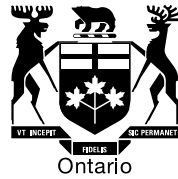


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**BY EMAIL**

January 7, 2013

**To:** The Power Workers' Union  
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**Re: Requests for Intervenor Status  
Horizon Utilities Corporation - Service Area Amendment Application  
Board File EB-2012-0047**

Further to Horizon Utilities Corporation ("Horizon") December 17, 2012 filing of additional materials in support of its service area amendment application (EB-2012-0047), the Board has received late intervention requests from the Power Workers' Union ("PWU") and the "Distributors" (aka Brant County Power Inc., EnWin Utilities Ltd., and Essex Powerlines Corporation).

On December 17<sup>th</sup>, the Board received an intervention request from the PWU. By letter dated December 19<sup>th</sup>, Horizon opposed the PWU's intervention on the grounds that the PWU does not have a "substantial interest in this proceeding" and that, moreover, "its intervention runs the risk of protracting the proceeding to the prejudice of the two customers, the Developer and the Hamilton-Wentworth Catholic District School Board". Horizon further submitted that, in the alternative, should the Board deem it appropriate to grant the PWU status, that the scope of the PWU's involvement be limited to the making of written or oral comments as part of the argument phase of the proceeding. The Board received additional submissions in reply letters from the PWU on December 20<sup>th</sup> and from Horizon on December 21<sup>st</sup>.

On January 2<sup>nd</sup>, the Distributors filed a letter with the Board also requesting intervenor status. (The Distributors had filed a letter of comment earlier in this proceeding, on November 29<sup>th</sup>).

The primary test for intervenor status is whether a party seeking to intervene has a substantial interest in the proceeding. In addition, intervenor status can be denied in circumstances where the Board is not satisfied that a party will participate responsibly in the proceeding. Having considered the submissions by the applicant, the PWU and the Distributors, the Board finds that the PWU and the Distributors each have a substantial interest, and shall be granted intervenor status, in this proceeding. The PWU represents the majority of the employees of a party directly affected by the proceeding; namely, the incumbent utility, Hydro One Networks Inc. ("Hydro One"), and the Board does not accept the argument that a responsible intervention from PWU would prolong and complicate the proceeding. As well, the Distributors have indicated that each of its members has a licensed service area that is adjacent to Hydro One and that each of the Distributors has had and likely will have to consider service area amendment issues that will impact Hydro One.

The Board notes that the intervention requests indicate an awareness of the need to participate in a responsible manner. The Board expects the PWU and the Distributors, and other interested parties, to focus on the issues specific to this proceeding

Yours truly,

*Original signed by*

Kirsten Walli  
Board Secretary

cc. All Parties in EB-2012-0047