

James C. Sidlofsky
T 416.367.6277
F 416.361.2751
jsidlofsky@blg.com

Borden Ladner Gervais LLP
Scotia Plaza, 40 King Street W
Toronto, ON, Canada M5H 3Y4
T 416.367.6000
F 416.367.6749
blg.com



May 29, 2012

Delivered by Email and Courier

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
26th Floor, Box 2319
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Midland Power Utility Corporation
2012 Electricity Distribution Rate Application – Motion for Review
Board File No. EB-2012-0219**

We are counsel to Midland Power Utility Corporation (“Midland”), the Applicant in the above captioned matter.

On May 8, 2012, the Board issued Procedural Order No.1 (“PO#1”), in which it ordered, among other matters, that “Midland shall file with the Board any additional material in support of its Motion by no later than May 18, 2012.” Board Staff and VECC were directed to deliver their submissions, if any, one week later (by Friday, May 25, 2012), and Midland’s reply submission, if any, was to be delivered four days later, by Tuesday, May 29, 2012. Midland filed its additional motion material on May 18, 2012. The Board Staff submission was delivered Friday, May 25, 2012. The VECC submission was delivered late yesterday evening (Monday, May 28, 2012). Midland appreciates VECC’s acknowledgement of its late filing and its suggestion that “any unfairness to the motion applicant Midland can be remedied by a small extension of time for Midland to file its response.”

Midland Power has been working diligently to prepare and deliver its reply submission, but has determined that it will need a brief amount of additional time to do so beyond the two business days originally provided in PO#1. In their submission, Board Staff have addressed various matters relating to the current motion and the underlying 2012 IRM application that have given rise to this motion, and in making those comments, they have also referred to Midland’s 2009-2011 rate adjustment applications. Midland will require some time to address the Staff comments, including those related to other Midland applications.

Midland respectfully requests that the Board permit it to file its reply submission by Friday, June 1, 2012. This will allow Midland a period equivalent to that allowed Board Staff and VECC for the filing of their submissions.

We thank you for your consideration in this matter. Should you have any questions in this regard, please do not hesitate to contact me.

Yours very truly,

BORDEN LADNER GERVAIS LLP

Per:

Original signed by James C. Sidlofsky

James C. Sidlofsky

copy to: Ms. Phil Marley, President and CEO, Midland Power Utility Corporation
 Michael Janigan, Counsel to VECC
 Suresh Advani, Board Staff

TOR01: 4929353: v1