



EB-2009-0408

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 Transmission Inc. on behalf of Great Lakes Power
Transmission LP seeking changes to the uniform provincial
transmission rates for 2010.

PROCEDURAL ORDER NO. 2

Great Lakes Power Transmission Inc. on behalf of Great Lakes Power Transmission LP (“GLPT” or the “Applicant”) has filed an Application with the Ontario Energy Board (the “Board”) on November 30, 2009 under section 78 of the *Ontario Energy Board Act, 1998*, 1998 S.O. c.15, (Schedule B). GLPT is seeking approval for changes to the uniform provincial transmission rates (“UTR”) that GLPT (and other transmitters) charge for electricity transmission, to be effective January 1, 2010. The Board has assigned Board file number EB-2009-0408 to the Rate Application.

GLPT has also filed an application with the Board on November 27, 2009 requesting that a deferral account be granted for the purposes of recording capital expenditures as well as operation, maintenance and administration expenses related to renewable generation connection, system planning, and infrastructure investment arising from the *Green Energy and Green Economy Act, 2009* (the “Deferral Account Application”). The Board has assigned Board file number EB-2009-0409 to the Deferral Account Application.

Following issuance of the Notice of Applications and Combined Hearing dated December 31, 2009, six interventions were granted: Canadian Niagara Power Inc. (“CNPI”); Independent Electricity System Operators (“IESO”); Vulnerable Energy Consumers Coalition (“VECC”); Energy Probe Research Foundation (“Energy Probe”); Schools Energy Coalition (“SEC”); and Hydro One Networks Inc. VECC, Energy Probe, and SEC also requested eligibility to seek an award of costs for participation in this proceeding; the requests were granted.

On January 29, 2010 the Board issued its Procedural Order No. 1 and Interim Rate Decision. In regard to the Rate Application, the Order included a schedule for procedural steps with deadlines (the “Procedural Schedule”).

GLPT's Request for Confidential Treatment of Information

On March 3, 2010, in accordance with the Procedural Schedule, the Applicant filed responses to interrogatories filed by intervenors and Board staff, and requested that the following information and documents be treated as confidential:

- All appendices referred to in GLPT's responses to Board staff Interrogatory # 55 (i) (a) and (d) in respect of tax-related information pertaining to both the regulated and unregulated businesses of Great Lakes Power Limited ("GLPL").
- All of GLPT's response to Board staff interrogatory # 96 which contains charge determinant information (load information) on delivery points owned by large customers and could reveal proprietary information.

Board Findings

The Board's Practice Direction, section 5, establishes a process for the Board's consideration of requests for confidential treatment of certain information and documents filed with the Board. With its letter of March 3, 2010 indicating reasons for the confidentiality request GLPL filed confidential, un-redacted versions of the documents for which confidentiality is requested. Any party to this proceeding may object to the request for confidentiality and set out reasons for the objection.

However, in order to avoid delaying this proceeding, the Board has decided to designate as confidential, on an interim basis, the information and documents referenced in GLPT's request to the Board in its letter of March 3, 2010 (the "Requested Confidential Information"). As an interim measure, counsel for intervenors who wish to have access to the Requested Confidential Information may receive it after signing the Board's Declaration and Undertaking (which can be found at Appendix D of the Practice Direction) and filing it with the Board.

The Board will receive submissions from parties regarding whether or not the Requested Confidential Information should remain designated as confidential.

In the event that the Board ultimately finds that the Requested Confidential Information is not confidential, the Declaration and Undertaking will be considered to no longer apply, and the information will be placed on the public record. In the event that the Board ultimately finds that the Requested Confidential Information is confidential, then the Declaration and Undertaking will continue to apply.

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

A list of Intervenor is attached as Appendix "A" to this Order.

THE BOARD ORDERS THAT:

1. The Requested Confidential Information will be made available to any party that signs the Board's Declaration and Undertaking and files it with the Board.
2. Intervenor or Board staff may make submissions on the request for confidentiality and shall file their submissions on this issue by **March 19, 2010**. Parties should have regard to the Board's Practice Direction when filing their submissions and shall copy the applicant and other intervenors.
3. The Applicant may file a reply to any submissions made by Board Staff or intervenors by **March 24, 2010** and shall copy the intervenors.
4. If you already have a user ID, please submit all filings to the Board noted in this Procedural Order through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-filings and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

DATED at Toronto on March 10, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix "A"
To
Procedural Order No. 2
March 10, 2010

(EB-2009-0408)

List of Intervenors for the two Applications

Great Lakes Power Transmission LP
Rate Application (2010 Test Year)- EB-2009-0408
Deferral Account Application - EB-2009-0409

Great Lakes Power Transmission Inc. on behalf of Great Lakes Power Transmission
EB-2009-0408

