



EB-2017-0182
EB-2017-0194
EB-2017-0364

**Upper Canada Transmission Inc. (on behalf of
NextBridge Infrastructure)
Application for leave to construct an electricity
transmission line between Thunder Bay and Wawa, Ontario**

- and -

**Hydro One Networks Inc.
Application to upgrade existing transmission station facilities
in the Districts of Thunder Bay and Algoma, Ontario**

-and-

**Hydro One Networks Inc.
Application for leave to construct an electricity transmission line
between Thunder Bay and Wawa, Ontario**

PROCEDURAL ORDER NO. 5 on COMBINED HEARING

September 19, 2018

Upper Canada Transmission Inc. (NextBridge) and Hydro One Networks Inc. (Hydro One) filed applications with the Ontario Energy Board (OEB) on July 31, 2017 under section 92 of the *Ontario Energy Board Act, 1998* (OEB Act).

NextBridge's application seeks an order granting leave to construct a new electricity transmission line between Wawa and Thunder Bay (NextBridge-EWT Application).¹ Hydro One's application seeks an order granting leave to construct the facilities necessary to upgrade existing transmission stations associated with the NextBridge project (Hydro One-Station Upgrades Application).²

¹ The NextBridge-EWT Application has been assigned OEB File No. EB-2017-0182.

² The Hydro One-Station Upgrades Application has been assigned OEB File No. EB-2017-0194.

On February 15, 2018, Hydro One filed an application with the OEB seeking leave to construct a transmission line between the same two points as the NextBridge-EWT Application, which it refers to as the Lake Superior Link Project (Hydro One-LSL Application).³

On February 27, 2018, NextBridge filed a motion (NextBridge Motion) with the OEB asking that the Hydro One-LSL Application be dismissed, or in the alternative, not be processed because it is not complete or compliant with OEB Filing Requirements.

On June 4 and 5, 2018, an oral hearing of the NextBridge Motion took place before the OEB and on July 19, 2018, the OEB issued a decision dismissing the NextBridge Motion.

On August 9, 2018, the OEB issued a Notice of Hearing for the Hydro One-LSL Application. Among other things, the Notice set a September 4, 2018 deadline for parties to apply for intervenor status in the Hydro One-LSL Application.

On August 13, 2018, the OEB issued Procedural Order No. 1 on Combined Hearing, through which the OEB combined the NextBridge-EWT Application, the Hydro One-Station Upgrades Application, and the Hydro One-LSL Application and set out procedural steps for hearing the three Applications as a Combined Hearing in October 2018.

On September 7, 2018, the OEB issued Procedural Order No. 4 on Combined Hearing⁴, in which it granted intervenor status in the Combined Hearing to three parties who had applied for intervention by September 4, 2018 deadline.

By letter to the OEB dated September 7, 2018, Michipicoten First Nation (MFN) requested intervenor status in the Combined Hearing and eligibility for a cost award. In its request, MFN advised that it missed the intervention deadline due to administrative overload in the community and summer vacation interruptions. MFN further explained that the proposed transmission line is to cross its reserve.

No objections have been received regarding MFN's request for intervenor status.

³ The Hydro One-LSL Application has been assigned OEB File No. EB-2017-0364.

⁴ Procedural Order No. 2 on Combined Hearing (August 27, 2018) set out further procedural steps including deadlines for posing written interrogatories to NextBridge. Procedural Order No. 3 on Combined Hearing (August 31, 2018) relates only to the OEB's review of NextBridge's development costs for the NextBridge-EWT Application.

The OEB accepts MFN as an intervenor in the Combined Hearing. However, given that MFN is also a member of Bamkushwada Limited Partnership, the OEB expects counsel for Bamkushwada Limited Partnership and MFN to coordinate to ensure that there is no duplication of efforts or submissions. In addition, as a late intervenor, MFN must take the record and existing hearing schedule as it stands. An updated list of parties to the Combined Hearing is attached as Schedule A to this Procedural Order.

The OEB has also determined that MFN is eligible to apply for an award of costs under the OEB's *Practice Direction on Cost Awards*. Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of an OEB order, typically at the end of a proceeding.

The OEB reminds all parties that the procedural steps set by Procedural Orders No. 1 and 2 on Combined Hearing remain in place, including the oral hearing to commence on October 2, 2018.

It is necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

IT IS THEREFORE ORDERED THAT:

1. Michipicoten First Nation is granted intervenor status in the Combined Hearing. The parties to the Combined Hearing are listed in Schedule A.

All filings to the OEB must quote the file numbers **EB-2017-0182/EB-2017-0194/EB-2017-0364**, be made in searchable /unrestricted PDF format electronically through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.oeb.ca/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Zora Crnojacki at Zora.Crnojacki@oeb.ca and OEB Counsel, Lawren Murray at Lawren.Murray@oeb.ca.

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DATED at Toronto, September 19, 2018

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Schedule A

List of Applicants and Intervenors

**Hydro One Networks Inc.
Upper Canada Transmission Inc.
(on behalf of NextBridge Infrastructure)**

Combined Proceeding

EB-2017-0182 | EB-2017-0194 | EB-2017-0364

Procedural Order No. 5

September 19, 2018

Upper Canada Transmission Inc.
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EB-2017-0182, EB-2017-0194, EB-2017-0364
APPLICANT & LIST OF INTERVENORS

September 19, 2018

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