

Quinn M. Ross
Direct Dial: (519) 524-5532 x211
Direct Fax: (519) 524-8438
qmross@rossfirm.com

February 15, 2008

Ms. Kristen Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Young Street, 27th Floor
Toronto, Ontario
M4P 1E4

VIA EMAIL

Dear Ms. Walli:

RE: EB-2007-0050 – Issues List Submissions & Comments on Timeline.

Issues List Submissions:

Pursuant to Procedural Order #4, please find below the suggested additions to the September 26, 2007 issues list.

Many of these additions are contemplated in light of the failure of the proponent to receive approval for the *EA* TOR, and as such, find themselves in a position where the OEB and *EA* processes are significantly ‘out of step’.

During submissions for the current list, it was HONI’s position that the *EA* TOR would be approved and the Assessment would be commenced prior to the Leave to Construct hearing. As such, the additions included below would not have been reasonably contemplated at that time.

The remaining additions attempt to ensure that the near term and interim measures are subject to the same rigorous review and approval as the construction of the line, as the two are inextricably intertwined. The current list is, at best, ambiguous on this point.

Barristers & Solicitors

138 Courthouse Square ~ Goderich, Ontario ~ N7A 1M9
Phone: (519) 524.5532 Fax: (519) 524.8438 ~ www.rossfirm.com

The additions set out below are significant and will no doubt garner some response from HONI. It is this writer's opinion that the opportunity to make submissions on February 21, 2008 will be necessary.

The additions have been broken down into the subject areas set out in the September 26, 2007 list, for ease of reference:

Project Need and Justification:

Addition 1: Can all appropriate project risk factors pertaining to need and justification be taken into consideration prior to the completion of the *Environmental Act* Terms of Reference and/or Assessment Report?

Project Alternatives:

Addition 1: Can all of the reasonable alternatives to the project be identified prior to the completion of the *Environmental Act* Terms of Reference and/or Assessment Report?

Addition 2: Can it be determined whether the project's rate impacts and costs are reasonable for:

- the transmission line;
- the station modifications; and
- the Operating, Maintenance and Administration requirements,

prior to the completion of the *Environmental Act* Terms of Reference and/or Assessment Report?

Near Term and Interim Measures:

Addition 1: Have all reasonable near term and interim measure alternatives been identified and considered?

Addition 2: For all of the considered alternatives, does the evaluation methodology utilized include a cost benefit comparison as well as a comparison of all quantitative and qualitative benefits?



- Addition 3(a): Have appropriate evaluation criteria and criteria weightings been utilized in the evaluation process for the alternatives and the proposed near term and interim measures and what additional criteria/weightings could be considered?
- Addition 3(b) Do the alternatives meet the applicable standards for reliability and quality of electricity service?
- Addition 4: Does the proposal provide for better near term and interim measures than the reasonable alternatives?
- Addition 5: Are the near term and interim measures rate impacts and costs reasonable for:
- the proposed life of the measures; and
 - the increased transmission capacity created.

Reliability and Quality of Electricity Service:

- Addition 1: Have appropriate evaluation criteria and criteria weightings been utilized in determining project risk factors pertaining to system reliability and quality of electricity service and what additional criteria/weightings could be considered?

Land Matters:

- Addition 1: Can Hydro One ascertain what land has to be acquired on a permanent and temporary basis prior to the completion of the *Environmental Act* Terms of Reference and/or Assessment Report?

Conditions of Approval:

- Addition 1: If conditional approval is granted, what status review mechanisms should be included in the Board's order?

In order to provide a cogent rationale for the above additions, an oral hearing will be the most expedient and cost efficient method of proceeding. If written submissions and responses are necessary, the process would be drawn out and result in duplication between the parties.



Comments on the Timeline:

The Ross Firm Group agrees with and adopts the submissions of Pollution Probe and The Fallis Group with regard to the timeline established in Procedural Order #4. Specifically, it is this writer's opinion that the timeline as set will be oppressive for both the intervenor groups as well as the proponent.

Should you require any additional information, please do not hesitate to contact me.

Yours very truly,

The Ross Firm PC

Per:



Quinn M. Ross
QMR/tbm

c. G. Neddleton
M. Millar
Intervenors

