



EB-2012-0153

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

PROCEDURAL ORDER NO. 3

April 25, 2013

Northern Ontario Wires Inc. ("NOW") filed a complete application (the "Application") with the Ontario Energy Board (the "Board") on December 18, 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 NOW charges for electricity distribution, to be effective May 1, 2013.

In Procedural Order No. 1, issued on February 1, 2013, the Board made provision for written interrogatories. On April 4, 2013, the Board issued Procedural Order No. 2 and Order for Interim Rates establishing dates for a supplemental round of written interrogatories and a settlement conference.

On April 22, 2013, NOW filed its response to School Energy Coalition ("SEC") supplemental interrogatory 5-SEC-12s, which NOW has asked the Board to hold in confidence. The interrogatory requested NOW to provide a copy of the Strategic Financial Plan and NOW stated that this document contains information that is sensitive in nature and proprietary to the third party who prepared it. NOW further stated that it was prepared to share a copy of the confidential information with any intervenors who have signed the Board's Declaration and Undertaking on Confidential Filings, should the Board require it.

As an interim measure, the Board will allow any external counsel or external consultant for intervenors who wish to review the confidential document that will be filed in response to SEC interrogatory # 5-SEC-12s to do so after signing a copy of the Board's Declaration and Undertaking with respect to confidential document, and filing it with the Board, and serving it on NOW.

Intervenors and Board staff who object to NOW's request for confidential treatment of any part of the interrogatory response shall file their submissions by April 30, 2013. NOW shall file any reply submission by May 1, 2013. If the Board ultimately decides that the document(s) should not be afforded confidential treatment, they will be placed on the public record unless, within a period of five business days, and in accordance with section 5.1.12 of the Board's *Practice Direction on Confidential Filings*, NOW requests that the information be withdrawn.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Intervenors and Board staff who object to NOW's claim for confidential treatment of the material so identified in response to SEC interrogatory 5-SEC-12s, shall file their submission with Board and deliver it to all parties on or before **April 30, 2013**.
2. NOW shall file its response, if any, to the submissions of Board staff and the intervenors with the Board and deliver it to all parties by **May 1, 2013**.

All filings to the Board must quote the file number, EB-2012-0153, be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/service/>, 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 must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Silvan Cheung at Silvan.Cheung@ontarioenergyboard.ca and Board Counsel, Michael Millar at Michael.Millar@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto, **April 23, 2013**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary