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Director – Applications  
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BY COURIER

July 15, 2011

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
Suite 2700, 2300 Yonge Street  
Toronto, ON  
M4P 1E4

Dear Ms. Walli

**EB-2011-0126 – AltaLink Ontario L.P. (AOLP) Transmission Licence Application -  
AOLP Response to Hydro One Interrogatory #4**

Hydro One is concerned with the response by AltaLink Ontario L.P. to Hydro One's Interrogatory Request #4 in the above-noted application. In that Interrogatory Request, Hydro One asked for further details concerning the construction experience of AOLP's affiliate SNC-Lavalin in respect of projects undertaken by SNC that the Applicant cited in the Technical Capabilities section of its Application. In its response, AOLP refused to provide the requested information on two grounds: a) that the information is confidential; and b) that the information is not in its possession as SNC-Lavalin is not a party to AOLP's licence application.

In its Application in Section 5, AOLP made the following statement:

Through the affiliation with SNC-Lavalin (SNC), AltaLink Ontario, L.P. will combine AltaLink's experience and expertise in planning, project development, consultation, project management, ownership and operation of transmission infrastructure with the experience and expertise of SNC in the engineering, procurement and construction (EPC) of transmission facilities.[...] In addition to its close working relationship with AltaLink on high-voltage transmission projects in Alberta, SNC-Lavalin has also completed a [sic] several assignments covering planning, design, construction and project management for high-voltage transmission facilities in Ontario.

Based on the above statement, in Hydro One's view it is clear by AOLP's own admission that it intends to rely on SNC-Lavalin for project construction expertise, should it be designated by the Board to develop a transmission project under the Board's designation procedure. As such, Hydro One submits that the further details requested by Hydro One relating to SNC-Lavalin's project construction experience are relevant to the Board's

determination of AOLP's technical capabilities in respect of its transmission licence application.

Hydro One's Interrogatory #4 was as follows:

- a) Please provide three examples of high-voltage transmission projects that SNC-Lavalin has recently completed in Ontario. For each example, please include budgeted versus actual costs and time to complete with explanations for any major variances.
- b) Please provide a listing of any complaints received during the development and construction of these projects along with their resolution.
- c) Please indicate whether SNC-Lavalin was required to consult with any First-Nations/Métis groups as part of these projects, and if so, briefly describe the outcome of the consultation.

Hydro One believes that its interrogatory is relevant to the Board's determination of pertinent matters in AOLP's licence application.

### **Relief Requested**

Hydro One requests that AOLP provide a response to Hydro One's above-noted interrogatory. In so doing, Hydro One notes that the first ground cited by AOLP for its refusal to provide the requested material (confidentiality) is not an accepted ground under the Board's Practices and Procedures. The OEB has a procedure for filing confidential material under which the Applicant is required to file the material with the Board, in order to allow the Board to make a determination upon the matter. It is not for AOLP to pre-judge what is confidential material and what is not.

With respect to AOLP's second ground of refusal (that the information is not in its possession and SNC-Lavalin is not a party to its Application), Hydro One notes that if SNC-Lavalin is not willing to provide the requested information in support of its affiliate AOLP's application for a transmission licence, then AOLP should amend its Application to remove references to SNC-Lavalin as an affiliate on which it will rely for EPC support. It should then replace that information with information that is able to be tested through the OEB's interrogatory process regarding how it intends to obtain the necessary construction expertise to support its Licence Application. Otherwise, the inevitable inference to be drawn is that AOLP's assertions of its technical capabilities in that area are unsupported and unproven.

In the event that AOLP refuses to take the steps outlined above or other such reasonable steps to enable its Application to be properly tested before the Board, Hydro One asks the Board to make provision for a supplementary interrogatory process to allow for further discovery on the Applicant's technical capabilities and experience to occur.

Sincerely,

ORIGINAL SIGNED BY JOANNE RICHARDSON FOR ANDREW SKALSKI

Andrew Skalski