



**EB-2010-0003**

**IN THE MATTER OF** Section 78 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;

**AND IN THE MATTER OF** Rules 42, 44.01 and 45.01 of the Ontario Energy Board's *Rules of Practice and Procedure*.

### **PROCEDURAL ORDER NO. 3**

The Board received a Notice of Motion dated January 5, 2010 from Hydro One Networks Inc. ("Hydro One") seeking a review of aspects of the Board's December 16, 2009 decision in the EB-2008-0272 proceeding ("the Decision"). The Board has assigned file number EB 2010-0003 to this Motion.

The Motion seeks an order varying the return on equity to be used by Hydro One to calculate its transmission revenue requirement from 8.39%, which appears in the Decision, to 9.75%, the value which accords with the Report of the Board on the Cost of Capital for Ontario's Regulated Utilities (EB-2009-0084). In addition, the motion seeks to vary the short term debt rate to be used by Hydro One to calculate its 2010 revenue requirement, from 0.55% which appears in the Decision to 1.93%, the value in the Cost of Capital Report.

The Board issued Procedural Order No. 1 in this matter, making provision for the receipt of written submissions on the motion, and for oral submissions on the motion to be heard on February 22, 2010. Procedural Order No. 2 was issued to deal with scheduling conflicts.

Due to a further scheduling conflict, the date for the receipt of oral submissions must be changed to **Friday March 26, 2010**.

**THE BOARD THEREFORE ORDERS THAT:**

1. Oral submissions on the motion from Hydro One dated January 5, 2010 will be heard by the Board on **Friday March 26, 2010**. The hearing will commence at 9:30 am in the Board's Hearing Room at 2300 Yonge Street, Toronto, on the 25<sup>th</sup> floor. Dates for the receipt of written submissions on the motion are unchanged.

**DATED** in Toronto, January 21, 2010

ONTARIO ENERGY BOARD

*Original signed by*

Kirsten Walli  
Board Secretary

cc: Anne-Marie Reilly, Hydro One Networks Inc.  
D. H. Rogers, Rogers Partners LLP  
Anita Varjacic, Rogers Partners LLP  
Intervenors in EB-2008-0272