



**EB-2007-0051**

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

**AND IN THE MATTER OF** an Application by Hydro One Networks Inc., pursuant to section 98 of the OEB Act, for an Interim Order granting access to land in connection with the Applicant’s request for leave to construct a new transmission line between the Bruce Power Facility and the Milton Switching Station.

#### **PROCEDURAL ORDER NO. 4 The Access to Land Application**

Hydro One Networks Inc. filed an application with the Ontario Energy Board on March 30, 2007 for approval to access land in connection with Hydro One’s application to construct a new transmission line between the Bruce Power Facility and the Milton Switching Station. This Access to Land Application was given Board File No. EB-2007-0051. A Notice of Application for the Access to Land Application was served on all directly affected landowners.

Procedural Order No. 1 dated June 5, 2007 established a partial timeline for this proceeding and also provided a draft Issues List proposed by Board staff.

In a Procedural Order No. 2, issued on July 5, 2007, the Board determined that following the round of written interrogatories and interrogatory responses (established in Procedural Order No. 1), an oral hearing will be convened in Orangeville commencing on July 30, 2007.

On July, 9, 2007 the Board held an Issues Day. By way of an oral decision, the Board defined the final Issues List for the proceeding. The Board approved Issues List was attached to Procedural Order No. 3, issued on July 9, 2007.

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The Board wishes to provide parties in the Access to Land proceeding with an opportunity in advance of the oral hearing to pre-file written evidence upon which such parties intend to rely. The Board also requires that parties other than the Applicant, who intend to call witnesses to speak to pre-filed evidence or to deliver oral testimony at the hearing provide notice to the Board, the Applicant and all other parties of such intention. Please be reminded that any evidence, whether written or oral, that is intended to be filed or delivered by way of oral witness testimony must be within the scope of issues set in the Issues List. For a reference the Issues List is attached in Appendix A to this Procedural Order.

For clarity, the requirements in this Procedural Order do not apply if you are only planning to cross-examine Hydro One's witnesses and/or make oral comments in accordance with the Board's July 16, 2007 letter.

A list of parties to this proceeding is attached as Appendix B to this Procedural Order.

Please be aware that further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. Any party wishing to file written evidence in the proceeding shall file such evidence with the Board and deliver it to the Applicant and all other parties on or before Wednesday, July 25, 2007.
2. Any party wishing to present oral evidence by way of the oral testimony of one or more witnesses at the hearing scheduled to commence on July 30, 2007 in Orangeville, shall notify the Board, the Applicant and all other parties on or before Wednesday, July 25, 2007.

**DATED** at Toronto, July 20, 2007

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

**APPENDIX A  
to**

**Procedural Order No. 4**

**IN THE MATTER OF**

**Access to Land Application by Hydro One Networks**

**EB-2007-0051**

**DATED July 20, 2007**

**Issues List**

Hydro One Networks Inc.

Application for Interim Order under section 98 of the OEB Act

Bruce-Milton Transmission Reinforcement Project

EB-2007-0051

**ISSUES LIST**

1. Is it appropriate to grant Permission to Access
  - a. In advance of the approved EA Terms of Reference , or
  - b. In advance of the submission of the proposed EA Terms of Reference to the Ministry of the Environment?
2. The OEB Act allows the Board to authorize early access to land to allow an applicant “to make such surveys and examinations as are necessary for fixing the site of the work”. Are the early access activities proposed by Hydro One appropriate?
3. What conditions, if any, regarding the early access activities should the Board attach to its order under ss. 98 (1.1.) (a) ?

**APPENDIX B  
to**

**Procedural Order No. 4**

**IN THE MATTER OF**

**Access to Land Application by Hydro One Networks**

**EB-2007-0051**

**DATED July 20, 2007**

**List of Participants**

**ACCESS TO LAND APPLICATION**  
**by**  
**HYDRO ONE NETWORKS INC.**  
**EB-2007-0051**

**APPLICANT & LIST OF PARTICIPANTS**

**July 18, 2007**

**Applicant**

Hydro One Networks Inc.

**Rep. and Address for Service**

Glen MacDonald  
Senior Advisor – Regulatory  
Research and Administration  
Hydro One Networks Inc.  
8th Floor, South Tower  
483 Bay Street  
Toronto ON M5G 2P5

Tel: 416-345-5913  
Fax: 416-345-5866  
Email: [glen.e.macdonald@HydroOne.com](mailto:glen.e.macdonald@HydroOne.com)

**Applicant's Counsel**

James H. Smellie  
Osler, Hoskin and Harcourt LLP  
Suite 2500, TransCanada Tower  
450 First Street South West  
Calgary AB T2P 5H1

Tel: 403-260-7013  
Fax: 403-260-7024  
Email: [jsmellie@osler.com](mailto:jsmellie@osler.com)

**AND**

Jennifer Procuik  
Legal Assistant to James Smellie  
Osler, Hoskin and Harcourt LLP  
Suite 2500, TransCanada Tower  
450 First Street South West  
Calgary AB T2P 5H1

Tel: 403-260-7079  
Fax: 403-260-7024  
Email: [jprocuik@osler.com](mailto:jprocuik@osler.com)

AND

Gord Nettleton  
Osler, Hoskin and Harcourt LLP  
Suite 2500, TransCanada Tower  
450 First Street South West  
Calgary AB T2P 5H1

Tel: 403-260-7047  
Fax: 403-260-7024  
Email: [gnettleton@osler.com](mailto:gnettleton@osler.com)

## **PARTICIPANTS**

Association of Power Producers of  
Ontario ("APPRO")

## **Representation and Address for Service**

Jake Brooks  
Executive Director  
Association of Power Producers of Ontario  
("APPRO")  
25 Adelaide Street East  
Suite 1602  
Toronto ON M5C 3A1

Tel: 416-322-6549  
Fax: 416-481-5785  
Email: [Jake.Brooks@appro.org](mailto:Jake.Brooks@appro.org)  
[David.Butters@appro.org](mailto:David.Butters@appro.org)  
[Tom.Brett@gowlings.com](mailto:Tom.Brett@gowlings.com)

Blaine Blanchard  
Walter Blanchard

Blaine Blanchard  
R.R. #3  
Durham ON N0G 1R0

Frederick Joseph Brown

Frederick Joseph Brown  
11674 Fifth Line,  
RR#1, Limehouse,  
Ontario,  
L0P 1H0

Telephone: 905-877-2323  
Email: [tedbrown@globalserve.net](mailto:tedbrown@globalserve.net)

Garry and Eileen Brown

Garry and Eileen Brown  
111334 R.R. #2  
Orton ON L0N 1N0

Email: [g-ebrown@sympatico.ca](mailto:g-ebrown@sympatico.ca)

Dave and Shirley Bruce  
(Regular Mail)

Dave and Shirley Bruce  
413 Durham Street East  
Mount Forest ON N0G 2L2

Donald A. Corbett

Donald A. Corbett  
Box 191  
Durham ON N0G 1R0

Tel: 519-369-2168

Ron Elo

Ron Elo  
R.R. 2 #9624  
Conn ON N0G 1N0

Tel: 519-323-4899

Email: [morito@primus.ca](mailto:morito@primus.ca)

Energy Probe Research Foundation

David MacIntosh  
c/o Energy Probe  
225 Brunswick Avenue  
Toronto ON M5S 2M6

Tel: 416-964-9223 ext. 235

Fax: 416-964-8239

Email: [DavidMacIntosh@nextcity.com](mailto:DavidMacIntosh@nextcity.com)

AND

Thomas Adams  
c/o Energy Probe  
225 Brunswick Avenue  
Toronto ON M5S 2M6

Tel: 416-964-9223 ext. 239

Fax: 416-964-8239

Email: [TomAdams@nextcity.com](mailto:TomAdams@nextcity.com)



Heinrich and Theresia Eschlboeck

Anthony Wellenreiter  
Wellenreiter & Wellenreiter  
Barristers, Solicitors & Notaries Public  
Rastrick House  
48 Forest Avenue  
Hamilton ON L8N 1X1

Tel: 905-525-4520  
Fax: 905-525-7943  
Email: [awellenreiter@wellenreiter.ca](mailto:awellenreiter@wellenreiter.ca)

John and Phyllis Flanagan

183564 Grey Rd. 9  
R.R. #2  
Holstein ON N0G 2A0

Tel: 519-334-3739  
Email: [ramhill@wightman.ca](mailto:ramhill@wightman.ca)

Thomas Murtagh and Glenis Falbo

Thomas Murtagh and Glenis Falbo  
9045 Side Road 17, R.R. #1  
PT Lot 15 Concession 4  
Erin Township  
Hillsburgh ON N0B 1Z0

Tel: 519-855-4112

David and Christine Goll

David and Christine Goll  
133 Old Bridge Road, North  
R.R. #1  
Hanover ON N4N 3B8

Dwayne Hachman

Dwayne Hachman  
R.R. #1  
Walkerton ON N0G 2V0

Tel: 519-364-5627  
Email: [hma@bmts.com](mailto:hma@bmts.com)

Mr. and Mrs. Len Hagan

Mr. and Mrs. Len Hagan  
R.R. #3  
Hanover ON N4N 3B9

Tel: 519-364-6398  
Email: [lshagan@wightman.ca](mailto:lshagan@wightman.ca)

Carol Jackson

Carol Jackson  
144114 Southgate Road 14  
R.R. #1  
Holstein ON N0G 2A0

Tel: 519-334-3404  
Email: [photos@motherspridephotography.ca](mailto:photos@motherspridephotography.ca)

Kevin Karker  
(Regular Mail)

Kevin Karker  
9067 27<sup>th</sup> Side Road  
Hillsburgh ON N0B 1Z0

Tel: 519-855-6160  
Cell: 519-278-0716

Earl Lennox

Earl Lennox  
R.R. #2  
Orton ON L0N 1N0

Tel: 519-928-3457  
Fax: 519-928-2223  
Email: [elennox@sentex.net](mailto:elennox@sentex.net)

Darvey and Danny Liedtke

Darvey and Danny Liedtke  
R.R. #2  
Grand Valley ON L0N 1G0

Tel: 519-928-5287

Ministry of Energy

Cisca McInnis  
Policy Analyst  
Ministry of Energy  
880 Bay Street, 3<sup>rd</sup> Floor  
Toronto ON M7A 2C1

Tel: 416-325-6720  
Email: [cisca.mcinnis@ontario.ca](mailto:cisca.mcinnis@ontario.ca)

Gwendolyn Charlton and Alvin  
McCallister

Gwendolyn Charlton and Alvin McCallister  
R.R. #3, Fire #341552  
Hanover ON N4N 3B9

Tel: 519-364-7431

Ontario Federation of Agriculture  
("OFA")

Neil Currie  
General Manager  
Ontario Federation of Agriculture  
100 Stone Road West, Suite 206  
Guelph ON N1G 5L3

Tel: 519-821-8883  
Fax: 519-821-8810  
Email: [neil.currie@ofa.on.ca](mailto:neil.currie@ofa.on.ca)

Ontario Power Authority

Miriam Heinz  
Regulatory Coordinator  
Ontario Power Authority  
120 Adelaide Street West, Suite 1600  
Toronto ON M5H 1T1

Tel: 416-967-7474  
Fax: 416-967-1947  
Email: [Miriam.heinz@powerauthority.on.ca](mailto:Miriam.heinz@powerauthority.on.ca)

AND

Glenn Zacher  
Counsel  
Stikeman Elliot LLP  
5300 Commerce Court West  
199 Bay Street  
Toronto ON M5L 1B9

Tel: 416-869-5688  
Fax: 416-947-0866  
Email: [gzacher@stikeman.com](mailto:gzacher@stikeman.com)

Dorinda Petty  
(Regular Mail)

Dorinda Petty  
R.R. #3, Box 210  
Durham ON N0G 1R0

Tel: 519-369-2376

Pollution Probe Foundation

Jack Gibbons  
Public Interest Economics  
625 Church Street, Suite 402  
Toronto ON M4Y 2G1

Tel: 416-926-1907 ext. 240  
Fax: 416-926-1601  
Email: [jgibbons@pollutionprobe.org](mailto:jgibbons@pollutionprobe.org)

AND

Murray Klippenstein  
Klippensteins  
Barristers & Solicitors  
160 John Street, Suite 300  
Toronto ON M5V 2E5

Tel: 416-598-0288  
Fax: 416-598-9520  
Email: [murray.klippenstein@klippensteins.ca](mailto:murray.klippenstein@klippensteins.ca)

AND

Basil Alexander  
Klippensteins  
Barristers & Solicitors  
160 John Street, Suite 300  
Toronto ON M5V 2E5

Tel: 416-598-0288  
Fax: 416-598-9520  
Email: [basil.alexander@klippensteins.ca](mailto:basil.alexander@klippensteins.ca)

Power Workers' Union ("PWU")  
(Request-May 29, 2007)

John Sprackett  
Staff Officer, President's Office  
Power Workers' Union  
244 Eglinton Avenue East  
Toronto ON M4P 1K2

Tel: 416-322-4787  
Fax: 416-481-7914  
Email: [sprocket@pwu.ca](mailto:sprocket@pwu.ca)

AND

Judy Kwik  
Senior Consultant  
Elenchus Research Associates (ERA)  
34 King Street East, Suite 610  
Toronto ON M5C 2X8

Tel: 416-348-8777  
Fax: 416-348-9930  
Email: [jkwik@era-inc.ca](mailto:jkwik@era-inc.ca)

Saugeen Ojibway Nations

David McLaren  
Environmental Office Coordinator  
Saugeen Ojibway Nations  
RR 5  
Wiarton ON N0H 2T0

Tel: 519-534-4107  
Email: [d.mclaren@the-matrix.ca](mailto:d.mclaren@the-matrix.ca)

AND

Richard Stephenson  
Paliare Roland Rosenberg Rothstein LLP  
Barristers  
250 University Avenue  
Suite 510  
Toronto ON M5H 3E5

Tel: 416-646-4325  
Fax: 416-646-4335  
Email: [Richard.Stephenson@paliareroland.com](mailto:Richard.Stephenson@paliareroland.com)

Margaret Stacey

Margaret Stacey  
189 Queen Street North  
Kitchener ON N2H 2H8

Donalda Switzer

Donalda J. Switzer  
R.R. #1  
Hillsburgh ON N0B 1Z0

Randy Threndyle  
(on behalf of his mother-Elda  
Threndyle)  
(Request-June 7, 2007)

Randy Threndyle  
187 Scarboro Cres  
Toronto ON M1M 2J6  
  
Tel: 416-266-0937  
Cell: 416-873-4051  
Email: [rtrend@sympatico.ca](mailto:rtrend@sympatico.ca)

Marinus and Patricia VanBakel

Marinus and Patricia VanBakel  
173077 Mulock Road South  
Hanover ON N4N 3B8

Tel: 519-369-5326

Town of Halton Hills  
(Regular Mail)

Leesa Emmerson  
Council & Committee Services Coordinator  
Town of Halton Hills  
1 Halton Hills Drive  
Halton Hills (Georgetown) ON L7G 5G2

Alex & Vietta Watson

Alex & Vietta Watson  
Box 183  
Mount Forest ON N0G 2L0

Tel: 519-323-2826  
Email: [cwatson@town.southgate.on.ca](mailto:cwatson@town.southgate.on.ca)

Carol & Ron Watson

Carol & Ron Watson  
183690 Grey Rd. 9  
R.R. #2  
Holstein ON N0G 2A0

Tel: 519-334-3379  
Email: [cwatson@town.southgate.on.ca](mailto:cwatson@town.southgate.on.ca)

Joe Watson  
*(Added June 6, 2007)*  
*(Regular Mail)*

Joe Watson  
R.R. 3 #24378  
Durham ON N0G 1R0

Mark and Barbara Watt

Mark and Barbara Watt  
R.R. #3  
Durham ON N0G 1R0

Email: [barbarawatt@sympatico.ca](mailto:barbarawatt@sympatico.ca)

A. Wilson  
*(Added June 6, 2007)*  
*(Regular Mail)*

A. Wilson  
262645 Varney Road  
R.R. 3  
Durham ON N0G 1R0

Herman and Berta Weller  
Cedarwell Excavating Ltd.

Kevin W. McMeeken, LL.B.  
Halpin McMeeken Law Office  
478 Tenth Street  
Hanover ON N4N 1R1

Tel: 519-364-5505  
Fax: 519-364-0165  
Email: [kevin@hanoverlaw.ca](mailto:kevin@hanoverlaw.ca)

David Woelfle

R.R. #2

Paisley ON N0G 2N0

Tel: 519-353-7146

Email: [d.woelfle@bmts.com](mailto:d.woelfle@bmts.com)



**“Powerline Connections” Group  
(landowners)**

William Allison  
Janet Allison  
Edward Bird  
Maribeth Bird  
Robert Barlow  
Bruce Barrett  
Dave Clifford  
Anne Clifford  
Pat Crouse  
Steve Crouse  
Ralph Cunningham  
Viviean Cunningham  
Paul Fisher  
Pat Fisher  
John Hofing  
John Jenkins  
Julia Jenkins  
Steven Joyce  
Anne Joyce  
Robert McClure  
Susan McClure  
Joseph Rice  
Ivan Rice  
Verna Rice  
Rice & McHarg Limited  
Garry Sterritt  
Mary Jean Sterritt  
Bonnie Neely  
Perry Stuckless  
Elaine Stuckless  
Mark Bergermann  
Janet Bergermann  
Leslee Einmann  
Scott Einmann  
John MacLeod  
Melanie MacLeod  
Joanne Coletta  
Fernando Coletta  
Maria Coletta  
Rosa Nucci  
Vittorio Nucci  
Jim Dinatale  
Lisa Dinatale  
Eileen Dinatale  
Elda Threndyle

Stephen F. Waqué  
Borden Ladner Gervais LLP  
Lawyers Patent & Trade-mark Agents  
Scotia Plaza, 40 King Street West  
Toronto ON M5H 3Y4

Tel: 416-367-6275  
Fax: 416-361-2708  
Email: [swaque@blgcanada.com](mailto:swaque@blgcanada.com)

**“Fallis, Fallis & McMillan” Group  
(landowners)**

Keith Cressman  
Doris Anna Cressman  
Saugeen Maple Farms Ltd.  
Michelle and Dave D’Auria  
John Leslie Flanagan  
Phyllis Dianne Flanagan  
Dean Alexander Flanagan  
Allan Eric Foster  
Stephen Hodges  
Calvin John Hughes  
James Douglas Lewis  
Penny Joanne Lewis  
Mervyn Wayne Lewis  
Jennifer Lynne Lewis  
John Mulhall  
Catherine Blanche Mulhall  
Orland Magwood  
Gloria Magwood  
1063755 Ontario Ltd.  
James Magwood, In Trust  
Andrew Magwood, In Trust  
David John Milne  
Mary Joan Milne  
David Mervyn Rawn  
Karen Ruth Rawn  
Thomas William Visser  
Laura Lee Heather Visser  
Robert George Younger

Halton Hills Hydro Inc.

Peter T. Fallis

Fallis, Fallis & McMillan  
Barristers & Solicitors  
195 Lambton Street East  
Durham ON N0G 1R0  
Tel: 519-369-2515  
Fax: 519-369-2522  
Email: fallaw@bmts.com

Tracy Rehberg-Rawlingson  
Regulatory Affairs Officer  
Halton Hills Hydro Inc.  
43 Alice Street  
Acton ON L7J 2A9

Tel: 519-853-3700 ext. 257  
Email: tracyr@haltonhillshydro.com

Mr. and Mrs. C.B. Rutledge

\*\*added July 10, 2007

William H. Allen

\*\*added July 10, 2007

David France

\*\*added July 10, 2007

Toad Hall Farm Inc.

\*\*added July 10, 2007

**“The Ross Firm ”  
(landowners)**

Dave and Martha Barrett  
Jack and Hildreth Park  
Lloyd Hutton  
Tom Fritz  
Doug Hackett  
Bob and Betty Mills  
Jim and Jairus Maus  
Dave and Pat Woelfle  
Glenn and Sandra Sawyer

\*\*added July 17, 2007

M. Virginia MacLean, Q.C.  
Barrister & Solicitor  
4 King Street West  
Suite 920  
Toronto ON M5H 1B6

Tel: 416-365-1993  
Fax: 1-800-285-0410  
Email: Virginia@virginiamaclean.com

William H. Allen  
R.R. #1  
Hillsburgh ON N0B 1Z0

David France  
R.R. #2 Conn.  
N0G 1N0

Email: Karen.france@sympatico.ca

Bryn Waern, M.D.  
Toad Hall Farm Inc.  
23 Biggar Avenue  
Toronto ON M6H 2N5

Tel: 416-654-1333/ 519 928-2025  
Fax: 416-654-1333

Quinn M. Ross  
The Ross Firm  
Barristers & Solicitors  
138 Courthouse Square  
Goderich ON N7A 1M9

Tel: 519-524-5532 ext. 211  
Fax: 519-524-8438  
Email: qmross@rossfirm.com