



EB-2011-0184

NOTICE OF APPLICATION AND HEARING FOR AN ELECTRICITY DISTRIBUTION RATE CHANGE

Newmarket–Tay Power Distribution Ltd.

Newmarket–Tay Power Distribution Ltd. (“Newmarket–Tay“) has applied to the Ontario Energy Board for permission to maintain its current delivery charges subject to the Board’s review of the evidence filed in this proceeding. The application was filed on November 29, 2011, revised on December 14, 2011 and July 27, 2012 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B), under the Board’s guidelines for 3rd Generation Incentive Regulation Mechanism which provides for a mechanistic and formulaic adjustment to distribution rates between cost of service applications. Newmarket–Tay also requested to dispose of the balance in Account 1562 (Deferred Payment in Lieu of Taxes).

The Board has assigned the application File No. EB-2011-0184. The Board’s decision on this application may have an effect on all of Newmarket–Tay’s customers.

How to see Newmarket–Tay’s Application

To see a copy of the application, go to the Consumer page of the Board’s website and enter the case number EB-2011-0184 in the “Find an Application” box. A copy can also be seen at the Board’s office and at the applicant’s office at the addresses indicated below, or on the applicant’s website <http://www.nmhydro.ca>.

Written Hearing

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to a written hearing, you must provide written reasons why you believe an oral

hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant within **10 days** of the publication or service date of this notice.

How to Participate

Comment

If you wish to give your opinion on the proceeding to the Board Members hearing the application, you are invited to send a written letter of comment to the Board no later than **30 days** after the publication or service date of this notice. A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the applicant and the Hearing Panel.

Observe

If you do not wish to actively participate in the proceeding but you do wish to receive documents issued by the Board, you may request observer status. Your written request must be received by the Board no later than **10 days** from the publication or service date of this notice.

Personal Information in Letters of Comment and Observer Requests

All letters of comment or letters requesting observer status will be placed on the public record, which means that the letters can be seen at the Board's office and will be available on the Board's website. Before placing the letters on the public record, the Board will remove any personal (i.e. not business) contact information from the letters (i.e. the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter will become part of the public record. Please address your letter to the Board Secretary at the address below, and reference file number EB-2011-0184 at the top of your letter.

Intervene

If you wish to actively participate in the proceeding (e.g., submit questions, file argument), you may request intervenor status from the Board no later than **10 days** after the publication or service date of this notice. The Board intends to consider cost awards in this proceeding in relation to Newmarket–Tay's proposed net revenue approach. Instructions for requesting intervenor status are available on the Board's website at www.ontarioenergyboard.ca/participate. Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the

public record, which can be seen at the Board's office and will be available on the Board's website.

If you do not have internet access, please call 1-877-632-2727 to receive information about this proceeding and how to participate.

Interrogatories and Submissions

Board-approved intervenors or Board staff wishing information and material from Newmarket–Tay 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 Newmarket–Tay on or before September 21, 2012. Newmarket–Tay shall file with the Board complete responses to the interrogatories and deliver them to all intervenors no later than October 5, 2012.

Written submissions by an intervenor or Board staff must be filed with the Board, and copied to all other parties, by October 19, 2012. If Newmarket–Tay wishes to respond to the submissions, its written response must be filed with the Board and delivered to all other parties by October 29, 2012.

IMPORTANT

IF YOU DO NOT FILE A WRITTEN OBJECTION TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THE PROCEEDING.

Addresses

The Board:

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings:
<https://www.pes.ontarioenergyboard.ca/eservice/>
E-mail: boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

The Applicant:

Newmarket-Tay Power Distribution Ltd.
590 Steven Court
Newmarket ON L3Y 6Z2
Attention: Mr. Iain Clinton, C.A.

E-mail: iclinton@nmhydro.ca
Tel: (905) 953-8548 x2300
Fax: (905) 895-8931

DATED at Toronto, August 9, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary