



**EB-2012-0355**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c.15, Schedule B (the “Act”);

**AND IN THE MATTER OF** an application under section 86  
of the Act for an order of the Board granting leave to  
Peninsula West Power Inc. to sell an interest in Niagara  
West Transformation Corporation to Niagara Power Inc.

**PROCEDURAL ORDER NO. 1**  
**October 18, 2012**

On August 24, 2012 Niagara Power Inc. (“NPI”) applied to the Board for leave to purchase a 50% share of Niagara West Transformation Corporation (“NWTC”) from Peninsula West Power Inc. (“PWPI”) under section 86(2)(a) of the *Ontario Energy Board Act, 1998*. NWTC is a licensed electricity transmitter (ET-2010-0294) that owns and operates a transformer station that serves two licensed electricity distributors: Grimsby Power Inc., and Niagara Peninsula Energy Inc. NPI and PWPI are currently each 50% owners of NWTC.

A Notice of Application and Written Hearing was issued on September 27, 2012. No parties responded to the Notice.

The Board will 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 wishes to receive information and material from the applicant that is in addition to the information filed by the applicant with the Board, and that is relevant to the hearing, it shall request it by written interrogatories filed with the Board and delivered to the applicant on or before **October 25, 2012**.
2. The applicant shall file with the Board complete responses to the interrogatories no later than **November 5, 2012**.
3. If Board staff wishes to make a submission, it must file this submission with the Board, and deliver it to the applicant by **November 15, 2012**.
4. If the applicant wishes to file a response to a submission this must be filed with the Board by **November 25, 2012**.

All filings to the Board must quote the file number EB-2012-0355, and consist of one electronic copy in searchable / unrestricted PDF format made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/> and two paper copies delivered to the Board's offices at the address below. 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](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.

## Addresses

### The Board

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto ON M4P 1E4

Attention: Board Secretary

Tel: 1-877-632-2727 (toll free)  
Fax: 416-440-7656  
E-mail: [Boardsec@ontarioenergyboard.ca](mailto:Boardsec@ontarioenergyboard.ca)

### The Applicant:

Niagara Power Incorporated  
231 Roberts Rd.  
Grimsby ON L3M 5N2

Attention: James Detenbeck

Tel: 905-945-5437  
Fax: 905-945-9933  
E-mail: [jamesdetenbeck@hotmail.com](mailto:jamesdetenbeck@hotmail.com)

### Other Party to the Transaction:

Peninsula West Power Incorporated  
57 Canboro Road,  
Box 55 Fonthill,  
Ontario L0S 1E0

Attention: Brian Walker

Tel: 905-892-5225  
E-mail: [brian.walker@sympatico.ca](mailto:brian.walker@sympatico.ca)

**DATED** at Toronto, October 18, 2012

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary