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BY EMAIL

November 21, 2012

To: All parties in the East-West Tie Designation Proceeding (EB-2011-0140)

Re: Information and Guidance

The Board wishes to provide information and guidance for participants in the East-West Tie designation proceeding.

Approximate Hearing Schedule

The Board will, as is its general practice, issue a procedural order subsequent to receiving applications for designation. In the interim, for the assistance of all parties, the Board can provide some preliminary guidance on the hearing schedule. As the applications are to be filed on January 4, 2013, the Board anticipates that it will require proposed interrogatories from all parties by the end of January, 2013. As indicated in its Phase 1 Decision, the Board will then review the proposed interrogatories and aim to issue the interrogatories it considers suitable 2 or 3 weeks later. Responses from all applicants would be required 3 or 4 weeks later, depending on the number and complexity of the interrogatories issued. A schedule for written submissions would be determined subsequent to the receipt of the answers to the interrogatories.

Content of Interrogatories

As the Board stated in its Phase 1 decision, this designation proceeding is unique in that it involves multiple competing applicants and has elements which are similar to a procurement process but are absent from most Board proceedings. In a typical Board proceeding, interrogatories serve to complete the record and possibly augment the evidence filed by the applicant. In the designation proceeding, however, it would not be appropriate for applicants to use the interrogatory process to fill any gaps in their applications after those applications have been filed. The Board will control the

interrogatory process to ensure that no particular applicant gains an unfair competitive advantage through that process.

Applicants should therefore endeavour to file a complete application, as they will not be able to rely on the interrogatory process as an opportunity to file additional evidence. Parties proposing interrogatories for the Board's consideration should in general refrain from seeking information that would prompt modification or augmentation of an application, although requests for clarification of an application may be appropriate. When reviewing proposed interrogatories, the Board will consider both the need to obtain a good record to make a decision in the public interest, and the need to maintain a process that is fair to all applicants.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary