



**EB-2012-0025**

**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 Milton Hydro  
Distribution Inc. for an order or orders approving or fixing just  
and reasonable distribution rates related to the disposition of  
Account 1562, Deferred Payments in Lieu of Taxes, to be  
effective May 1, 2012.

**NOTICE OF APPLICATION AND HEARING  
AND  
PROCEDURAL ORDER No. 1**

Milton Hydro Distribution Inc. ("Milton") applied to the Ontario Energy Board (the "Board") for approval to dispose of the balance in Account 1562, Deferred Payments in Lieu of Taxes ("Account 1562") over a one year period, effective May 1, 2012. The Application was filed on January 23, 2012 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B). The Board has assigned the application file number EB-2012-0025.

Milton originally included the request to dispose of Account 1562 in its 2012 IRM application (EB-2011-0183) filed on September 19, 2011. The Board determined that the evidence supporting the disposition of Account 1562 was not consistent with the various decisions made in the course of the Combined PILS proceeding (EB-2008-0381). The Board decided not to hear the disposition of Account 1562 as part of Milton's 2012 IRM application and directed that the matter be addressed in a stand-alone application to be filed no later than April 1, 2012. The current application is in response to that direction.

Since public notice has already been given in Milton's 2012 IRM application regarding the disposition of Account 1562, the Board grants intervenor status and cost eligibility to the intervenors of record in Milton's 2012 IRM proceeding. The Board notes that the Vulnerable Energy Consumers Coalition ("VECC") was granted intervenor and cost eligibility status in the IRM proceeding. The Board also granted intervenor status to Ms. J. Shewchun who did not request costs in Milton's 2012 IRM proceeding.

In the IRM proceeding, no letters of comment were received with respect to the disposition of Account 1562. In her intervention request letter, dated October 21, 2011, Ms. Shewchun requested that a public hearing be held in the Town of Milton. She noted that a written hearing is restrictive and that it does not allow Milton's ratepayers to fully participate.

In its response letter, dated October 27, 2011, the Board noted that it will proceed to hear the application in writing as indicated in the Notice of Application dated October 5, 2011. Given the formulaic nature of an IRM application and the limited number of issues to be considered by the Board, the Board was of the view that a written hearing provides an adequate opportunity for all interested parties to participate. The Board considers a written hearing appropriate for a review of Account 1562 as well.

As is the practice for any application heard by the Board, the Board noted that it will review all submissions received from interested parties and consider all submissions that are within the scope of the proceeding in rendering its Decision. The Board finds that the same process will be followed for the review of Account 1562.

The Board will proceed with the review of this application by way of written interrogatories, to be followed by written submissions. Please note that further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. Intervenor and Board staff wishing information and material from Milton that is in addition to the evidence filed with the Board and that is relevant to the hearing shall request it by written interrogatories filed with the Board and delivered to Milton on or before **March 20, 2012**.

2. Milton shall file with the Board complete responses to the interrogatories and deliver them to intervenors no later than **April 3, 2012**.
3. Board staff may file a written final submission with the Board and deliver it to Milton and intervenors no later than **April 17, 2012**.
4. Intervenors may file a written final submission with the Board and deliver it to Milton no later than **May 1, 2012**.
5. Milton may file a written reply submission and deliver it to intervenors no later than **May 15, 2012**.

All filings to the Board must quote file number EB-2012-0025, be made through the Board's web portal at [www.errr.ontarioenergyboard.ca](http://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. Parties shall use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.ontarioenergyboard.ca](http://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.

### **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](mailto:Boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656

**DATED** at Toronto, March 8, 2012

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary