



EB-2013-0053

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

AND IN THE MATTER of an application by Hydro One Networks Inc. for an order or orders pursuant to section 92 of the *Ontario Energy Board Act, 1998* for Leave to Construct upgraded electricity Transmission Line Facilities in the Kitchener-Waterloo-Cambridge-Guelph area.

PROCEDURAL ORDER NO. 1
April 26, 2013

Hydro One Networks Inc. ("Hydro One") filed an application on March 11, 2013, with the Ontario Energy Board (the "Board") under section 92 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (the "Act"). Hydro One has applied for an order of the Board granting leave to upgrade existing electricity transmission line facilities. The Board has assigned file number EB-2013-0053 to this application.

The Board issued a Notice of Application and Written Hearing on April 1, 2013. The Notice was published and served in accordance with the Board's instruction.

Interventions and Cost Eligibility Requests

The Independent Electricity System Operator, the Ontario Power Authority, Cambridge and North Dumfries Hydro Inc., Guelph Hydro Electric System Inc., Kitchener-Wilmot Hydro Inc., Waterloo North Hydro Inc. and Environmental Defence requested intervenor status. All the intervention requests are granted, subject to the right of Hydro One to object within ten days of the interventions being filed. Environmental Defence also

requested cost eligibility, and the Board grants it for matters within the scope of the Board's jurisdiction as described below.

A list of intervenors is attached as Appendix A to this Order.

Scope of the Board's Jurisdiction

In this proceeding, the Board is required to consider only the public interest, which is defined as follows by subsection 96(2) of the Act:

1. The interests of consumers with respect to prices and the reliability and quality of electricity service.
2. Where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

Board approval of the form of easement agreements is within the scope of the Board's jurisdiction pursuant to section 97 of the Act. The Board does not have the jurisdiction to consider any other issues.

The Board notes that the following types of issues are **not** within its jurisdiction and therefore will be considered by others outside the scope of this proceeding: environmental issues; issues related to matters of health; land-use issues; issues relating to the wind farm; policy and other issues concerning the Ontario Power Authority's feed in tariff program; and the Ontario government's renewable energy policy. Matters such as aesthetics, sensitive areas, Electro-Magnetic Force interference (EMFs) and others fall within environmental regulation. Hydro One advises that it has fulfilled the requirements of the Class Environmental Assessment for Minor Transmission Facilities with a final Environmental Study Report filed with the Ministry of the Environment on October 30, 2012.

Form of Hearing

The Board has indicated that it intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. Environmental Defence requested an oral hearing stating that oral hearing procedures are necessary to address the important issues at stake in this proceeding and that these issues have not been addressed by other planning proceedings such as the environmental assessment or the Hydro One 2013-2014 rates case (EB-2012-0031). The Board is not persuaded by Environmental Defence's argument for an oral hearing and will proceed at this point with a written hearing process. The Board reminds Environmental Defence that environmental issues fall outside its mandate.

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 immediately serve copies of the Application to Environmental Defense as requested in their letter of April 18, 2013.
2. Board staff and intervenors who wish information and material from the Applicant that is in addition to Hydro One's pre-filed evidence with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Hydro One on or before **May 6, 2013**. Where possible, the questions should specifically reference the pre-filed evidence.
3. Hydro One shall, on or before **May 16, 2013**, file with the Board and deliver to all intervenors a complete response to each of the interrogatories.
4. Parties that wish to file evidence shall do so by **May 21, 2013**.

All filings to the Board must quote the file number, EB-2013-0053, 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. Please 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 you may email your document to the address below.

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, April 26, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX "A"

HYDRO ONE NETWORKS INC.

Leave to Construct Application

Board File No. EB-2013-0053

APPLICANT & LIST OF INTERVENORS

Dated: April 26, 2013

Hydro One Networks Inc.

EB-2013-0053

APPLICANT & LIST OF INTERVENORS

April-26-13

APPLICANT

Rep. and Address for Service

Hydro One Networks Inc.

Jamie Waller

Senior Regulatory Coordinator
Hydro One Networks Inc.
483 Bay Street
8th Floor - South Tower
Toronto, ON M5G 2P5

Tel: 416-345-6948

Fax: 416-345-5866

Regulatory@hydroone.com

APPLICANT COUNSEL

Michael Engelberg

Assistant General Counsel
Hydro One Networks Inc.

483 Bay Street
15th Floor - North Tower
Toronto ON M5G 2P5

Tel: 416-345-6305

Fax: 416-345-6972

mengelberg@hydroone.com

INTERVENORS

Rep. and Address for Service

**Cambridge and North
Dumfries Hydro Inc.**

Grant Brooker

Manager
Cambridge and North Dumfries Hydro Inc.
1500 Bishop St.
P.O. Box 1060
Cambridge ON N1R 5X6

Tel: 519-621-8405 Ext: 2340

Fax: 519-621-0383

gbrooker@camhydro.com

Hydro One Networks Inc.

EB-2013-0053

APPLICANT & LIST OF INTERVENORS

- 2 -

April-26-13

Environmental Defence

Kent Elson

Klippensteins, Barristers & Solicitors
160 John Street
Suite 300
Toronto ON M5V 2E5
Tel: 416-598-0288
Fax: Not Provided
kent.elson@klippensteins.ca

Murray Klippenstein

Klippensteins, Barristers & Solicitors
160 John St. Suite 300
Toronto ON M5V 2E5
Tel: 416-598-0288
Fax: 416-598-9520
murray.klippenstein@klippensteins.ca

Jack Gibbons

Ontario Clean Air Alliance
160 John Street, Suite 300
Toronto on M5V 2E5
Tel: 416-260-2080 Ext: 2
Fax: 416-598-9520
jack@cleanairalliance.org

**Guelph Hydro Electric
Systems Inc.**

Cristina Birceanu

Guelph Hydro Electric Systems Inc.
861 Redwood Square
P. O. Box 1900
Oakville ON L6J 5E3
Tel: 519-837-4735
Fax: Not Provided
cbirceanu@guelphhydro.com

Hydro One Networks Inc.

EB-2013-0053

APPLICANT & LIST OF INTERVENORS

- 3 -

April-26-13

**Independent Electricity
System Operator SME**

Tam Wagner

Senior Regulatory Analyst
Independent Electricity System Operator
Station A, Box 4474
Toronto ON M5W 4E5
Tel: 905-403-4291
Fax: 905-855-6371
tam.wagner@ieso.ca

Kitchener-Wilmot Hydro Inc.

Lloyd Frank

VP
Kitchener-Wilmot Hydro Inc.
301 Victoria Street South
P.O. Box 9010
Kitchener ON N2G 4L2
Tel: 519-745-4771
Fax: 519-745-4176
lfrank@kwhydro.on.ca

Ontario Power Authority

Miriam Heinz

Regulatory Coordinator, Corporate Affairs/Legal
Ontario Power Authority
120 Adelaide Street West, Suite 1600
Toronto ON M5H 1T1
Tel: 416-969-6045
Fax: 416-967-1947
Miriam.Heinz@powerauthority.on.ca

Waterloo North Hydro Inc.

Chris Amos

Waterloo North Hydro Inc.
PO Box 640
526 Country Squire Road
Waterloo ON N2J 4A3
Tel: 519-888-5541
Fax: 519-886-8592
camos@wnhydro.com