



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. 7

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 sought 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 its Decision with Reasons on May 28, 2008. In its decision the Board did not approve four of the Network Capital Projects (labeled in the application as D7, D8, D9 and D10). However, the Board indicated that it would consider further evidence from Hydro One on these projects.

On September 4, 2009 Hydro One filed supplementary evidence with the Board, and copied all intervenors in the proceeding in regard to projects D7 and D8 which have planned in-service dates in 2010. Approval of these projects would increase the previously approved capital program by \$82.7 million to \$936.5 million in 2009 and by \$62.0 million to a total of \$1,057.6 million in 2010. The resulting impact on the 2010 Revenue Requirement is estimated to be \$7.1 million.

On September 18, 2009 the Board issue Procedural Order No.6 ordering that interrogatories be filed by Monday September 28, 2009 and responses by Wednesday October 7, 2009.

Hydro One provided its responses to interrogatories on October 7, 2009. The Canadian Manufacturers and Exporters (“CME”) requested in a letter dated October 8, 2009 that the Board direct Hydro One to provide information regarding the current state of expenditure of Hydro One’s Capital Program, as requested in their Supplementary Interrogatory #1, list 1 (Exhibit I/Tab 9S/Schedule 9/Page 1 of 2). Hydro One responded on October 9, 2009 that the request is out of scope, and that there will be an opportunity to review Hydro One’s full transmission business in a hearing to establish transmission rates for 2011 and 2012. Also on October 9, 2009 CME provided further argument. The Board in a letter dated October 14, 2009 denied the request of CME.

The Board in Procedural Order No.6 also invited parties to advise by October 13, 2009, if they intended to submit evidence and if they preferred a written or oral hearing and the reasons for that preference. No party indicated it intended to provide evidence and no party expressed preference for an oral hearing. The Board has determined that it will proceed by way of a written 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. Board staff shall if it wishes, file with the Board and deliver to the Intervenors and the Applicant its submissions on or before **Thursday October 22, 2009**;
2. Intervenors shall file with the Board and deliver to all other Intervenors and the Applicant their submissions if they wish, on or before **Monday October 26, 2009**;
3. The Applicant shall file with the Board and deliver to the Intervenors its reply argument, on or before **Monday November 2, 2009**;

All filings to the Board noted in this Procedural Order must be in the form of 2 hard copies and **must be received by the Board by 4:45 p.m.** on the stated dates. An

electronic copy of the filing must also be provided. If you already have a user ID, the electronic copy of your filing should be submitted 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 Boardsec@oeb.gov.on.ca. 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.

ISSUED at Toronto, October 20, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary