



EB-2010-0291

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 2011 and 2012;

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 September 29, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, 1998 S.O. c.15, (Schedule B). GLPT is seeking Board approval for updated Uniform Transmission Rates (“UTR”) to permit GLPT recovery of its forecasted revenue requirement for 2011 and for 2012. The Board has assigned the application Board file number EB-2010-0291 to the Application.

The Board issued a Notice of Applications and Hearing dated October 28, 2010. Four intervention requests were filed with the Board: (1) Independent Electricity System Operator (“IESO”); (2) Vulnerable Energy Consumers Coalition (“VECC”); (3) Energy Probe Research Foundation (“Energy Probe”); (4) Schools Energy Coalition (“SEC”). The applications for intervention by VECC, Energy Probe, and SEC also included requests for eligibility to seek an award of costs for participation in this proceeding.

On November 17, 2010 the Board issued Procedural Order No. 1 and Interim Rate Decision which included a schedule for procedural steps with deadlines.

As the Applicant did not object to either the intervention requests or the cost eligibility requests as set out in that order, the Board confirms granting intervention status for four parties as well as cost eligibility to VECC, Energy Probe and SEC.

PUC Distribution Inc. requested observer status, and the Board granted this request.

On December 3, 2010, counsel to the Applicant sent a letter via e-mail to the Board and, filed on RESS, and sent copies to all intervenors, indicating that on September 29, 2010, the Applicant had filed a request for confidential treatment of certain information associated with the Application. The December 3, 2010 letter includes a copy of the September 29, 2010 letter outlining the reasons for the confidentiality request, as well as a non-confidential summary of the document for which confidential treatment was requested.

Board Findings

The Board's *Practice Direction on Confidential Filings* ("*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. In regard to the un-redacted versions of the documents, filed on September 29, 2010 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 December 3, 2010 (the "Requested Confidential Information"). As an interim measure, counsel, experts or consultants 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.

THE BOARD ORDERS THAT:

1. The Requested Confidential Information will be made available to any party that signs the Board's Declaration and Undertaking in accordance with the Board's *Practice Direction* 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 **Monday, December 13, 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 **Monday, December 20, 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 in PDF format, along with two paper copies.

DATED at Toronto on December 6, 2010

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary