



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. 7

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 Procedural Order No. 6, Board staff and intervenors filed with the Board and delivered to Horizon and other parties submissions with respect to the claim for confidentiality with respect to interrogatory responses submitted by Horizon Utilities Corporation. Such submissions were filed on or before February 9, 2011. Horizon then filed a reply submission. The Board is currently considering the submissions on the claims for confidentiality.

Also in accordance with Procedural Order No. 6 a transcribed technical conference was held on Friday February 25, 2011 and a Settlement Conference was convened on Tuesday March 8, 2011 and Wednesday March 9, 2011. No settlement was reached on any of the issues.

On March 14, 2011 Horizon filed an update to its evidence in this proceeding. The updates pertain primarily to Horizon’s load forecast for its Large Use customer class.

Horizon also indicated that it was taking the opportunity to correct an error in certain of the billing determinants used in its application. In its letter of March 14, 2011, Horizon noted that the updates to the Large Use customer load forecasts reflect more current information than was available at the time of preparation and filing of Horizon's application. In its updates Horizon also added a new table (Table 3-24) which provides a summary of forecasted Large User load for 2011 on an individual customer basis. Horizon has asked that the unredacted version of Table 3-24A be treated as confidential.

The Practice Direction on Confidential Filings 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 also finds that the updates to the evidence are significant and that a further round of interrogatories is necessary. As such, this Procedural Order sets out the process for the further interrogatories on the updated evidence. The Board expects this round of interrogatories to be completed in advance of the oral hearing. Due to scheduling, the Board also is making a minor amendment to the dates for the oral hearing established in Procedural Order No. 6. As a reminder to all parties the oral hearing will commence at 9:30 am on Thursday, April 7, 2011 and if necessary, will continue on April 8, 11, and 14, 2011.

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 who wish information and material from Horizon, with respect to the additional evidence filed with the Board by Horizon on March 14, 2011, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to Horizon on or before **March 25, 2011**. Where possible, the questions should specifically reference the additional evidence.

2. Horizon shall file with the Board complete responses to all interrogatories and deliver them to the intervenors no later than **April 1, 2011**.
3. Board staff and Intervenors may also file with the Board and deliver to Horizon and other parties any submissions with respect to the claim for confidentiality with respect to Table 3-24 filed by Horizon on March 14, 2011. Such submissions shall be filed on or before **March 25, 2011**.
4. Horizon may file a reply submission on or before **April 1, 2011** responding to any submissions filed with respect to Horizon's claim for confidentiality.
5. 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, 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.ontarioenergyboard.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.ontarioenergyboard.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@ontarioenergyboard.ca

Tel: 1-888-632-6273 (toll free)

Fax: 416-440-7656

DATED at Toronto, March 18, 2011

ONTARIO ENERGY BOARD

Original Signed By

John Pickernell
Assistant Board Secretary