



EB-2013-0196
EB-2013-0187
EB-2013-0198

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 Inc. for leave to purchase all of the issued and outstanding shares of Norfolk Power Inc. under section 86(2)(b) of the *Ontario Energy Board Act*, 1998.

AND IN THE MATTER OF an application by Norfolk Power Distribution Inc. for leave to dispose of its distribution system to Hydro One Networks Inc. under 86(1)(a) of the *Ontario Energy Board Act*, 1998.

AND IN THE MATTER OF an application by Hydro One Networks Inc. seeking to include a rate rider in the 2013 Ontario Energy Board approved rate schedule of Norfolk Power Distribution Inc. to give effect to a 1% reduction relative to 2012 base electricity delivery rates (exclusive of rate riders) under section 78 of the *Ontario Energy Board Act*, 1998.

PROCEDURAL ORDER NO. 1

July 3, 2013

Hydro One Networks Inc. ("HONI") and Norfolk Power Distribution Inc. ("NPDI"), both licensed electricity distributors, and Hydro One Inc., HONI's parent company (the "Applicants"), filed related applications dated April 26, 2013 with the Ontario Energy Board (the "Board"). Specifically:

1. Hydro One Inc. applied for leave to purchase all of the issued and outstanding shares of Norfolk Power Inc. under section 86(2)(b) of the *Ontario Energy Board Act*, 1998 (the "Act") – Board file number: **EB-2013-0196**;

2. NPDI applied for leave to dispose of its distribution system to HONI under section 86(1)(a) of the Act – Board file number: **EB-2013-0187**; and
3. HONI applied for inclusion of a rate rider in the 2013 Board approved rate schedule of NPDI to give effect to a 1% reduction relative to 2012 base electricity delivery rates (exclusive of rate riders) under section 78 of the Act – Board file number: **EB-2013-0198**.

Pursuant to its authority under section 21(5) of the Act, the Board decided to consider these applications (the “Applications”) together in a consolidated proceeding and issued its Notice of Applications and Hearing (the “Notice”) on May 31, 2013.

The entities that have requested intervenor status are hereby granted intervenor status and are listed in Appendix A to this Procedural Order.

Consumers Council of Canada, School Energy Coalition and Vulnerable Energy Consumers Coalition also applied for cost award eligibility. The Board finds that each of these entities is eligible for a cost award under the Board’s Practice Direction on Cost Awards.

Redacted Information

Certain information in Exhibit A, Tab 3, Schedule 1, Attachment 6 of the Applicants’ pre-filed evidence (the “Attachment”) has been redacted by the Applicants due to claims that the information is not relevant to this proceeding, or that it is confidential and/or commercially sensitive. The Applicants state that part of the redacted information contains “customer, employee, property owner, and banking information”. In addition, the Applicants have redacted “the names of the contractors and the environmental disclosures along with removing the Form of the Pole Purchase Agreement”. The Applicants have not filed a confidential, un-redacted version of the document with the Board in accordance with the Board’s Practice Direction on Confidential Filings (the “Practice Direction”).

As stated in the Practice Direction, the Board relies on full and complete disclosure of all relevant information in order to ensure that its decisions are well-informed and recognizes that some of that information may be of a confidential nature and should be protected as such. In this case, the Board cannot rely solely on the Applicants’ assertion of confidentiality or relevance. It must have before it the information to

adequately assess the claims. The Board will therefore order the Applicants to file a complete and un-redacted version of the Attachment with the Board in accordance with the Practice Direction. The Board will also require submissions from the Applicants with respect to confidentiality and relevance claims and will invite submissions from all other parties.

The Board considers it necessary to make provision for the following matters at this time. The Board may make further provision for procedural matters from time to time.

THE BOARD ORDERS THAT:

1. The Applicants shall immediately file a complete and un-redacted version of the Attachment with the Board in accordance with the Practice Direction.
2. The Applicants shall file with the Board and serve on all intervenors on or before **July 12, 2013** a submission which provides the specific reasons for the redactions and identifies what parts of the Attachment they claim are:
 - a. confidential; and
 - b. not relevant.
3. Intervenors or Board staff wishing to file a submission on the Applicants' claims for confidentiality and/or relevance shall file such submission with the Board and serve it on the Applicants on or before **July 19, 2013**.
4. If the Applicants wish to file a submission responding to submissions on the Applicants' claims for confidentiality and/or relevance, they shall file such reply submission with the Board and serve it on all intervenors on or before **July 26, 2013**.

All filings to the Board must quote file numbers, **EB-2013-0196**, **EB-2013-0187** or **EB-2013-0198**, be made electronically through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/> in searchable/unrestricted PDF format. Two paper copies must also be filed at the Board's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at

<http://www.ontarioenergyboard.ca/OEB/Industry>. 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Gona Jaff at gona.jaff@ontarioenergyboard.ca and Board Counsel, Kristi Sebalj at kristi.sebalj@ontarioenergyboard.ca.

ADDRESS

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DATED at Toronto July 3, 2013

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

**Hydro One Inc
Norfolk Power Distribution Inc.
Hydro One Networks Inc.**

EB-2013-0196/ EB-2013-0187/EB-2013-0198

APPLICANTS & LIST OF INTERVENORS

**Procedural Order No. 1
July 3, 2013**

**Hydro One Inc
Norfolk Power Distribution Inc.
Hydro One Networks Inc.
EB-2013-0196/ EB-2013-0187/EB-2013-0198
APPLICANTS & LIST OF INTERVENORS**

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INTERVENORS**Rep. and Address for Service****Consumers Council of
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**Vulnerable Energy
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