

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

Commission de l'énergie de l'Ontario
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone; 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY EMAIL

April 20, 2012

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: EWT LP
Electricity Transmission Licence Application
Board File Number EB-2011-0350**

Please find enclosed Board Staff's Submission for the above mentioned proceeding.
Please forward the attached to the Applicant and to all parties to this proceeding.

Yours truly,

Original Signed By

Irina Kuznetsova
Case Manager

Attachment



ONTARIO ENERGY BOARD

BOARD STAFF SUBMISSION

EWT LP

**Application for Electricity Transmission Licence
EB-2011-0350**

April 20, 2012

THE PROCEEDING

EWT LP filed an application with the Ontario Energy Board, received on September 20, 2011, under section 60 of the *Ontario Energy Board Act, 1998* for an electricity transmission licence. EWT LP is applying for a transmission licence so that it can file a project development plan in the Board's East-West Tie designation proceeding (EB-2011-0140). The application was subsequently amended by letter dated November 18, 2011 such that any transmission licence issued pursuant to this application be made effective as of the date on which EWT LP is designated as a developer of transmission assets in Ontario or the date on which EWT LP applies to amend Schedule 1 of its licence to specify the facilities to be owned and/or operated by EWT LP, whichever is earlier.

The Board issued a Notice of Application and Hearing on October 19, 2011. Procedural Order No. 1 was issued on November 7, 2011 providing for interrogatories and submissions.

Pursuant to Procedural Order No. 1, AltaLink Ontario, L.P. ("AltaLink"), TransCanada Power Transmission (Ontario) L.P. ("TransCanada") and Upper Canada Transmission, Inc. ("Upper Canada"), intervenors in this proceeding, filed their respective interrogatories on November 21, 2011 and EWT LP filed its interrogatory responses on December 5, 2011.

Following their receipt of EWT LP's interrogatory responses, TransCanada, Upper Canada and AltaLink each filed a Notice of Motion with the Board, on December 12, 13 and 15, 2011, respectively requesting EWT LP to provide further and more detailed responses to certain interrogatories that the Board needs to make determination in respect of the financial position, technical capabilities and past conduct of the applicant.

On March 23, 2012 the Board issued a decision on Motions and ordered EWT LP to file further and more detailed responses to certain Upper Canada and AltaLink interrogatories. EWT LP filed its responses on April 5, 2012.

This submission is being provided by Board staff following a review of the application and evidence filed in this proceeding.

STAFF SUBMISSION

The Board Policy *Framework for Transmission Project Development Plans* [EB-2010-0059] issued on August 26, 2010 contemplates that a new entrant transmitter cannot participate in a transmitter designation process held by the Board without first obtaining an electricity transmission licence from the Board. It also states in the policy that during the licensing process the Board will evaluate the financial viability and technical capabilities of new entrant transmitters.

In reviewing a licence application and interrogatory responses, the Board assesses an applicant's technical capability, financial viability and its conduct. Board staff submits that EWT LP has provided sufficient evidence to demonstrate that it has financial backing to undertake development of transmission projects. The evidence also demonstrates that EWT LP, through its limited partners, has adequate technical capability to reliably operate a transmission system and that its senior management has significant electricity grid experience.

Based on the evidence provided in the EWT LP's application, Board staff submits that the applicant meets the technical and financial requirements for a transmission licence. Board staff has no concerns with respect to EWT LP's conduct and submits that the applicant is likely to operate its business in conformity with relevant legislation and regulatory requirements.

All of which is respectfully submitted.