



EB-2007-0647
EB-2007-0649
EB-2007-0650
EB-2007-0651
EB-2007-0652

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

AND IN THE MATTER OF an application by Great Lakes Power Limited under section 86 of the *Ontario Energy Board Act, 1998* seeking leave to transfer its transmission system to Great Lakes Power Transmission LP;

AND IN THE MATTER OF an application by Great Lakes Power Transmission Inc. on behalf of Great Lakes Power Transmission LP under section 60 of the *Ontario Energy Board Act, 1998* for an electricity transmission licence;

AND IN THE MATTER OF an application by Great Lakes Power Limited under section 18 of the *Ontario Energy Board Act, 1998* seeking leave to transfer its transmission rate order to Great Lakes Power Transmission LP;

AND IN THE MATTER OF an application by Great Lakes Power Limited under section 74 of the *Ontario Energy Board Act, 1998* for a licence amendment;

AND IN THE MATTER OF an application by Great Lakes Power Limited under section 18 of the *Ontario Energy Board Act, 1998* seeking leave to transfer its leave to construct order to Great Lakes Power Transmission LP.

PROCEDURAL ORDER NO. 3

Great Lakes Power Limited ("GLPL") and Great Lakes Power Transmission Inc. ("GLPT") on behalf of Great Lakes Power Transmission LP ("GLPTLP") (altogether, the "Applicants") filed applications with the Ontario Energy Board (the "Board") dated June 4, 2007.

GLPL is seeking leave of the Board to transfer its transmission system to GLPTLP. GLPL states that it will remain as operator of the transmission system but not the owner. GLPL is applying for a licence amendment to its electricity transmission licence (ET-2002-0247) to remove the owner qualification from its licence. GLPT on behalf of GLPTLP has applied for an electricity transmission licence.

GLPL is also seeking leave of the Board to transfer its current transmission rate order dated December 8, 2005 and its leave to construct order (RP-2003-0120/EB-2003-0162) to GLPTLP. The applicants are not seeking any changes to the current rate order or the leave to construct as a result of the transfer to GLPTLP should the transfer be approved.

The Board has assigned the following file numbers to the applications:

- sale of the transmission system – EB-2007-0647;
- new transmission licence – EB-2007-0649;
- transfer of the existing rate order dated December 8, 2005 – EB-2007-0650;
- amendment of transmission licence (ET-2002-0247) – EB-2007-0651; and
- transfer of the existing leave to construct order (RP-2003-0120/EB-2003-0162) – EB-2007-0652.

The Board issued a Notice of Application and Hearing on June 28, 2007. The Applicants served and published the notice on July 17, 2007. Three parties have been granted intervenor status in the proceeding. Two parties have been granted observer status. An intervenor and observer list is attached as Appendix A to this procedural order.

Intervenors and Board staff filed written interrogatories with the Board Secretary on September 6 and 7, 2007. The Applicants filed their responses to the interrogatories with the Board Secretary on September 17, 2007. While the parties were provided with the opportunity to file evidence by September 24, 2007, no evidence was filed.

In response to the notice served and published on July 17, 2007, the Power Workers' Union ("PWU") requested an oral hearing. Procedural Order #2 was issued on October 10, 2007, providing parties with an opportunity to file a submission stating why an oral hearing was required, identifying the issues they would pursue at an oral hearing, and why these issues could not be dealt with through written submissions. The PWU submitted, on October 15, 2007, that an oral hearing was appropriate to understand the nature of the services that GLPL proposes to provide to the transmission asset owners. The PWU stated that "there is some risk that the Board may conclude that the

transaction proposed in this proceeding results in a structure which is contrary to the provisions of s. 71 of the *Ontario Energy Board Act, 1998* (the "Act")." The Applicants responded on October 17, 2007. The Applicants stated that, as GLPL is exempt from section 71 of the Act, the issue raised by the PWU is moot.

The Board has reviewed the submission and the response. The issues which the PWU has raised in its submission are issues for argument and not issues regarding the facts of the case. The Board finds that an oral hearing is not required to deal with these issues. The Board notes that if, after it receives written submissions, it requires further evidence or clarification of the evidence, it can convene an oral hearing at that point.

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. The applications will proceed by way of written hearing. Intervenors and Board staff who wish to file a written submission shall file the submission with the Board and deliver it to all other parties to the proceeding on or before November 7, 2007.
2. If the Applicants wish to respond to any submissions, they may do so by filing a response with the Board and delivering it to all other parties to the proceeding on or before November 21, 2007.
3. All filings to the Board noted in this procedural order must be in the form of **seven (7) hard copies** and an electronic copy in searchable PDF format, filed with the Board Secretary at the Board's mailing address and by email (Boardsec@oeb.gov.on.ca) **by 4:45 p.m. on the specified dates.**

ISSUED at Toronto, October 24, 2007

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX A

GREAT LAKES POWER LIMITED GREAT LAKES POWER TRANSMISSION INC. ON BEHALF OF GREAT LAKES POWER TRANSMISSION LP

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LIST OF PARTIES

Applicants	Rep. And Address for Delivery
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Intervenors	Rep. And Address for Delivery
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AND	Ms. 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
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Observers	Rep. And Address for Delivery
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