



EB-2012-0147

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 approving just and
reasonable rates and other charges for electricity
distribution to be effective May 1, 2013.

PROCEDURAL ORDER No. 2
November 21, 2012

Midland Power Utility Corporation ("Midland") filed an application with the Ontario Energy Board (the "Board") on August 31, 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 Midland charges for electricity distribution, to be effective May 1, 2013. The Board has assigned the File Number EB-2012-0147 to this application.

The Board issued a Notice of Application and Hearing on September 27, 2012. On October 12, 2012, the Board issued Procedural Order No. 1 in which the School Energy Coalition ("SEC") and the Vulnerable Energy Consumers Coalition ("VECC") were granted intervenor status and cost award eligibility.

Written interrogatories were filed by Board staff on October 19, 2012 and both intervenors, VECC and SEC, on October 26, 2012. Midland filed responses to all interrogatories on November 15, 2012.

After reviewing the responses to the interrogatories, the Board has decided that provision should be made for further written interrogatories for the purpose only of

clarifying the information provided in some of the responses filed by Midland. The Board has also decided that it will convene a settlement conference.

The Board considers it necessary to make provision for the following procedural matters.

THE BOARD ORDERS THAT:

1. Intervenors or Board staff who wish to ask questions for the purpose of clarifying the information in the interrogatory responses filed by Midland shall file written interrogatories with the Board and deliver a copy to the Applicant on or before **November 27, 2012**. The questions must reference the existing responses, and where possible, the pre-filed evidence.
2. Midland shall file with the Board complete responses to the supplemental interrogatories and deliver them to the intervenors no later than **December 3, 2012**.
3. A Settlement Conference will be convened on **December 6, 2012** starting at 9:30 a.m., in the **North Hearing Room** at 2300 Yonge Street, 26th floor, Toronto, with the objective of reaching a settlement among the parties on the issues. If necessary, the Settlement Conference will continue on **December 7, 2012** at the same location.
4. Any Settlement Proposal arising from the Settlement Conference shall be filed with the Board no later than **December 21, 2012**. In addition to outlining the terms of any settlement, the Settlement Proposal should contain a list of any unsettled issues, identifying those issues that the parties believe must be dealt with by way of oral or written hearing.

Following the Settlement Proposal the Board will determine next steps.

All filings to the Board must quote the file number, EB-2012-0147, be made through the Board's web portal at <https://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. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <https://www.pes.ontarioenergyboard.ca/eservice/>. If the web portal is not available you may email your document to the address below. Those who do not have internet

access are required to submit all filings on a CD or 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, November 21, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary