



EB-2012-0219

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 Midland Power Utility Corporation for an order or orders approving or fixing just and reasonable distribution rates and other charges, to be effective May 1, 2012.

AND IN THE MATTER OF a Motion to Review and Vary by Midland Power Utility Corporation pursuant to the Ontario Energy Board's *Rules of Practice and Procedure* for a review of the Board's Decision and Order in proceeding EB-2011-0182.

PROCEDURAL ORDER No. 2
May 29, 2012

On April 24, 2012, Midland Power Utility Corporation ("Midland") filed with the Ontario Energy Board (the "Board") a Notice of Motion to Review and Vary (the "Motion") the Board's Decision and Order dated April 4, 2012 in respect of Midland's 2012 rate application (EB-2011-0182). The Board has assigned the Motion file number EB-2012-0219.

The Motion seeks to vary the portion of the Board's EB-2011-0182 Decision and Order in relation to the Review and Disposition of Account 1562 - Deferred Payments in Lieu of Taxes ("Account 1562").

On May 8, 2012 the Board issued a Notice of Motion to Vary and Procedural Order No.1 in which the Board allowed for Midland to file additional material in support of its Motion by May 18, 2012. Additionally, the Board allowed for Board staff and VECC to file written submissions by May 25, 2012, followed by a written reply submission from Midland to be filed by May 29, 2012.

On May 18, 2012, Midland filed additional material in support of its Motion.

On May 25, 2012, Board staff filed a written submission.

On May 28, 2012, VECC filed a written submission. VECC acknowledged its late filing and suggested “any unfairness to the motion applicant Midland can be remedied by a small extension of time for Midland to file its response”.

On May 29, 2012, Midland requested that the filing deadline for its reply submission be extended to June 1, 2012. Midland stated that it will need a brief amount of additional time to address Board staff comments and further stated that the requested extension will allow Midland a period equivalent to that allowed Board staff and VECC for the filing of their submissions.

The Board will grant the extension sought by Midland.

THE BOARD THEREFORE ORDERS THAT:

1. Midland may file a written reply submission with the Board no later than June 1, 2012.

All filings to the Board must quote file number **EB-2012-0219**, be made through the Board’s web portal at 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. 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
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

DATED at Toronto, May 29, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary