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ONTARIO ENERGY BD

September 14, 2009

Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

By Courier

**Re: EB-2009-0158 and EB-2009-0192
AFFIDAVIT OF PUBLICATION REGARDING**

**NOTICE OF APPLICATION AND WRITTEN HEARING
RELATING TO THE RECOVERY OF LRAM/ SSM AMOUNTS;
NOTICE OF APPLICATION AND WRITTEN HEARING RELATED TO THE
APPROVAL OF A SMART METER FUNDING ADDER**

Please find enclosed an executed copy of the Affidavit of Publication duly executed by
Cameron Mckenzie, Director, Regulatory Services of Horizon Utilities Corporation.

The executed document in PDF form has been sent to the Board Secretary via email.

Yours truly,

Karen Haist
Regulatory Affairs and Corporate Privacy Officer
Horizon Utilities Corporation

last date of Publication = Aug 14
" for interview = Aug 24
" Observer = Aug 24
" comments = Sept. 14/09.



ONTARIO ENERGY BOARD

**HORIZON UTILITIES CORPORATION
NOTICE OF APPLICATION AND HEARING FOR AN
ELECTRICITY DISTRIBUTION RATE CHANGE**

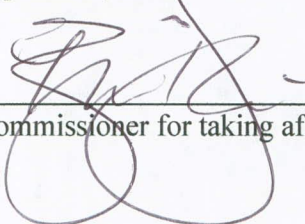
AFFIDAVIT OF PUBLICATION OF CAMERON MCKENZIE

I, Cameron McKenzie, of the City of Hamilton in the Province of Ontario, MAKE OATH AND SAY:

1. I am the Director, Regulatory Services of Horizon Utilities Corporation and as such, I have knowledge of the matters hereinafter deposed.
2. On or about Friday, the 31st day of July, 2009, I caused to be published in the Hamilton Spectator, a newspaper of general circulation in the community of Hamilton, the Ontario Energy Board's Notice of Application and Written Hearing dated July 30, 2009 in English. Attached hereto as Exhibit "A" to this my Affidavit is a copy of the proof of this Notice as printed in the Hamilton Spectator on July 31, 2009.
3. On or about Tuesday, the 4th day of August, 2009, I caused to be published in the St. Catharines Standard, a newspaper of general circulation in the community of St. Catharines, the Ontario Energy Board's Notice of Application and Written Hearing dated July 30, 2009 in English. Attached hereto as Exhibit "B" to this my Affidavit is a copy of the proof of this Notice as printed in the St. Catharines Standard on August 4, 2009.

4. On or about Wednesday, the 5th day of August, 2009, I caused to be published in Le Regional, a newspaper of general circulation in the community of Hamilton, the Ontario Energy Board's Notice of Application and Written Hearing dated July 30, 2009 in French. Attached hereto as Exhibit "C" to this my Affidavit is a copy of the proof of this Notice as printed in Le Regional August 3, 2009 to August 14, 2009.

Sworn before me at the City of)
Toronto, in the Province of)
Ontario this 11 day of)
September, 2009)



Commissioner for taking affidavits



CAMERON MCKENZIE

Exhibit A



**NOTICE OF APPLICATION AND WRITTEN HEARING
RELATING TO THE RECOVERY OF LRAM/ SSM AMOUNTS
NOTICE OF APPLICATION AND WRITTEN HEARING RELATED TO THE
APPROVAL OF A SMART METER FUNDING ADDER**

Horizon Utilities Corporation

Horizon Utilities Corporation ("the Applicant") filed an application with the Ontario Energy Board on May 20, 2009 seeking approval of a utility-specific smart meter funding adder. The Applicant also filed an application on June 25, 2009 seeking the approval and recovery of amounts related to Lost Revenue Adjustment Mechanism ("LRAM") and Shared Savings Mechanism ("SSM"). The Board has decided that it will combine these proceedings pursuant to its power under section 21(5) of the *Ontario Energy Board Act, 1998*. The Board has assigned the application file numbers EB-2009-0158 and EB-2009-0192. The Board's decision on these applications may have an effect on all of the customers served by the Applicant.

Any change to the Applicant's distribution rates will cause the Applicant's delivery charges to change. Delivery charges are one of four regular items on residential and general service customers' electric bills and vary depending on the amount of electricity consumed.

The Applicant is authorized by O. Reg. 427/06 to engage in smart metering activities and has requested that the Board review and approve an increase to its smart meter funding adder from \$0.82 per metered customer per month to \$1.56 per metered customer per month.

Additionally, the Applicant has applied for the approval and recovery of historical LRAM and SSM amounts totaling \$1.2 million related to its third tranche and Ontario Power Authority Conservation and Demand Management activities for the years 2007 and 2008.

If both applications are approved as filed, a residential customer consuming 1,000 kWh per month would experience an approximate 1.39% increase in the current delivery charges. This is a \$1.54 per month increase on their bill. A general service customer consuming 2,000 kWh per month and having a monthly demand of less than 50 kW would experience an approximate 2.10% increase in its current delivery charges. This is a \$2.34 per month increase on the bill.

How to see the Applicants' Application

Copies of the applications are available for inspection at the Board's office and on its website at www.oeb.gov.on.ca; at the office of the Applicant; and on the Applicant's website (addresses below).

How to Participate in the Rate Proceeding

The Board intends to proceed with the Applicant's applications by way of written hearing unless a party satisfies the Board that there is good reason for holding an oral hearing. If you object to a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any objections to a written hearing must be received by the Board and copied to the Applicant at the addresses below no later than **10 days** from the publication or service date of this Notice.

The Board may order costs in this proceeding. Applications for cost eligibility must be by letter and received by the Board no later than **10 days** from the publication or service date of this Notice.

Anyone who wishes information and material from the Applicant that is in addition to the evidence filed with the Board and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before **August 21, 2009**. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to all parties who asked interrogatories no later than **September 4, 2009**.

Anyone who wishes to make a submission on the application must file that written submission with the Board and deliver it to the Applicant by **September 18, 2009**. If the Applicant wishes to respond to the submission(s), the written response must be filed with the Board and delivered to all parties who made submissions by **October 1, 2009**.

How to File Documents with the Board

You must file two paper copies and an electronic copy of all filings made to the Board in response to this Notice.

If you already have a user ID, please submit the electronic copy of your filing through the Board's web portal at www.errr.oeb.gov.on.ca. If you do not have a user ID, please visit the "e-Filing Services" page on the Board's website at www.oeb.gov.on.ca and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines also found on the "e-Filing Services" webpage. If the Board's web portal is not available, the electronic copy of your filing may be submitted by e-mail at the address below. Those who do not have internet access are required to submit the electronic copy of their filing on a CD or diskette in PDF format.

In responding to this Notice, please include Board file numbers EB-2009-0158 and EB-2009-0192 in the subject line of your e-mail or at the top of your document. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. 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.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's website at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

Addresses

The Board:

Post:
Ontario Energy Board, P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary
Filings: www.errr.oeb.gov.on.ca
E-mail: Boardsec@oeb.gov.on.ca
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

The Applicant:

Horizon Utilities Corporation
55 John Street North
P.O. Box 2249, Station LCD 1
Hamilton ON L8N 3E4
E-mail:
cameron.mckenzie@horizonutilities.com
Website: www.horizonutilities.com

DATED at Toronto, July 30, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Exhibit B

EB-2009-0158
EB-2009-0192

NOTICE OF APPLICATION AND WRITTEN HEARING
RELATING TO THE RECOVERY OF LRAM/SSM AMOUNTS
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The Board:

Post:
Ontario Energy Board
P.O. Box 2318
2500 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Board Secretary

Filing: www.oeb.gov.on.ca
E-mail: BoardSec@oeb.gov.on.ca

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

The Applicant:

Horizon Utilities Corporation
55 John Street North
P.O. Box 2248, Station LCD 1
Hamilton, ON L8N 3E4

E-mail:
general.enquiries@horizonutilities.com

Website: www.horizonutilities.com

DATED at Toronto, July 30, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kristen Wells
Board Secretary

017080

AD: 63733650 - SIZE: 5 x 287 ag
ACCOUNT: HORIZON UTILITIES
REP: S165 - Rita Brown
PICKUP:
NEXT_RUN_DATE: The Standard ROP: 8/4/09
BY: swite
TIME: 7/31/09 - 12:03:49

Exhibit C

Ontario Energy
BoardCommission de l'énergie de
l'Ontario

AVIS DE REQUÊTE ET AVIS D'AUDIENCE ÉCRITE CONCERNANT LE RECOUVREMENT DES SOMMES DU MRPR ET DU MPE

EB-2009-0158
EB-2009-0192

AVIS DE REQUÊTE ET AVIS D'AUDIENCE ÉCRITE CONCERNANT L'APPROBATION D'UNE SURCHARGE DE FINANCEMENT DES COMPTEURS INTELLIGENTS

Horizon Utilities Corporation

Horizon Utilities Corporation (le « requérant ») a déposé une requête auprès de la Commission de l'énergie de l'Ontario le 20 mai 2009 afin d'obtenir l'approbation d'une surcharge de financement des compteurs intelligents propre au service public. Le requérant a également déposé une requête le 25 juin 2009 afin d'obtenir l'approbation et le recouvrement de sommes liées au Mécanisme de rajustement pour perte de revenus (« MRPR ») et au Mécanisme de partage des économies (« MPE »). La Commission a décidé de combiner ces instances en vertu des pouvoirs qui lui sont conférés aux termes du paragraphe 21 (5) de la Loi de 1998 sur la Commission de l'énergie de l'Ontario. La Commission a assigné à la requête les numéros EB-2009-0158 et EB-2009-0192. La décision de la Commission concernant ces requêtes peut avoir une incidence sur tous les clients desservis par le requérant.

Toute modification apportée aux tarifs de distribution du requérant entraînera des changements aux frais de livraison qu'il exige. Les frais de livraison sont l'un des quatre articles qui figurent systématiquement sur les factures d'électricité des consommateurs résidentiels et des services généraux et qui varient en fonction de la quantité d'électricité consommée.

Aux termes du Régl. de l'Ont. 427/06, le requérant est autorisé à entreprendre des activités liées aux compteurs intelligents et à demandé à la Commission d'examiner et d'approuver une augmentation de sa surcharge mensuelle de financement des compteurs intelligents pour la faire passer de 0,82 \$ à 1,56 \$ par consommateur possédant un compteur.

De plus, le requérant a déposé une demande pour l'approbation et le recouvrement des sommes historiques du MRPR et du MPE qui s'élèvent à 1,2 million de dollars et sont reliées à sa troisième tranche et aux activités de conservation et de gestion de la demande de l'Office de l'électricité de l'Ontario pour les années 2007 et 2008.

Si les deux requêtes sont approuvées telles que déposées, le consommateur résidentiel qui utilise 1 000 kWh par mois constatera une augmentation d'environ 1,39 % de ses frais de livraison actuels. Cela représente une augmentation de

1,54 \$ sur la facture mensuelle. Le consommateur du service général qui utilise 2 000 kWh par mois et dont la demande mensuelle est égale ou inférieure à 50 kW verra une augmentation d'environ 2,10 % de ses frais de livraison actuels. Cela représente une augmentation de 2,34 \$ sur la facture mensuelle.

Comment consulter la requête du requérant

Des exemplaires de la requête sont disponibles pour consultation dans les bureaux de la Commission et sur son site Web (www.oeb.gov.on.ca) ainsi qu'aux bureaux du requérant et sur son site Web (les adresses sont indiquées ci-dessous).

Comment participer à l'instance tarifaire

La Commission entend procéder par voie d'audience écrite relativement aux requêtes du requérant, à moins qu'une partie ne présente à la Commission des raisons qui justifient la tenue d'une audience orale. Si vous vous opposez à une audience écrite en l'espèce, vous devez fournir des motifs écrits pour expliquer la nécessité d'une audience orale. Toutes les objections à la tenue d'une audience écrite doivent parvenir à la Commission, et au requérant, au plus tard 10 jours suivant la date de publication ou de signification du présent avis, aux adresses indiquées plus bas.

La Commission peut attribuer des frais dans cette instance. Vous devez présenter votre requête d'admissibilité aux frais dans une lettre, laquelle doit parvenir à la Commission au plus tard 10 jours après la publication ou la signification du présent avis.

