



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. 4

Great Lakes Power Transmission Inc. on behalf of Great Lakes Power Transmission LP (“GLPT” or the “applicant”) filed an application with the Ontario Energy Board (the “Board”) on November 30, 2009 under section 78 of the Ontario Energy Board Act, 1998, S.O. 1998 c.15, (Schedule B) seeking approval for changes to the uniform provincial transmission rates 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 also filed an application with the Board on November 27, 2009 requesting that a deferral account be granted for the purposes of recording expenditures relating to renewable energy projects and required transmission system planning arising from the Green Energy and Green Economy Act, 2009. The Board has assigned Board file number EB-2009-0409 to this deferral account application.

The Board issued a Notice of Applications and Combined Hearing dated December 31, 2009 for both applications.

On January 29, 2010 the Board issued Procedural Order No. 1 and Interim Rate Decision, which included a schedule for procedural steps for the rate application (the “Procedural Schedule”).

According to the Procedural Schedule, the applicant filed its interrogatory responses on March 3, 2010 accompanied by a request for confidential treatment of certain information included in GLPT’s response to two Board staff interrogatories (the “Requested Confidential Information”).

To deal with GLPT's Requested Confidential Information, on March 10, 2010 the Board issued Procedural Order No. 2, designating the Requested Confidential Information as confidential, on an interim basis, provided access for counsel for intervenors to the Requested Confidential Information after signing the Board's Declaration and Undertaking, and set out a schedule for submissions on the issue of confidentiality. The Board subsequently issued a Decision and Order on March 31, 2010, in which it ordered that the Requested Confidential Information would remain confidential.

The Board issued Procedural Order No. 3 on March 18, 2010 to allow parties an opportunity to file supplemental interrogatories to address responses which are unclear or which require further explanation. The Board also made provision for a technical conference, to be held on April 14, 2010.

The applicant filed its supplementary interrogatory responses on April 9, 2010 accompanied by a request for confidential treatment of the following information (the "Additional Requested Confidential Information"):

- all appendices referred to in GLPT's response to Board staff supplemental interrogatories 17 (i) (Attachment "A") and (iii) (Attachment "B"); and
- a portion of GLPT's response to SEC supplemental Interrogatory 6(b) (Attachment "C").

The Board will designate as confidential, on an interim basis, the information and documents referenced in GLPT's request to the Board in its letter of April 9, 2010 (the "Additional Requested Confidential Information"). As an interim measure, counsel for intervenors who wish to have access to the Additional 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 Additional Requested Confidential Information should remain designated as confidential.

In the event that the Board ultimately finds that the Additional 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 Additional Requested Confidential Information is confidential, then the Declaration and Undertaking will continue to apply.

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

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

THE BOARD ORDERS THAT:

1. The Additional 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. Intervenors or Board staff may make submissions on the request for confidentiality and shall file their submissions on this issue by **April 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 **April 23, 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 April 15, 2010
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

**Appendix A
To
Procedural Order No. 4
April 15, 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 LP

EB-2009-0408

APPLICANT & LIST OF INTERVENORS

April 15, 2010

APPLICANT

Rep. and Address for Service

**Great Lakes Power
Transmission Inc.**

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.**

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 P6B6J6

Tel: 705-256-3846

Fax: 705-941-5600

dfecteau@glp.ca

APPLICANT COUNSEL

Rep. and Address for Service

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: 416-865-7532

Fax: 416-865-7380

jmyers@torys.com

**Great Lakes Power Transmission Inc.
on behalf of Great Lakes Power Transmission LP
EB-2009-0408 and EB-2009-0409
APPLICANT & LIST OF INTERVENORS**

- 2 -

January 29, 2010

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: 416-865-7512
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

**Great Lakes Power Transmission Inc.
on behalf of Great Lakes Power Transmission LP
EB-2009-0408 and EB-2009-0409
APPLICANT & LIST OF INTERVENORS**

- 3 -

January 29, 2010

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.ca

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

**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

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

EB-2009-0408 and EB-2009-0409

APPLICANT & LIST OF INTERVENORS

- 4 -

January 29, 2010

**Independent Electricity
System Operator (IESO)**

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

**Vulnerable Energy Consumers
Coalition (VECC)**

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