



EB-2011-0117
EB-2011-0133

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF applications under section 74 of the *Ontario Energy Board Act, 1998*, for licence amendments by PowerStream Inc. and Midland Power Utility Corporation seeking an extension to their mandated time-of-use pricing date for certain Regulated Price Plan Consumers;

PROCEDURAL ORDER NO. 1

PowerStream Inc., (“PowerStream”) and Midland Power Utility Corporation (“Midland PUC”) each filed a separate application with the Ontario Energy Board on April 19, 2011 and May 3, 2011, respectively, under section 74 of the *Ontario Energy Board Act, 1998*, for a licence amendment seeking an extension to their mandated date for implementation of time-of-use pricing for Regulated Price Plan consumers. The Board assigned the applications file numbers EB-2011-0117 and EB-2011-0133, respectively.

PowerStream and Midland PUC applied for an extension to their mandated June 2011 TOU pricing date for eligible General Service under 50 kW customers. Both distributors requested a new time-of-use implementation date of February 1, 2012 for this group of customers. PowerStream and Midland PUC each state that an extension is necessary in order to develop and implement programs to mitigate the impact of potential bill increases to eligible General Service under 50 kW customers. On May 3, 2011 the Board issued a Notice of Application and Written Hearing (“Notice”) for PowerStream’s application. PowerStream’s Notice required any party seeking further information on the application to file written interrogatories by May 20, 2011. On May 12, 2011, the Board issued Notice on Midland PUC’s application. Midland PUC’s Notice requires any party

seeking further information on the application to file written interrogatories by May 30, 2011.

On May 20, 2011, Board staff filed a letter with the Board requesting the dates to file interrogatories and submissions on PowerStream's application be aligned with the dates set out in Midland PUC's Notice of Application. On May 20, 2011, the Canadian Federation of Independent Business filed interrogatories on PowerStream's application.

Given the similar nature of the applications and to ensure a comprehensive record, the Board will combine the two proceedings. Accordingly, the Board will set new aligned dates for subsequent steps in the time-of-use extension applications.

Please note that this Procedural Order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

The dates set out in the Notice of Application and Written Hearing for both applications are amended as follows:

1. Any party wishing to ask interrogatories on one (or both) of the applications must file interrogatories with the Board, and deliver them to the applicant(s), by **May 30, 2011**.
2. Each applicant must file a complete response to the interrogatories asked of it and file them with the Board and any parties in the proceeding, by **June 13, 2011**.
3. Any party wishing to make a submission on one (or both) of the applications must file the written submission(s) with the Board, and deliver to the applicant(s), by **June 20, 2011**.
4. If an applicant wishes to respond to a submission, the response must be filed with the Board and any parties in the proceeding, by **June 27, 2011**.

All filings to the Board must consist of two paper copies and one electronic copy made through the Board's web portal at www.errr.ontarioenergyboard.ca in searchable/unrestricted PDF format. All filings must quote file numbers EB-2011-0117 and EB-2011-0133. 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, documents may instead be emailed to the address below.

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.

Addresses

The Board

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

Tel: 1-877-632-2727 (toll free)
Fax: 416-440-7656
E-mail: Boardsec@ontarioenergyboard.ca

The Applicants

Midland Power Utility Corporation
16984 Highway #12
P.O. Box 820
Midland ON L4R 4P4
Attention: Phil Marley

Tel: 705-526-9362 ext. 204
Fax: 705-526-7890
E-mail: pmarley@midlandpuc.on.ca

PowerStream Inc.
161 Cityview Boulevard
Vaughan ON L4H 0A9
Attention: Colin Macdonald

Tel: 905-532-4649
Fax: 905-532-4505
E-mail:
colin.macdonald@powerstream.ca

DATED at Toronto, May 27, 2011

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary