



EB-2012-0353

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 Northern
Ontario Wires Inc. for an order or orders approving or
fixing just and reasonable distribution rates related to
Smart Meter deployment, to be effective January 1, 2013.

PROCEDURAL ORDER NO. 1

Northern Ontario Wires Inc. ("NOW") has applied to the Ontario Energy Board (the "Board") for approval to increase its delivery charges effective January 1, 2013 to reflect the recovery of costs for deployed smart meters. The application was filed on August 31, 2012 under section 78 of the *Ontario Energy Board Act*, 1998, S.O. 1998, under the Board's *Guideline G-2011-0001: Smart Meter Funding and Cost Recovery – Final Disposition*. The Board assigned the application file number EB-2012-0353.

The Board issued a Notice of Application and Hearing (the "Notice") dated October 3, 2012. In that Notice, the Board set out dates for the filing of interrogatories, responses to the interrogatories and written submissions. Responses to interrogatories were due on November 14, 2012.

In a letter filed with the Board on November 20, 2012, NOW requested an extension to December 7, 2012 for filing responses to interrogatories. The letter failed to set out any explanation as to why NOW required an extension. The Board also notes that the letter failed to address why the letter was filed six days after the deadline for filing interrogatory responses. By way of letter dated November 23, 2012, the Board asked that these concerns be addressed. NOW responded on November 23, 2012 advising that the deadline for filing interrogatory responses could not be met as a result of key

staff turnover and that as a result of the turnover, the letter requesting an extension was not filed before November 14, 2012.

The Board will grant the extension and finds it necessary to make provision for the following matters related to this proceeding. In so doing, the Board notes that this extension to the process makes it unlikely that the Board will be able to render its decision and issue a rate order for new rates to be implemented on the proposed effective date of January 1, 2013.

THE BOARD ORDERS THAT:

1. Northern Ontario Wires Inc.'s current Board-approved Tariff of Rates and Charges is declared interim effective January 1, 2013.
2. Northern Ontario Wires Inc. shall file responses to interrogatories by **December 7, 2012**, and shall copy its responses to all other parties.
3. Written final submissions by Board staff must be filed with the Board, and copied to all other parties by **December 17, 2012**. Written final submissions by an intervenor must be filed with the Board, and copied to all other parties by **December 19, 2012**. If Northern Ontario Wires Inc. wishes to respond to the submissions, its written response must be filed with the Board and delivered to all other parties by **January 9, 2013**.

All filings to the Board must quote file number EB-2012-0353, be made through the Board's web portal at www.pes.ontarioenergyboard.ca/eservice/, 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 www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the BoardSec@ontarioenergyboard.ca. 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 seven paper copies. If you have submitted through the Board's web portal an e-mail is not required.

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.

DATED at Toronto, **November 28, 2012**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary