



EB-2011-0328
EB-2011-0329

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
Chatham-Kent Hydro Inc. under section 86 of the
Ontario Energy Board Act, 1998 seeking an order
for leave to amalgamate with Middlesex Power
Distribution Corporation;

AND IN THE MATTER OF an application by
Chatham-Kent Hydro Inc. and Middlesex Power
Distribution Corporation under section 74 of the
Ontario Energy Board Act, 1998 seeking an order to
amend Chatham-Kent Hydro Inc.'s electricity
distribution licence;

AND IN THE MATTER OF a request by Chatham-
Kent Hydro Inc. and Middlesex Power Distribution
Corporation under section 77(5) of the *Ontario
Energy Board Act*, 1998 seeking the cancellation of
Middlesex Power Distribution Corporation's
electricity's distribution licence.

PROCEDURAL ORDER NO. 1

Chatham-Kent Hydro Inc. ("Chatham-Kent"), a licensed electricity distributor, filed an application with the Ontario Energy Board, received on August 31, 2011, under section 86(1)(c) the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15 (Schedule B) (the "Act"), seeking leave to amalgamate with Middlesex Power Distribution Corporation ("Middlesex"). Chatham-Kent and Middlesex have also filed an application (EB-2011-0329), under section 74 of the Act to amend Chatham-Kent's electricity distribution licence to include in its service area the area currently served by Middlesex and have also requested that Middlesex's

electricity distribution licence be cancelled. In the Notice of Application and Written Hearing issued on September 19, 2011, the Board stated that it will hear these matters together, pursuant to section 21(5) of the Act. Chatham-Kent and Middlesex are collectively referred to as “Applicants” in this Procedural Order.

In response to the Notice, the School Energy Coalition (“SEC”) applied for intervenor status and cost eligibility in this matter. The Board grants SEC intervenor status and confirms its eligibility for costs in this proceeding. The Board also grants a request for observer status received from Mr. Gary Zavitz.

The Board has decided to proceed by way of written hearing and considers it necessary to make provision for the following procedural matters. Please note that this Procedural Order may be amended, and further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. If Board staff or SEC wishes to receive information and material from the Applicants that is in addition to the information filed by the Applicants with the Board, and that is relevant to the hearing, they shall request it by written interrogatories filed with the Board and delivered to the Applicants on or before **November 4, 2011**.
2. The Applicants shall file with the Board complete responses to the interrogatories and deliver them to SEC no later than **November 14, 2011**.
3. If Board staff or SEC wishes to make a submission, they must file that submission with the Board, and deliver it to the Applicants by **November 24, 2011**.
4. If the Applicants wish to file a response to a submission this must be filed with the Board and copied to SEC by **December 5, 2011**.

All filings to the Board must quote the file numbers, EB-2011-0328 and EB-2011-0329, consist of two paper copies and one electronic copy in searchable / unrestricted PDF format made through the Board’s web portal at

www.errr.ontarioenergyboard.ca. Filings must clearly state the sender's name, postal address and telephone number and e-mail address. Parties should 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 parties may email their documents to the address below. 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 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.

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

Applicant

Chatham-Kent Hydro Inc.
320 Queen St.
P. O. Box 70
Chatham ON N7M 5K2

Attention: Mr. David Ferguson

Tel: (519) 352-6300
Fax: (519) 351-4059
E-mail: davidferguson@ckenergy.com

Intervenor

Ontario Education Services Corporation
c/o Ontario Public School Boards
Association
439 University Avenue, 18th Floor
Toronto ON M5G 1Y8

Attention: Wayne McNally

Tel: (416) 340-2540
Fax: (416) 340-7571
E-mail: wmcnally@opbsa.org

Intervenor's Counsel

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Attention: Jay Shepherd

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DATED at Toronto, October 25, 2011

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary