



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. 8
November 15, 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.

On August 13, 2012 the Board issued an Issues List Decision and Procedural Order No. 2 which set out an approved Issues List for the Proceeding.

The Board issued a Decision and Order on Confidentiality and Procedural Order No. 3 on October 1, 2012 in which the Board ordered, among other things, that the parties conduct a Settlement Conference. A Settlement Conference was held from October 23 to 26, 2012. Parties achieved settlement on all but one issue. The Board approved the Settlement Proposal (filed by Hydro One on November 6, 2012) in an oral decision on November 8, 2012.

Remaining Unsettled Issue

The only unsettled issue in this proceeding is Issue #23 from the approved Issues List: “What is the appropriate level for Export Transmission Rates in Ontario?”

In Procedural Order No. 7, the Board determined that it would be more effective to hear the expert evidence on Issue #23 from a concurrent expert panel, pursuant to Rule 13A(a) of the Board’s *Rules of Practice and Procedure*.

Experts’ Conference

The Board has determined that it will require the experts who submitted evidence regarding Issue #23 to participate in an expert pre-hearing conference (the “Experts’ Conference”) in accordance with Rule 13A(b) of the Board’s *Rules of Practice and Procedure*. The Experts’ Conference will be focussed on Issue #23. The expert evidence is that of Charles River Associates (CRA) which prepared evidence for the Independent Electricity System Operator (IESO) and filed by Hydro One in this proceeding, Navigant Economics (Navigant) for the Association of Power Producers of Ontario (APPrO) and Elenchus Research Associates Inc. (Elenchus) for HQ Energy Marketing Inc. (HQEM).

The purpose of the Experts’ Conference is to identify, scope, and narrow the relevant sub-issues, identify from the experts’ perspective the important points on which their views differ and are in agreement, and prepare a joint written statement (the “Joint Written Statement”) to be filed as evidence at the oral hearing of this matter.

The Board will restrict attendance at the Experts’ Conference to the expert witnesses, one legal counsel representing each of the IESO, Hydro One, APPrO and HQEM, a facilitator (including any support staff of the facilitator) retained by Board staff to facilitate the conference and to assist the experts in reaching the objectives of the conference, and Board staff and counsel.

As the Experts’ Conference is a confidential proceeding, it will not be transcribed or broadcast and all counsel and experts attending the conference will be required to sign the Board’s Form of Confidentiality Declaration and Undertaking

The Joint Written Statement should outline the key sub-issues, the points of agreement and disagreement on those issues, and the reasons for disagreement. In order to more effectively use the time allotted for the Experts’ Conference, the Board will require each

expert to file a list of discussion points (“Discussion Points”) to be canvassed at the Experts’ Conference. The Discussion Points filed by each expert is intended to provide a starting point for discussions and may be modified in the Experts’ Conference as necessary. The Discussion Points will be filed with the Board and served on all parties in advance of the Experts’ Conference.

At the oral hearing, the experts will appear together as a concurrent expert witness panel for the purposes of answering questions from the Board and other parties, as may be permitted by the Board, and providing comments on the views of the other experts on the same panel.

As this is a new process for this Board, the Board is inviting all parties to file submissions, in advance of the hearing, with respect to the most appropriate procedure for the oral hearing of the concurrent expert witness panel in light of the objectives of the Board as expressed herein and in Rule 13A of the Board’s Rules.

THE BOARD ORDERS THAT:

1. An Experts’ Conference will be convened at 9:30 a.m. on **Wednesday, December 12, 2012** and **Thursday, December 13, 2012** in the Board’s offices at 2300 Yonge Street, Toronto.
2. Prior to the Experts’ Conference, each expert shall file with the Board and serve on the participating parties, a list of Discussion Points, no later than **December 7, 2012**.
3. Following the Experts’ Conference, the participating parties will file with the Board a Joint Written Statement of the experts on or before **January 16, 2013**.
4. Parties may file submissions with respect to the process for the oral hearing of the concurrent expert witness panel by **January 22, 2013**.
5. The oral hearing will commence at 9:30 a.m. in the Board’s hearing room at 2300 Yonge Street Toronto on **Monday, January 28, 2013** and will continue on **Tuesday, January 29, 2013**, if required.

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, November 15, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary