0131

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

AND IN THE MATTER OF an application by Horizon Utilities Corporation for an order approving just and reasonable rates and other charges for electricity distribution to be effective January 1, 2011.

PROCEDURAL ORDER No. 2

Horizon Utilities Corporation (“Horizon” or “the Applicant”) filed an application with the Ontario Energy Board (the “Board”), received on August 26, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, (the “Act”) seeking approval for changes to the rates that Horizon charges for electricity distribution, to be effective January 1, 2011.

The Board issued Procedural Order No. 1 on October 21, 2010 to first consider Horizon’s application for early rebasing for 2011 distribution rates (the “Preliminary Issue”) in advance of further procedural steps. Procedural Order No. 1 allowed for an initial round of interrogatories by registered intervenors and Board staff to seek, if they wish, additional information specifically related to the Preliminary Issue and Horizon’s evidence on the Preliminary Issue. Following Horizon filing its responses to these interrogatories, Board staff and intervenors would file submissions on whether Horizon’s application is justified based on the Board’s letter of April 20, 2010, with Horizon being allowed to file a reply submission if it so wishes.

Board staff and intervenors filed interrogatories on the Preliminary Issue on October 28, 2010.

On November 3, 2010, Horizon filed a letter advising that it would be unable to provide responses to these interrogatories by November 4, 2010, and advised that it would provide the responses by November 8, 2010. Horizon also proposed adjusted timelines

for submissions and reply with respect to the Preliminary Issue. The School Energy Coalition, Energy Probe Research Foundation and Consumers Council of Canada all supported Horizon's request.

The Board approves Horizon's request. At the same time, the Board is cognizant of the need to deal with applications expeditiously and advises all parties that it expects their cooperation in adhering to established timelines.

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

THE BOARD ORDERS THAT:

1. Horizon Utilities Corporation shall file with the Board and deliver to all intervenors any responses to interrogatories filed with it with respect to the Preliminary Issue on or before **November 8, 2010**.
2. Board staff and intervenors shall file with the Board and deliver to all intervenors any written submissions pursuant to the Preliminary Issue and Horizon Utilities Corporation's submission on or before **November 18, 2010**.
3. Horizon Utilities Corporation shall file any written reply submissions on the Preliminary Issue with the Board and deliver them to all other intervenors on or before **November 29, 2010**.

All filings to the Board must quote the file number, EB-2010-0131, be made through the Board's web portal at www.errr.oeb.gov.on.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.oeb.gov.on.ca/OEB/Industry. If the web portal is not available, parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

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.

ADDRESS

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

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

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Keith Ritchie at keith.ritchie@oeb.gov.on.ca and Board Counsel, Maureen Helt at maureen.helt@oeb.gov.on.ca.

DATED at Toronto, November 4, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary