



EB-2009-0269

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 Newmarket –
Tay Power Distribution Ltd. for an order approving just and
reasonable rates and other charges for electricity
distribution.

PROCEDURAL ORDER No. 6

Newmarket – Tay Power Distribution Ltd. (“Newmarket – Tay” or “the Applicant”) filed an application with the Ontario Energy Board (the “Board”), received on July 22, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Newmarket – Tay charges for electricity distribution.

The Board issued Procedural Order No. 1 on September 8, 2010 approving the intervenors and ordering Board staff and intervenors wishing to comment on the Draft Issues List to file with the Board any comments no later than Tuesday September 14, 2010.

The Board issued Procedural Order No. 2 on September 22, 2010 approving the Issues List and setting dates for interrogatories and responses. Interrogatory responses were due on October 22, 2010. The Board issued Procedural Order No. 4 on November 16, 2010 extending the deadline for filing interrogatory responses to November 18, 2010.

A Settlement conference was held on January 10 and January 11, 2011. All parties have reached a settlement. The Board, in Procedural Order No. 5, ordered that any proposed settlement agreement be filed by January 28, 2011.

By way of a letter dated January 28, 2011, Newmarket – Tay requested an extension for filing the proposed settlement agreement to Friday, February 4, 2011. The Board notes that no parties will be prejudiced by the extension, if granted.

At this time the Board finds it necessary to make provision for the following. Please note that the Board may amend this Procedural Order and may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Newmarket – Tay will file any proposed settlement agreement, or partial settlement agreement, with the Board no later than **Friday February 4, 2011**.

All filings to the Board must quote file number EB-2009-0269, 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, 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. If the web portal is not available you may email your document to the BoardSec@oeb.gov.on.ca. 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 seven paper copies. If you have submitted through the Board's web portal an e-mail is not required.

All communications shall 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.

DATED at Toronto, January 31, 2011

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary