

Hydro One Networks Inc.

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LAW

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January 25, 2013

Ms Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4

Dear Ms Walli:

EB-2012-0047 - Horizon Utilities Corp. Application for Service Area Amendments - Further Interrogatories by Hydro One Networks Inc.

Hydro One Networks Inc. ("HONI") is in receipt of the Responses of Horizon Utilities Corporation ("HUC") to interrogatories asked by HONI and by Board Staff.

Several of the responses to HONI interrogatories were not answered at all, and several of HUC's responses were inadequate such that the responses do not enable HONI to understand HUC's position or to obtain the underlying facts. Some of the inadequate or missing responses were to interrogatories asked by Board Staff, and HONI needs those responses as well because the information is important to HONI's case.

Accordingly, enclosed as Schedule A to this letter is a list of interrogatories to which HONI requires answers to enable HONI to understand HUC's position, to obtain the underlying facts, and to prepare for the oral hearing. HONI requests that HUC answer the questions on Schedule A by February 1.

Yours very truly,

ORIGINAL SIGNED BY MICHAEL ENGELBERG

Michael Engelberg

enc

Schedule A
Horizon Utilities Corporation (“HUC”)
Service Area Amendment Application EB-2012-0047

**Hydro One Networks Inc. Additional Interrogatories to Horizon
Utilities Corporation**

HUC Responses to HONI IR’s where no or an inadequate Response was provided

1. IR #3 asked for a detailed breakdown of the estimated OM&A costs (\$36,095 per year) that were included in HUC’s OTC for Summit Park Phase 7. HUC did not provide the requested detail. Included in the required breakdown, please detail any and all anticipated amounts relating to upstream facilities and/or system reinforcement; and when answering the IR, please answer it in a table format.
2. In IR # 14, HUC indicated that it did not have the technical capability to superimpose a line on a City of Hamilton map. HUC is requested to answer IR #14 showing the existing service areas of HUC and HONI. The lines can be hand-drawn if necessary.

HUC Responses to Board Staff IR’s where no or an inadequate Response was provided

1. IR #6 requested HUC to produce evidence that a HONI feeder has never been used in the described manner. What evidence does HUC have to support its statement that to its knowledge a feeder has not been used in the described manner?
2. HUC’s response to IR#8b states that through multiple conversations and exchanges with the developer and HONI, it appeared that the SAA Application would proceed uncontested. What conversations and exchanges occurred with HONI that led HUC to that conclusion, and what was said by whom to whom, that led HUC to this conclusion?
3. IR#11b has not been answered. The question requested HUC to confirm whether there has been any additional discussion between HUC and HONI regarding the transfer of these customers since the Application was filed on October 24, 2012. Furthermore Board Staff requested a reason why HUC has not had these discussions with HONI, and HUC has not answered that request. HONI requests that answer.
4. HUC has not answered Board IR # 13a, c or d. HONI requests that HUC answer the specific questions asked, namely:
 - a. Provide evidence indicating that HONI was informed about HUC’s proposed service area amendment request to transfer the customers listed in Part III of the Application prior to the Application being filed with the Board. HUC references EB-2004-0536, which was dismissed by the OEB, but the Staff IR is referring to

- the Application in progress, namely EB-2012-0047. HUC is requested to respond to the IR posed by Board Staff.
- b. Confirm whether there has been any discussion between HUC and HONI regarding the transfer of these customers either prior to or since the Application was filed on October 24, 2012. If not, why HUC has not entered into bilateral discussions for the transfer of these customers?
 - c. Board Staff requested written responses from the affected customers consenting to the Application, but HUC refers in its answer only to customers in Part II of the Application, not Part III. Board Staff's question pertained only to customers in Part III. Therefore, please answer the question regarding customers in Part III.
5. IR#14 has not been answered. Instead, HUC substituted both the question and response from HONI IR #14. Therefore, HUC is requested to respond to Board Staff IR#14.
 6. HUC has not answered IR#18 which asked, in relation to Part V, whether there has been any discussion between HUC and HONI regarding this SAA request either prior to or since the application was filed on October 24, 2012. HUC is requested to answer the question as posed by Board Staff. HUC states that this portion of Summit Park development was the subject of an uncontested SAA application EB-2004-0536. HONI's understanding is that the Board treated EB-2004-0536 as a contested SAA and dismissed HUC's application for vacant land. Does HUC agree that that is what occurred? If so why did HUC have a 'reasonably held expectation that the balance of the Summit Park Lands (i.e. the vacant land) would also be consented to in future applications?'