APPLICANT & LIST OF INTERVENORS

March 10, 2010

APPLICANT

Rep. and Address for Service

**Great Lakes Power
Transmission Inc. on behalf of
Great Lakes Power
Transmission LP**

Andy McPhee

Vice President and General Manager
Great Lakes Power Transmission Inc. on behalf of
Great Lakes Power Transmission LP
2 Sackville Road
Sault Ste. Marie, ON P6B 6J6

Tel: 705-941-5661
Fax: 705-941-5600
amcphee@glp.ca

**Great Lakes Power
Transmission Inc. on behalf of
Great Lakes Power
Transmission LP**

Mr. Duane Fecteau

Great Lakes Power Transmission Inc. on behalf of
Great Lakes Power Transmission LP

2 Sackville Road
Suite B
Sault Ste. Marie, Ontario On P6B 6J6

Tel: 705-256-3846
Fax: 705-941-5600
dfecteau@glp.ca

APPLICANT COUNSEL

Jonathan Myers

Torys LLP
79 Wellington St. W.
Suite 3000, Maritime Life Tower
P.O. Box 270, Toronto Dominion Centre
Toronto ON M5K 1N2

Tel: 416-865-7323
Fax: 416-865-7380
jmyers@torys.com

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Charles Keizer

Torys LLP
79 Wellington St. W.
Suite 3000, Maritime Life Tower
P.O. Box 270, Toronto Dominion Centre
Toronto ON M5K 1N2
Tel: 416-865-7323
Fax: 416-865-7380
ckeizer@torys.com

INTERVENORS

**Canadian Niagara Power
Company Limited**

Rep. and Address for Service

Douglas Bradbury

Director
FortisOntario Inc.
1130 Bertie St.
P.O. Box 1218
Fort Erie ON L2A 5Y2
Tel: 905-994-3634
Fax: 905-994 2207
doug.bradbury@cnpower.com

Andrew Taylor

Ogilvy Renault LLP
Suite 3800
Royal Bank Plaza, South Tower
200 Bay Street, P.O. Box 84
Toronto ON M5J 2Z4
Tel: 416-216-4771
Fax: 416-216-3930
ataylor@ogilvyrenault.com

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Energy Probe

Olena Loskutova

Energy Probe
225 Brunswick Ave.
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 234
Fax: 416-964-8239
olena.loskutova@gmail.com

Peter Faye

Counsel
Independant Participants - General Public
42 Eastwood Crescent
Markham ON L3P 5Z7
Tel: 905-294-2013
Fax: Not Provided
pfaye@rogers.com

David MacIntosh

Consultant
Energy Probe
225 Brunswick Avenue
Toronto ON M5S 2M6
Tel: 416-964-9223 Ext: 235
Fax: 416-964-8239
DavidMacIntosh@nextcity.com

Hydro One Networks Inc.

Anne-Marie Reilly

Senior Regulatory Coordinator
Hydro One Networks Inc.
483 Bay Street
8th Floor - South Tower
Toronto ON M5G 2P5
Tel: 416-345-6482
Fax: 416-345-5866
regulatory@hydroone.com

APPLICANT & LIST OF INTERVENORS

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**Independent Electricity
System Operator (IESO)**

Carl Burrell

Senior Analyst, Regulatory Affairs
Independent Electricity System Operator (IESO)
655 Bay Street
Suite 410
Toronto ON M5G 2K4
Tel: 416-506-2858
Fax: 905-506-2847
carl.burrell@ieso.ca

Richard Lanni

Legal Counsel
Independent Electricity System Operator (IESO)
655 Bay St.
Suite 410, P.O. Box 1
Toronto ON M5G 2K4
Tel: 416-506-2857
Fax: 416-506-2827
richard.lanni@ieso.ca

School Energy Coalition

Jay Shepherd

Jay Shepherd Professional Corporation
120 Eglinton Avenue East
Suite 500
Toronto ON M4P 1E2
Tel: 416-804-2767
Fax: 416-214-5424
jay.shepherd@canadianenergylawyers.com

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School Energy Coalition

Wayne McNally

SEC Coordinator, OESC
Ontario Public School Boards' Association
439 University Avenue
18th Floor
Toronto ON M5G 1Y8
Tel: 416-340-2540
Fax: 416-340-7571
wmcnally@opsba.org

**Vulnerable Energy Consumers
Coalition**

William Harper

Senior Consultant
Econalysis Consulting Services Inc.
34 King Street E.
Suite 1102
Toronto ON M5C 2X8
Tel: 416-348-0193 Ext: 29
Fax: 416-348-0641
bharper@econalysis.ca

Michael Buonaguro

Public Interest Advocacy Centre
34 King St. E. Suite 1102
Toronto ON M5C 2X8
Tel: 416-348-0814
Fax: 416-348-0641
mbuonaguro@piac.ca