



**EB-2010-0228**

**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 approving joint use rates for  
generator use of distribution poles and fees for Connection  
Impact Assessments

### **PROCEDURAL ORDER No. 1**

Hydro One Networks Inc. ("Hydro One") filed an application with the Ontario Energy Board, received on June 30, 2010, under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15 (Schedule B), requesting approval of new Joint Use charges related to generation projects, to be effective January 1, 2010, and new and revised fees for Connection Impact Assessment ("CIA"). Hydro One has requested that the proposed CIA fees be declared interim until the final Decision and Order of this proceeding. The Board has assigned the application File Number EB-2010-0228.

The Board issued a Notice of Application and Hearing dated July 22, 2010. The Board received 7 requests for intervenor status. The Board approves these intervention requests. A list of the intervenors is attached as Appendix A.

The following intervenors requested eligibility for a cost award: Association of Power Producers of Ontario, Canadian Manufacturers and Exporters, Energy Probe, and Vulnerable Energy Consumers Coalition. The Board finds that each of these parties is eligible for a cost award. The Board will consider a request from the Society of Energy Professionals if it is brought forward at a later date.

Hydro One is requesting approval, effective January 1, 2010, of joint use charges for generator customers to place, affix or attach electrical circuit attachments owned by a generator to poles owned by Hydro One. If approved the joint use charges will vary based on the height of the pole required and the space needed on the pole for the generator assets. Hydro One also requested a decision on whether these charges require Board approval.

Hydro One is also requesting a new CIA fee schedule. Hydro One proposed that the current CIA rates approved by the Board in EB-2009-0096 be phased-in prior to September 1, 2010. Hydro One also proposed new CIA fees for net metering generators, capacity allocation exempt projects, and reassessments. Hydro One has requested that these fees be immediately implemented on an interim basis.

The Board will not implement the proposed fees on an interim basis. No compelling reasons have been provided for why such an approach is required. The Board prefers wherever possible to change fee or rate levels after adequate consideration of the merits of the applications. The Board will, however, declare the current fees interim. The effective date for the fees ultimately approved in this proceeding will be determined as part of the proceeding.

The Board has decided to proceed by way of written hearing and considers it necessary to make provision for the following procedural matters. Further procedural orders may be issued from time to time.

#### **THE BOARD ORDERS THAT:**

1. The Connection Impact Assessment (CIA) Charges – Small & Medium of \$10,335 and the Connection Impact Assessment (CIA) Charges – Large of \$10,405 are declared interim effective immediately.
2. Parties who wish information and material from the applicant that is in addition to the evidence filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the applicant on or before **Tuesday August 24, 2010**. Interrogatories from Board staff shall be submitted on or before **Friday August 20, 2010**. A list of intervenors is attached as Appendix A to this order.

3. The Applicant shall file with the Board complete responses to the interrogatories and deliver them to the intervenors no later than **Tuesday September 7, 2010**.
4. Parties who wish to file evidence on the application must inform the Board by letter no later than **Thursday September 9, 2010**. Any party filing evidence must do so no later than **Thursday September 15, 2010**
5. All filings to the Board must quote file number EB-2010-0228, be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca), and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address, telephone number, fax number, and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to the [BoardSec@oeb.gov.on.ca](mailto:BoardSec@oeb.gov.on.ca). Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies. If you have submitted through the Board's web portal an e-mail is not required."
6. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

**The Board:**

Post:  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto ON M4P 1E4

Attention: Board Secretary

Filings : [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca)  
E-mail: [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca)

Tel: 1-888-632-6273 (toll free)  
Fax: 416-440-7656

**DATED** at Toronto, **August 18, 2010**

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

**Appendix A to Procedural Order No. 1**

**Hydro One Networks Inc.**

**EB-2010-0228**

**APPLICANT & LIST OF INTERVENORS**

**August 18, 2010**

**APPLICANT**

**Rep. and Address for Service**

**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](mailto:regulatory@hydroone.com)

**APPLICANT COUNSEL**

**Michael Engelberg**

Assistant General Counsel  
Hydro One Networks Inc.  
483 Bay Street  
15th Floor - North Tower  
Toronto ON M5G 2P5  
Tel: 416-345-6305  
Fax: 416-345-6972

**Hydro One Networks Inc.**  
**EB-2010-0228**  
**LIST OF INTERVENORS**

- 2 -

August 18, 2010

**Association of Power  
Producers of Ontario**

**David Butters**

President & CEO  
Association of Power Producers of Ontario  
25 Adelaide St. E.  
Suite 1602  
Toronto ON M5C 3A1  
Tel: 416-322-6549 Ext: 231  
Fax: 416-481-5785  
[David.Butters@appro.org](mailto:David.Butters@appro.org)

**Canadian Manufacturers &  
Exporters**

**Peter Thompson, Q.C.**

Borden Ladner Gervais LLP  
100 Queen St.  
Suite 1100  
Ottawa ON K1P 1J9  
Tel: 613-787-3528  
Fax: 613-230-8842  
[pthompson@blgcanada.com](mailto:pthompson@blgcanada.com)

**Vincent DeRose**

Borden Ladner Gervais LLP  
100 Queen St.  
Suite 1100  
Ottawa ON K1P 1J9  
Tel: 613-787-3589  
Fax: 613-230-8842  
[vderose@blgcanada.com](mailto:vderose@blgcanada.com)

**Hydro One Networks Inc.**  
**EB-2010-0228**  
**LIST OF INTERVENORS**

- 3 -

August 18, 2010

**Canadian Manufacturers &  
Exporters**

**Paul Clipsham**

Director of Policy, Ontario Division  
Canadian Manufacturers & Exporters  
6725 Airport Rd.  
Suite 200  
Mississauga ON L4V 1V2  
Tel: 905-672-3466 Ext: 3236  
Fax: 905-672-1764  
[paul.clipsham@cme-mec.ca](mailto:paul.clipsham@cme-mec.ca)

**Enbridge Ontario Wind Power  
L.P.**

**Scott Stoll**

Legal Counsel, External  
Aird & Berlis LLP  
181 Bay Street  
Suite 1800, Box 754  
Brookfield Place  
Toronto ON M5J 2T9  
Tel: 16-865-4703  
Fax: 16-863-1515  
[ssoll@airdberlis.com](mailto:ssoll@airdberlis.com)

**Energy Probe Research  
Foundation**

**Lawrence Schwartz**

Consulting Economist  
82 Ridge Hill Drive  
Toronto ON M6C 2J8  
Tel: 416-785-4985  
Fax: Not Provided  
[lschwartz5205@rogers.com](mailto:lschwartz5205@rogers.com)

**Hydro One Networks Inc.**  
**EB-2010-0228**  
**LIST OF INTERVENORS**

- 4 -

August 18, 2010

**Energy Probe Research  
Foundation**

**David MacIntosh**

Case Manager  
Energy Probe Research Foundation  
225 Brunswick Avenue  
Toronto ON M5S 2M6  
Tel: 416-964-9223 Ext: 235  
Fax: 416-964-8239  
[DavidMacIntosh@nextcity.com](mailto:DavidMacIntosh@nextcity.com)

**Olena Loskutova**

Energy Probe Research Foundation  
225 Brunswick Ave.  
Toronto ON M5S 2M6  
Tel: 416-964-9223 Ext: 234  
Fax: 416-964-8239  
[olena.loskutova@gmail.com](mailto:olena.loskutova@gmail.com)

**Ontario Power Authority**

**Miriam Heinz**

Regulatory Coordinator, Corporate Affairs/Legal  
Ontario Power Authority  
120 Adelaide Street West, Suite 1600  
Toronto ON M5H 1T1  
Tel: 416-967-7474  
Fax: 416-967-1947  
[Miriam.Heinz@powerauthority.on.ca](mailto:Miriam.Heinz@powerauthority.on.ca)



**Hydro One Networks Inc.**  
**EB-2010-0228**  
**LIST OF INTERVENORS**

- 5 -

August 18, 2010

**The Society of Energy  
Professionals**

**Mike Belmore**

External Relations Officer  
The Society of Energy Professionals  
425 Bloor St. E.  
Suite 300  
Toronto ON M4W 3R4  
Tel: 416-979-2709  
Fax: 416-979-5794  
[belmorem@thesociety.ca](mailto:belmorem@thesociety.ca)

**Jo-Anne Pickel**

Counsel  
Cavalluzzo Hayes Shilton McIntyre & Cornish LLP  
474 Bathurst Street  
Suite 300  
Toronto ON M5T 2S6  
Tel: 416-964-5537  
Fax: 416-964-5895  
[jpickel@cavalluzzo.com](mailto:jpickel@cavalluzzo.com)

**Vulnerable Energy Consumers  
Coalition**

**Michael Buonaguro**

Counsel  
Public Interest Advocacy Centre  
34 King St. E., Suite 1102  
Toronto ON M5C 2X8  
Tel: 416-767-1666  
Fax: 416-348-0641  
[mbuonaguro@piac.ca](mailto:mbuonaguro@piac.ca)

**Hydro One Networks Inc.**

**EB-2010-0228**

**LIST OF INTERVENORS**

- 6 -

**August 18, 2010**

**Vulnerable Energy Consumers    Bill Harper**  
**Coalition**

Econalysis Consulting Services Inc.  
Toronto On  
Tel: 416-348 0193  
Fax: Not Provided  
[bharper@econalysis.ca](mailto:bharper@econalysis.ca)