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February 22, 2008

Delivered by E-mail and Courier

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

**Re: EB-2007-0697
Horizon Utilities Corporation
Application to the Ontario Energy Board (the “OEB”) for Electricity
Distribution Rates and Charges as of May 1, 2008**

Introduction:

We are counsel to Horizon Utilities Corporation (“Horizon Utilities”) with respect to the above-captioned matter.

On Friday, February 15, 2008, the OEB issued Procedural Order No.2 (“PO#2”) in this proceeding. PO#2 provides for a settlement conference of up to three days commencing on Monday, February 25th, with the proceeding to be completed by way of written submissions.

As we have discussed with OEB counsel and representatives of certain intervenors that have responded to our voice mail messages, with the brief notice given for this new step in the proceeding, it will not be possible for certain key Horizon Utilities staff members to be available for the settlement conference. In particular, Horizon Utilities representatives cannot be available on Monday, February 25th. Horizon Utilities will be represented at the settlement conference on Tuesday, February 26th. This should not be problematic for the intervenors, as we understand that the intervenor representatives intend to meet on their own on Monday in any event. We understand that this approach is also acceptable to OEB counsel.

We expect that copies of any issues lists and/or other documents that might be created and/or used by intervenor representatives and/or OEB staff for the purposes of the settlement conference will be provided to me, Mr. Rodger and Mr. McKenzie no later than Monday.

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Yours very truly,
BORDEN LADNER GERVAIS LLP

Original Signed by Diana Pereira on behalf of James C. Sidlofsky

James C. Sidlofsky

cc: Max Cananzi, Horizon Utilities Corporation
John Basilio, Horizon Utilities Corporation
Cameron McKenzie, Horizon Utilities Corporation
Intervenors of Record

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