



EB-2010-0138

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 Niagara
Peninsula Energy Inc. for an order approving just and
reasonable rates and other charges for electricity
distribution to be effective May 1, 2011.

PROCEDURAL ORDER No. 2

Niagara Peninsula Energy Inc. ("Niagara Peninsula") filed an application with the Ontario Energy Board (the "Board"), received on November 26, 2010, under section 78 of the *Ontario Energy Board Act*, 1998, seeking approval for changes to the rates that Niagara Peninsula charges for electricity distribution, to be effective May 1, 2011. The Board has assigned the application file number EB-2010-0138.

The Board issued Procedural Order No. 1 on January 20, 2011, in which it approved the intervenors to this proceeding and set out a schedule for interrogatories and responses. Niagara Peninsula completed filing its responses to the interrogatories on March 1, 2011.

The Board considers it necessary to make provision for the following procedural matters.

THE BOARD ORDERS THAT:

1. A Technical Conference will be convened on **March 28, 2011**, starting at 9:30 a.m. The Technical Conference will be in the **North Hearing Room** at 2300

Yonge Street, 25th floor, Toronto. The Board requests that parties provide questions in writing to Niagara Peninsula by **March 22, 2011**, and provide copies to all other parties and file a copy with the Board.

2. A Settlement Conference will be convened on **April 18, 2011**, in the **ADR Room** at 2300 Yonge Street, 25th floor, Toronto starting at 9:30 a.m., with the objective of reaching a settlement among the parties on the issues. If necessary, the Settlement Conference will continue on **April 19, 2011**.
3. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board by **May 4, 2011**. In addition to outlining the terms of any settlement, the Settlement Proposal should contain a list of any unsettled issues, identifying those issues that the parties believe must be dealt with by way of oral or written hearing.

Upon reviewing the Settlement Proposal the Board will determine next steps. If necessary, the Board expects to consider any unsettled issues by means of an oral hearing, and a procedural order will be issued to that effect.

All filings to the Board must quote the file number, EB-2010-0138, be made through the Board's web portal at <https://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. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette 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 9, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary