



EB-2012-0031

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

AND IN THE MATTER OF a review of an application filed
by Hydro One Networks Inc. for an order or orders
approving a transmission revenue requirement and rates
and other charges for the transmission of electricity for
2013 and 2014.

PROCEDURAL ORDER NO. 6
October 31, 2012

Hydro One Networks Inc. (“Hydro One”) filed an application, dated May 28, 2012, with the Ontario Energy Board under section 78 of the *Ontario Energy Board Act, 1998*, c.15, Schedule B, seeking approval for changes to its 2013 and 2014 transmission revenue requirement and for changes to the provincial uniform transmission rates charged for electricity transmission, to be effective January 1, 2013 and January 1, 2014. The Board assigned File Number EB-2012-0031 to the application.

The Board issued a Notice of Application and Hearing dated June 20, 2012. The Board issued Procedural Order No. 1 on July 12, 2012 which approved a number of intervention requests and requests for cost award eligibility. The Board also provided a draft issues list and invited parties to make written submissions on the issues in this proceeding.

On August 13, 2012, the Board issued Procedural Order No. 2 and its Decision on the draft issues list. On September 20, 2012 Hydro One filed its responses to interrogatories filed by Board staff and intervenors.

On September 27, 2012 Hydro One made a request that its existing 2012 rates for the transmission of electricity approved under proceeding EB-2011-0268 be declared interim effective January 1, 2013. The Board will address this request at the start of the oral hearing on November 8, 2012.

On October 1, 2012, the Board issued Procedural Order No. 3 where it issued a Decision on confidentiality and set the dates for a Technical Conference and Settlement Conference and set the dates for the oral hearing.

The Technical Conference was held on October 11, 2012.

On October 17, 2012 the School Energy Coalition (SEC) filed a Motion seeking an order requiring Hydro One to provide information and/or documents requested in certain interrogatories posed by SEC, and requested again at the Technical Conference.

The Board heard the SEC Motion on Tuesday, October 23, 2012. The Board subsequently ordered Hydro One to produce the requested materials, including a copy of the Canadian Electricity Association's (CEA) *Transmission COPE 2011 Comprehensive Annual Report* (the "COPE Report"). On October 25, 2012, the CEA filed an application requesting that the Board stay the Order of October 23, 2012, specifically with respect to the production of the COPE Report, pending appeal or other review.

Procedural Order No. 5 was issued on October 26, 2012 addressing the CEA application. The Board ordered that the Decision of October 23, 2012 be stayed on an interim basis, pending discussions between Hydro One, SEC and the CEA to reach an agreement with respect to producing information from the COPE Report that addresses the parties' concerns.

The parties were instructed to notify the Board by no later than Wednesday, October 31, 2012 whether their discussions had resulted in an agreement with respect to producing information from the COPE Report. The parties were to file a letter with the Board Secretary advising as to the substance of the agreement, if any, and indicate whether confidential treatment is requested for the letter, or any part thereof.

On October, 29, 2012 Hydro One informed the Board that, as a result of the Settlement Conference process, the parties in this proceeding had reached an Agreement in

Principle on October 26, 2012. Hydro One requested an extension to November 2, 2012 to file the Settlement Proposal and Hearing Plan to allow for further discussions with intervenors regarding the final terms of the Settlement Proposal. (In Procedural Order No. 3, both the Settlement Proposal and Hearing Plan were due to be filed with the Board by October 31, 2012.) Hydro One also requested until November 2, 2012 to file the letter relating to the COPE Report.

The Board will grant the requested extensions for the filing of these documents.

Although the Board has not yet reviewed or decided on the Settlement Proposal, the Board understands that one issue remains outstanding between the parties, namely Issue 23: “What is the appropriate level for Export Transmission Rates in Ontario?” The Board will therefore adjust the hearing schedule. The oral hearing will commence on Thursday, November 8, 2012 with the review of the Settlement Proposal followed by the hearing of evidence and cross examination regarding the Export Transmission Service expert evidence from Charles River Associates and then the witnesses appearing on behalf of APPrO. The oral hearing on this issue will continue on Tuesday, November 13, 2012 to hear the evidence and cross examination of the expert witnesses appearing on behalf of Hydro Quebec Marketing Inc. Once the Board has made a decision on the Settlement Proposal further hearing dates will be scheduled if necessary.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Hydro One shall file the Settlement Proposal with the Board no later than Friday, November 2, 2012.
2. Hydro One, SEC and the CEA will file with the Board a letter setting out any agreement, or otherwise, that they have reached amongst themselves with respect to producing information from the COPE Report no later than November 2, 2012.
3. The presentation of the Settlement Proposal will begin on Thursday, November 8, 2012 at 9:30 am to be followed by the commencement of the oral hearing.

4. The Board will reconvene on Tuesday, November 13, 2012 at 9:30 am.

All filings to the Board must quote file number EB-2012-0031, be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, 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. Parties shall use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca.

If the web portal is not available, parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD 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, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary
E-mail: Boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

DATED at Toronto, October 31, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary