



EB-2012-0112

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 Canadian
Niagara Power Inc. for an order approving just and
reasonable rates and other charges for electricity distribution
to be effective January 1, 2013.

PROCEDURAL ORDER NO. 3

August 16, 2012

Canadian Niagara Power Inc. ("CNPI") filed an application with the Ontario Energy Board on May 11, 2012 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that CNPI charges for electricity distribution, to be effective January 1, 2013. The Board has assigned the application File Number EB-2012-0112.

The Board issued a Notice of Application and Hearing dated May 28, 2012.

In Procedural Order No. 1, issued on June 21, 2012, the Board approved the intervenors in this proceeding, and set dates for interrogatories, interrogatory responses, a technical conference, a settlement conference and an oral hearing. The Board also made its determination regarding the cost eligibility of intervenors.

The Board has found it necessary to revise the dates for the Settlement conference set out in PO No. 1 as noted below.

The Board is committed to the settlement conference process as part of its objective of achieving greater regulatory efficiency and effectiveness and as such expects the parties to make efficient use of the time set aside for the settlement conference. While the Board notes that the facilitator will not be available until 1:00pm on September 6,

2012 the settlement conference will commence at 9:30 am and the Board urges to parties to make use of the time and the available rooms in order to facilitate discussions prior to 1.00pm. The Board therefore makes the following Order. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. The Settlement Conference scheduled to convene on **September 5, 2012** shall be postponed as set out below.
2. A Settlement Conference shall be convened on **September 6, 2012**, starting at 9:30 am, with the objective of reaching a settlement among the parties on the issues. The Settlement Conference will be held in the Board's ADR room at 2300 Yonge Street, 25th Floor, Toronto, and may continue until **September 7, 2012**, if needed.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Birgit Armstrong at birgit.armstrong@ontarioenergyboard.ca and Board Counsel, Ljuba Djurdjevic at ljuba.djurdjevic@ontarioenergyboard.ca.

DATED at Toronto, August 16, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary