

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 or fixing just and reasonable rates and other charges for the distribution of electricity.

**SUBMISSIONS OF THE POWER WORKERS' UNION**

(Hydro One's Request for Declaring Existing Approved Rates as Interim)

1. By way of letter dated February 27, 2008, Hydro One requested that its existing 2007 rates for the distribution of electricity approved under the proceeding EB-2007-0542 be declared interim effective May 1, 2008.
2. On February 29, 2008, the Power Workers' Union ("PWU") filed with the Board a letter supporting Hydro One's request.
3. The PWU is filing this submission pursuant to Procedural Order No. 3 issued by the Board on March 14, 2008, wherein the Board requested written submissions in respect of Hydro One's request for its existing 2007 rates be declared interim effective May 1, 2008.
4. The PWU understands from the schedule of activities listed in Procedural Order No.3 that the oral hearing of this proceeding will begin on June 23, 2008 and end on July 25, 2008. The PWU, therefore, shares Hydro One's view that there is a significant likelihood that the Board will not be able to issue an Order or Orders fixing final rates for 2008 until the fall of 2008. The PWU is also of the opinion that potential delays in hearing this Application can be anticipated due to the unusually heavy schedule of both the Board and stakeholders.
5. The PWU is of the view that the Board can and should declare existing rates interim for the period between May 1, 2008 and the date a new rate order is implemented, as requested by Hydro One, without waiting until the evidentiary portion of the hearing on the main application is concluded.

6. The PWU submits that the Board's approval of Hydro One's request for declaring existing rates interim does not in any way predispose the Board to either approve or deny Hydro One's application for an order approving or fixing just and reasonable rates and other charges for the distribution of electricity in 2008.
7. The PWU submits that approval of Hydro One's request for declaring existing rates interim and the proposed variance account will cause no harm to any party, while preserving the Board's ability to set rates effective May 1, 2008, and preserving Hydro One's ability to recover any ultimately determined revenue deficiency from that date. In this respect, the PWU agrees with Hydro One's submission that approval of Hydro One's request would be consistent with the Board's approval to declare existing rates as interim for Ontario Power Generation Inc. in proceeding EB-2007-0905. On pages 116-117 of the transcripts of the hearing on the Motion of Interim Order in EB-2007-0905, dated February 7, 2008, the Board states:

“We see no harm resulting to any party as a result of such an Order. It is not unusual for such Orders to issue. It preserves the ability of the Board to set rates effective April 1st, 2008. And the ability of the utility to recover any ultimately determined revenue deficiency from that date.”

On the other hand, the PWU submits that denial of Hydro One's request to have existing rates declared interim, could result in harm, given that Hydro One's inability to recover revenue deficiency as of May 1, 2008 would compromise its ability to complete work programs as proposed and/or to maintain service quality performance.

8. The PWU, therefore, submits that the Board should approve Hydro One's request as filed.

ALL OF WHICH IS RESPECTFULLY SUBMITTED