

JAMES SIDLOFSKY
T 416-367-6277
F 416-361-2751
jsidlofsky@blgcanada.com

Borden Ladner Gervais LLP
Scotia Plaza, 40 King Street W
Toronto, ON, Canada M5H 3Y4
T 416.367.6000
F 416.367.6749
blg.com



January 27, 2011

Delivered by E-mail and Courier

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

**Re: EB-2010-0131
Horizon Utilities Corporation
Application to the Ontario Energy Board for Electricity Distribution
Rates and Charges as of January 1, 2011**

We are counsel to Horizon Utilities Corporation (“Horizon Utilities”) with respect to the above-captioned matter. Please find accompanying this letter two hard copies of Horizon Utilities’ responses to Board Staff and intervenor interrogatories, delivered by e-mail by Horizon Utilities last Monday night. Copies of the material in respect of which Horizon Utilities is claiming confidentiality are being prepared for delivery to the Board and those persons who have executed the Board’s form of Declaration and Undertaking under its *Practice Direction on Confidential Filings*. We expect that you will have that confidential material tomorrow, together with our correspondence setting out the responses in respect of which confidentiality is being requested, and the basis for those requests.

In preparing the hard copies of the non-confidential responses for filing, Horizon Utilities has determined that corrections are required in respect of a small number of errors in the electronic versions, as follows:

CCC Interrogatories Nos. 14 and 15:

In these interrogatories, CCC requested copies of budget information relating to certain business plans (#14: Customer Services; and #15: EOOI). The requested information was provided in response to the interrogatories, but the pages setting out the questions themselves were omitted. These have been included in the hard copies, and are being sent to Board staff and the parties electronically.

CCC Interrogatory 17:

In this interrogatory, CCC requested a copy of budget information relating to the Finance business plan. The question and the requested information were provided in response to the interrogatory, but the question was inadvertently numbered as Interrogatory 16. This page has been corrected in the hard copies, and is being sent to Board staff and the parties electronically.

CCC Interrogatory 27:

In this interrogatory, CCC requested certain information related to Horizon Utilities' OM&A costs. The response had been prepared for inclusion in the material delivered electronically on Monday night, but was inadvertently omitted. This response has been included in the hard copies, and is being sent to Board staff and the parties electronically.

Energy Probe Interrogatory 26:

In this interrogatory, Energy Probe requested an updated version of Table 4-25 of the Application. As the Board and parties are aware, the Board had authorized Horizon Utilities to redact a portion of that table. An unredacted version of the updated table was inadvertently sent to the Board, staff and parties last Monday night as part of Horizon Utilities' responses to the Energy Probe interrogatories. By correspondence issued yesterday, the Board confirmed that portions of that table will remain confidential. Accordingly, Horizon Utilities has included a redacted version of the response to this interrogatory in the hard copies.

Mr. Warren, counsel to CCC, has kindly returned his electronic copy of the responses to the Energy Probe interrogatories; confirmed that he will destroy all electronic and paper copies of the document; and requested a new set of responses to Energy Probe's Interrogatories. This is a helpful approach, and we will be sending a new set of responses electronically to all individuals to whom the original set was addressed. The replacement set will also address the correction noted below in respect of Energy Probe Interrogatory 27.

Energy Probe Interrogatory 27:

In this interrogatory, Energy Probe requested certain information with respect to depreciation expenses. The response was included in the material sent electronically on Monday night, but the version that was sent included a note to draft on page 6 of the response. A revised version of the response (the only revision is the removal of the note, which was not to have been included in the final version) has been included in the hard copies, and will be included in the replacement electronic version that will be sent to all parties as discussed above.

Schools Interrogatory 18(e)

In this interrogatory, Schools requested a copy of the Business Case for ERP filed previously in the EB-2007-0697 proceeding. This document (Appendix 3 to the response) was too large to deliver by e-mail. It has been included in the hard copies, and will be provided to all parties on CDs.

Schools Interrogatory 20(b)

In this interrogatory, Schools requested a copy of the Horizon Utilities' Safety Matrix. This was inadvertently omitted from the version of the responses sent by e-mail on Monday night. This document (Appendix 1 to the response) has been included in the hard copies, and will be provided to all parties electronically.

Summary:

The following documents are accompanying the electronic version of this letter:

- CCC Interrogatories Nos. 14 and 15:** Question pages
- CCC Interrogatory 17:** Renumbered question page
- CCC Interrogatory 27:** Complete response
- Energy Probe Interrogatories:** Complete replacement set
- Schools Interrogatory 20(b):** Copy of Safety Matrix (Appendix 1)

Horizon Utilities' response to Schools Interrogatory 18(e) will be delivered on disk.

Horizon Utilities regrets any inconvenience in this regard. Should you have any questions or require further information, please do not hesitate to contact me.

Yours very truly,

BORDEN LADNER GERVAIS LLP

Original Signed by James C. Sidlofsky

James C. Sidlofsky

JCS/ac

Encl.

- cc. Keith Ritchie, Ontario Energy Board (electronic versions only)
- John G. Basilio, Horizon Utilities Corporation (electronic versions only)
- Indy J. Butany-DeSouza, Horizon Utilities Corporation (electronic versions only)
- Intervenors of Record (electronic versions only)

:::ODMA\PCDOCS\TOR01\4556557\1