



EB-2008-0272

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S. O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF a review of an application filed by
Hydro One Networks Inc. under section 78 of the *Ontario
Energy Board Act, 1998*, seeking changes to the uniform
provincial transmission rates.

PROCEDURAL ORDER NO. 5

On September 30, 2008, Hydro One Networks Inc. ("Hydro One") filed an application with the Ontario Energy Board (the "Board") under section 78 of *Ontario Energy Board Act, 1998* (the "Act"). The application seeks approval for changes to the uniform provincial transmission rates that Hydro One charges for electricity transmission to be effective and implemented on July 1, 2009. The Board assigned the application file number EB-2008-0272.

The Board issued a Notice of Application on October 17, 2008 which was served and published as directed by the Board.

In Procedural Order No. 1, dated November 14, 2008, the Board made provision for a settlement conference to commence on February 3, 2009. Procedural Order No. 4 allowed for the presentation before the Board of any agreement reached. That presentation was scheduled for Tuesday, February 17, 2009. The Board has subsequently been informed by Hydro One in a letter dated February 6, 2009 that parties were unable to reach agreement on any of issues in this proceeding.

On January 23, 2009, the applicant advised that an update of 2008 Actual data would be provided before the commencement of the hearing, then scheduled for Thursday February 19, 2009. The Consumers Council of Canada ("CCC") requested in a letter dated February 6, 2009 that the hearing be delayed to Monday February 23rd, 2009 provided the updated 2008 data was received by Friday February 13, 2009. In a letter dated February 12, 2009 the applicant confirmed that the 2008 update would be provided on February 13, 2009.

On the basis of the abovementioned letters from the applicant and CCC, the Board is canceling the presentation of settlement proceeding day, and rescheduling the commencement of the oral hearing. 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. The hearing scheduled for presentation of a settlement on Tuesday February 17, 2009 is cancelled;
2. The hearing of all outstanding issues shall be held at the Board's offices, commencing at 9:30 a.m. on Monday February 23, 2009, and shall continue to Friday March 6, 2009 if required, except that the hearing will not be held on Wednesdays.

ISSUED at Toronto, February 12, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary