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November 14, 2017

Ontario Energy Board
2300 Yonge Street
P.O. Box 2319
Suite 2700
Toronto, ON M4P 1E4

Attention: Ms Kirsten Walli
Board Secretary

Dear Ms. Walli:

Re: EB-2017-0269 – Newmarket-Tay Power Distribution Ltd. and Midland Power Utility Corporation application under section 86 of the *Ontario Energy Board Act, 1998* and application for other related relief (the “Application”)

Timing of proceeding

We are counsel to Newmarket-Tay Power Distribution Ltd. in the above-noted application.

This letter is in regards to the timing of this proceeding. Newmarket-Tay Power Distribution Ltd. and Midland Power Utility Corporation (the “**Applicants**”) filed the Application in this proceeding with the Ontario Energy Board (the “**Board**”) in mid-July 2017. This was followed by a letter of clarification filed on August 11, 2017 and a Notice of Hearing issued on August 31, 2017. Two intervention requests were filed, and the Board issued a letter on October 6, 2017 requesting additional information in regards to the Capredoni Enterprises intervention request. Procedural Order no. 1 was issued on October 30, 2017.

The Board’s *Performance standards for processing applications*¹ state that the performance standard for a section 86 application (written hearing) is 130 days. The Application was filed in mid-July with an intended closing date that took into account the 130 day performance standard.

In order to assist in moving the proceeding forward as expeditiously as possible, efforts will be made to reply to interrogatories as quickly as possible once these are filed by Board Staff and the School Energy Coalition. If it is possible for either or both of Board Staff or the School Energy Coalition to provide a subset of their respective interrogatories ahead of the scheduled November 17th deadline, this would be very helpful to the Applicants.

Moreover, should there be any other steps that the Applicants can take to assist the Board in keeping the process moving forward, the Applicants request that the Board please advise of such steps.

¹ Available at <https://www.oeb.ca/industry/applications-oeb/performance-standards-processing-applications>

In closing, the Applicants note that they understand that the Board must ensure that it undertakes a complete process for the consideration of the Application and that internal Board schedules must be taken into account when it comes to the timing of Board proceedings. The Applicants further understand that the intervention request filed by Capredoni Enterprises required some time to be considered by the Board. The Applicants therefore request that to the extent possible at this time, the Board proceed at as timely a pace as possible for the remainder of this proceeding. As noted, the Applicants will be pleased to assist as they can in this regard.

Please do not hesitate to contact the undersigned if you have any questions in relation to the foregoing.

Sincerely,

Signed in the original

Héloïse Apestéguy-Reux

HA

cc. J. Mark Rodger, counsel to Midland Power Utility Corporation