



EB-2009-0425

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 Hydro One
Networks Inc. for an Order granting leave to construct the
Toronto Midtown Transmission Reinforcement Project.

PROCEDURAL ORDER NO. 3

An application dated December 23, 2009 (the "Application") was filed by Hydro One Networks Inc. (the "Applicant") with the Ontario Energy Board (the "Board") under section 92(1) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B, (the "Act") seeking an Order of the Board granting leave to construct transmission facilities. The Applicant is seeking leave to construct transmission facilities for the Toronto Midtown Transmission Reinforcement Project ("Midtown Project"). The work involves constructing and/or renewing 5.3 km of overhead and underground transmission line facilities in the City of Toronto. The Application has been assigned Board File No. EB-2009-0425.

Five parties requested and were granted intervenor status in this proceeding. A complete list of all parties is attached as Appendix A to this Procedural Order.

On Friday, March 26, 2010, the Board received a letter from Mr. Normunds Mierins, Director of the North Rosedale Ratepayers Association (NRRA) informing the Board that it wishes to submit evidence.

The Board reminded Parties in Procedural Order No.2, and wishes to reiterate, that the scope of the Board's review of this matter is expressly limited by statute. Section 96(2) of the Act provides that, when considering an electricity leave to construct project, the

Board can only consider the interests of consumers with respect to prices and the reliability and quality of electricity service and, where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources. Matters relating to construction activities and aesthetic issues are not within the scope of the Board's jurisdiction in this case. Parties should be mindful of the scope of the Board's mandate when contributing to the record that the Board will rely on in making its determination.

The Board considers it necessary to make provision for the following items in relation to the application. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Board staff and intervenors shall, if they wish, file relevant evidence with the Board and with the applicant no later than **Monday, April 26, 2010**.
2. Any party wishing to submit interrogatories on the evidence shall file them with the Board and submit them to the party providing evidence no later than **Thursday, April 29, 2010**.
3. Responses to the interrogatory shall be filed with the Board and be provided directly to the interrogating party no later than **Monday, May 3, 2010**;
4. Board staff and intervenors shall, if they wish, file final submissions with the Board and send a copy to the applicant no later than **Wednesday May 5, 2010**;
5. The Applicant shall file its reply submission with the Board no later than **Monday, May 10, 2010**.

All filings to the Board noted in this Procedural Order must be in the form of 2 hard copies and must be received by the Board by 4:45 p.m. on the stated dates. An electronic copy of the filing must also be provided. If you already have a user ID, the electronic copy of your filing should be submitted through the Board's web portal at www.errr.oeb.gov.on.ca. If you do not have a user ID, please visit the "e-Filing Services" page on the Board's website at www.oeb.gov.on.ca and fill out a user ID password request. For instructions on how to submit and naming conventions, please

refer to the RESS Document Guidelines also found on the “e-Filing Services” webpage. If the Board’s web portal is not available, the electronic copy of your filing may be submitted by e-mail at Boardsec@oeb.gov.on.ca . Those who do not have internet access are required to submit the electronic copy of their filing on a CD or diskette in PDF format.

ISSUED at Toronto on April 16, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix "A"

To Procedural Order No. 3

EB-2009-0425

Dated: April 16, 2010

Hydro One Networks Inc.

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APPLICANT & LIST OF INTERVENORS

April 16, 2010

APPLICANT

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APPLICANT & LIST OF INTERVENORS

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April 16, 2010

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Hydro One Networks Inc.

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APPLICANT & LIST OF INTERVENORS

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April 16, 2010

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