

November 3, 2010

BY EMAIL AND BY COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge St., Suite 2700
Toronto, ON, M4P 1E4

Dear Ms. Walli:

**RE: Late Payment Penalty - Board File No: EB-2010-0295
Letter of Direction and Notice of Application**

On October 29, 2010, the Ontario Energy Board (the "Board") issued a Letter of Direction (the "Letter") and Notice of Application and Hearing (the "Notice") on a proceeding initiated by the Ontario Energy Board to determine whether Affected Electricity Distributors should be allowed to recover from their ratepayers the costs and damages incurred as a result of the Minutes of Settlement approved on April 21, 2010 by the Honourable Mr. Justice Cumming of the Ontario Superior Court of Justice (Court File No. 94-CQ-50878) and as amended by addenda dated July 7, 2010 and July 8 (the "Minutes of Settlement") in the late payment penalty class action, and if so, the form and timing of such recovery.

In the Letter, the Board stated that Affected Electricity Distributors must publish the Notice "within ten days of the date of this letter". In the event that they are unable to do so, Affected Electricity Distributors must contact the Board Secretary immediately.

Horizon Utilities Corporation ("Horizon Utilities") is one of the Affected Electricity Distributors. Horizon Utilities wishes to inform the Board Secretary that while it will be able to meet the publication deadline of November 8, 2010 for the English papers in its service territory (The Hamilton Spectator and The St Catharines Standard), it will be unable to do so for the French paper, Le Regional. Le Regional is only published once weekly on Wednesday. Horizon Utilities will be able to approve a copy of the Notice for publication in Le Regional on November 10, 2010.

If you have any questions, please do not hesitate to contact the under-signed.

Yours Truly,

Original signed by Indy J. Butany-DeSouza

Indy J. Butany-DeSouza
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