Toute personne désirant des renseignements ou des documents du requérant autres que les pièces déposées auprès de la Commission et qui sont pertinents pour l'audience doit déposer une demande de renseignements par écrit auprès de la Commission et en faire parvenir un exemplaire au requérant le 21 août 2009 ou avant cette date. Le requérant doit déposer auprès de la Commission des réponses complètes aux demandes de renseignements et les présenter à toutes les parties qui les ont posées, au plus tard le 4 septembre 2009.

Toute personne désirant présenter des

observations concernant la requête doit les déposer auprès de la Commission et les faire parvenir au requérant d'ici le 18 septembre 2009. Si le requérant désire répondre aux observations, il doit déposer sa réponse par écrit auprès de la Commission, et la faire parvenir à toutes les parties qui ont présenté des observations, d'ici le 1^{er} octobre 2009.

Comment déposer des documents auprès de la Commission

Vous devez déposer deux copies papier et une copie électronique de tous les dépôts auprès de la Commission en réponse à cet avis. Si vous avez déjà un identificateur d'utilisateur, veuillez présenter la copie électronique de votre demande d'intervention dans le portail Web de la CEO : www.err.oeb.gov.on.ca. Si vous n'avez pas d'identificateur d'utilisateur, veuillez consulter la section Services de dépôt automatique dans le site Web de la CEO (www.oeb.gov.on.ca), et remplissez une demande de mot de passe. Pour des renseignements sur la manière de déposer des documents et la règle d'affectation des noms, veuillez consulter les directives RESS dans la section e-Filing Services (en anglais seulement) du site Web. Si le portail Web de la Commission n'est

pas disponible, vous pouvez soumettre la copie électronique de votre dépôt par courriel à l'adresse indiquée ci-après. Les personnes qui n'ont pas accès à l'Internet doivent présenter un exemplaire électronique de leurs documents au format PDF sur un CD ou une disquette.

Dans votre réponse au présent avis, veuillez indiquer les numéros de dossier de la Commission EB-2009-0158 et EB-2009-0192 dans l'objet de votre courriel ou dans l'en-tête de votre document. Il est également important d'indiquer votre nom, votre adresse postale, votre numéro de téléphone et, le cas échéant, votre adresse électronique ainsi que votre numéro de télécopieur. Toutes les communications doivent être adressées à la secrétaire de la Commission à l'adresse indiquée plus bas, et doivent être reçues au plus tard à 16 h 45 le jour exigé.

Vous voulez de plus amples renseignements?

Vous pouvez obtenir davantage de renseignements sur la manière de participer en visitant le site Web de la Commission (www.oeb.gov.on.ca) ou en appelant notre Centre des relations avec les consommateurs au 1 877 632-2727.

IMPORTANT

SI VOUS NE PRÉSENTEZ AUCUNE OBJECTION À LA TENUE D'UNE AUDIENCE ÉCRITE OU NE PARTICIPEZ PAS À L'AUDIENCE CONFORMÉMENT AUX TERMES DU PRÉSENT AVIS, LA COMMISSION PEUT PROCÉDER EN VOTRE ABSENCE ET VOUS NE RECEVREZ AUCUN AUTRE AVIS CONCERNANT LA PROCÉDURE.

Adresses

Commission :

Par la poste :
Commission de l'énergie
de l'Ontario
C.P. 2319
2300, rue Yonge, 27^e étage
Toronto (Ontario) M4P 1E4
À l'attention de la secrétaire
de la Commission

Dépôts : www.err.oeb.gov.on.ca
Courriel : Boardsec@oeb.gov.on.ca

Tél. : 1 888 632-6273 (Sans frais)
Télec. : 416 440-7656

Requérant :

Horizon Utilities Corporation
55, rue John Nord
C.P. 2249, succursale LCD 1
Hamilton (Ontario)
L8N 3E4

Courriel :
cameron.mckenzie@horizonutilities.com

Site Web :
www.horizonutilities.com

Fait à Toronto le 30 juillet 2009

COMMISSION DE L'ÉNERGIE DE L'ONTARIO

Original signé par

Kirsten Walli
Secrétaire de la Commission