



**EB-2010-0324**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*,  
S.O. 1998, c. 15, (Schedule B);

**AND IN THE MATTER OF** an application under section 60  
of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15,  
Schedule B for an electricity transmission licence.

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

TransCanada Power Transmission (Ontario) L.P. ("TransCanada") filed an application with the Ontario Energy Board, received on October 27, 2010, under section 60 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B.

The Board's Notice of Application and Hearing was issued on November 19, 2010. Hydro One Networks Inc. and Great Lakes Power Transmission L.P. filed intervention requests. The Power Workers' Union and Canadian Niagara Power Inc. requested observer status. The requests for intervenor and observer status are granted.

Accompanying the application was a cover letter dated October 26, 2010 from TransCanada requesting confidential treatment of certain information included in the application, namely TransCanada's corporate organization chart (the "Requested Confidential Information"). TransCanada filed a redacted version of the application which has been placed on the public record of this proceeding.

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. With respect to the Requested Confidential Information, any party to this proceeding may object to the request for confidentiality and set out reasons for the objection.

In order to avoid delaying this proceeding, the Board has decided to designate as confidential, on an interim basis, 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.

The Board has decided to proceed by way of written hearing and considers it necessary to make provision for the following procedural matters. Please note that this Procedural Order may be amended, and 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 **December 22, 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 **December 31, 2010** and shall copy the intervenors.
4. If Board staff or an intervenor wishes to receive information and material from TransCanada that is in addition to information filed by TransCanada with the Board, and that is relevant to the hearing, Board staff or an intervenor shall request it by written interrogatories filed with the Board and delivered to TransCanada on or before **January 14, 2011**.

5. TransCanada shall file with the Board complete responses to the interrogatories no later than **January 28, 2011**.
6. If Board staff or an intervenor wishes to make a submission, Board staff or an intervenor must file that submission with the Board, and deliver it to the applicant by **February 11, 2011**.
7. If TransCanada wishes to file a response to a submission, the response must be filed with the Board by **February 18, 2011**.

All filings to the Board must quote the file number, EB-2010-0324, 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 and 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 address below. Those who do not have internet access are required to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

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.

## ADDRESS

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

Tel: 1-877-632-2727 (toll free)  
Fax: 416-440-7656  
E-mail: [Boardsec@oeb.gov.on.ca](mailto:Boardsec@oeb.gov.on.ca)

**DATED** at Toronto, December 14, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

**Appendix “A”**

**To The Procedural Order No. 1**

**EB-2010-0324**

**TransCanada Power Transmission (Ontario) L.P.**

**December 14, 2010**

**TransCanada Power Transmission (Ontario) L.P.  
EB-2010-0324**

**APPLICANT & LIST OF PARTICIPANTS**

**APPLICANT**

**Rep. and Address for Service**

**TransCanada Power Transmission  
(Ontario) L.P.**

**Brian Kelly**

Manager, Market Affairs  
200 Bay Street, 24th Floor - South Tower  
Toronto ON M5J 2J1  
Tel: (416) 869-2183  
Fax: (416) 869-2114  
E-mail: [brian\\_kelly@transcanada.com](mailto:brian_kelly@transcanada.com)

**INTERVENORS**

**Hydro One Networks Inc.**

**Anne-Marie Reilly**

Senior Regulatory Coordinator  
483 Bay Street, 8th Floor - South Tower  
Toronto ON M5G 2P5  
Tel: (416) 345-6482  
Fax: (416) 345-5866  
E-mail: [Regulatory@HydroOne.com](mailto:Regulatory@HydroOne.com)

**Great Lakes Power Transmission L.P.**

**Andy McPhee**

Vice President and General Manager  
2 Sackville Road  
Sault Ste. Marie, ON P6B 6J6  
Tel: (705) 941-5661  
Fax: (705) 941-5600  
E-mail: [amcphee@glp.ca](mailto:amcphee@glp.ca)

**Counsel**

**Charles Keizer**

Torys LLP  
79 Wellington Street West  
Suite 3000, Maritime Life Tower  
P.O. Box 270, Toronto Dominion Centre  
Toronto, ON M5K 1N2  
Tel: (416) 865-7512  
Fax: (416) 865-7380  
E-mail: [ckeizer@torys.com](mailto:ckeizer@torys.com)

**Counsel****Johnathan Myers**

Torys LLP  
79 Wellington Street West  
Suite  
79 Wellington Street West  
Suite 3000, Maritime Life Tower  
P.O. Box 270, Toronto Dominion Centre  
Toronto, ON M5K 1N2  
Tel: (416) 865-7532  
Fax: (416) 865-7380  
E-mail: [jmyers@torys.com](mailto:jmyers@torys.com)

**OBSERVERS****Power Workers' Union****Bayu Kidane**

Consultant  
Elenchus Research Associates  
34 King Street East, Suite 600  
Toronto, ON M5C 2X8  
Tel: (416) 348-0666  
Fax: (416) 348-9930  
E-mail: [bkidane@elenchus.ca](mailto:bkidane@elenchus.ca)

**Judy Kwik**

Senior Consultant  
Elenchus Research Associates  
34 King Street East, Suite 600  
Toronto, ON M5C 2X8  
Tel: (416) 348-8777  
Fax: (416) 348-9930  
E-mail: [jkwik@elenchus.ca](mailto:jkwik@elenchus.ca)

**Counsel****Richard Stephenson**

Paliare Roland  
250 University Avenue, Suite 510  
Toronto, ON M5H 3E5  
Tel: (416) 646-4325  
Fax: (416) 646-4335  
E-mail: [Richard.Stephenson@paliareroland.com](mailto:Richard.Stephenson@paliareroland.com)

**Canadian Niagara Power Inc.****Scott Hawkes**

Vice President, Corporate Services &  
General Counsel  
1130 Bertie Street, P.O. Box 1218  
Fort Erie, ON L2A 5Y2  
Tel: (905) 871-0330  
Fax: (905) 871-8676  
E-mail: [scott.hawkes@fortisontario.com](mailto:scott.hawkes@fortisontario.com)