



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
May 1, 2011.

PROCEDURAL ORDER No. 6

Horizon Utilities Corporation (“Horizon”) filed an application with the Ontario Energy Board (the “Board”) on August 27, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Horizon charges for electricity distribution, to be effective January 1, 2011.

In accordance with the Decision on Preliminary Rebasing and Procedural Order No. 5, Horizon filed responses to interrogatories posed to it by Board staff and intervenors. While the responses were filed beginning that date, a complete record was not received until January 31, 2011.

Claims for Confidentiality

Horizon has requested that certain information provided in the responses to interrogatories posed by Board staff and intervenors be treated as confidential. On January 28, 2011, counsel for Horizon filed a letter, pursuant to the *Practice Direction on Confidential Filings* (the “Practice Direction”), identifying all interrogatory responses for which confidentiality is being claimed, and the reason for the claim for confidentiality. Horizon also indicated that it was no longer seeking confidentiality with respect to responses to Board staff interrogatories # 27 and # 28, and included revised public versions of those responses.

The Practice Direction permits any party to a proceeding to object to the request for confidentiality by filing a written objection. This Procedural Order addresses the process for receiving such objections. Subsequent to any and all submissions received pursuant to this Procedural Order, the Board intends to make its findings with respect to Horizon's claim for confidentiality. The Board acknowledges receipt of a letter from the School Energy Coalition ("SEC") on this matter dated January 29, 2011.

Procedural Matters

The Board has decided to proceed by way of an oral hearing. At this time, the Board will make provision for a technical conference, to be followed by a settlement conference. To the extent possible, parties are expected to provide questions to Horizon, and Horizon is expected to file its written responses to these questions and serve these on all parties in advance of the technical conference. This will allow parties to prepare for and engage in a more productive discussion at the technical conference which in turn will provide for a more productive settlement conference.

After receipt of, and its determination of any proposed settlement agreement, the Board will conduct an oral hearing on any outstanding issues.

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. Board staff and intervenors may file with the Board and deliver to Horizon Utilities Corporation and other parties any submissions with respect to the claim for confidentiality with respect to interrogatory responses submitted by Horizon Utilities Corporation. Such submissions shall be filed on or before **February 9, 2011**.
2. Horizon Utilities Corporation may file a reply submission on or before **February 16, 2011** responding to any submissions filed by Board staff and intervenors with respect to Horizon Utilities Corporation's claim for confidentiality.
3. A transcribed technical conference will be held on **Friday February 25, 2011** in the Board's North Hearing room at 2300 Yonge Street on the 25th Floor, starting

at 9:00 am. Parties shall file their questions with the Board and forward them to other parties by **Monday February 14, 2011** and Horizon shall file its written responses to such questions by **February 23, 2011**.

4. A Settlement Conference will be convened on **Tuesday March 8, 2011** starting at 9:00 am and, if needed, may continue on **Friday March 11, 2011**. The Settlement Conference will be held at 2300 Yonge Street in the ADR room on the 25th Floor.
5. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board by **Friday March 25, 2011**.
6. The oral hearing will commence at 9:30 am on **Thursday, April 7, 2011** in the Board's North Hearing room at 2300 Yonge Street, Toronto. If necessary, the oral hearing will continue on **April 8, 11, 12 and 14, 2011**.

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

DATED at Toronto, February 3, 2011
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary