

Hydro One Networks Inc.

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LAW

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September 24, 2013
Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P. O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, Ontario M4P 1E4

Re: EB-2013-0331 - Nishnawbe Aski Nation - Motion to Review Decision and Order of the Board

This letter is sent on behalf of Hydro One Remote Communities Inc. (“Remotes”) in response to the letter of the Ontario Energy Board (“the Board”) dated September 23, 2013, regarding the above-noted matter.

Remotes’ response is that the grounds listed in the Notice of Motion on behalf of the Nishnawbe Aski Nation (“NAN”) were already the subject of the written hearing that took place in EB-2012-0137, involving written submissions by NAN, Cat Lake First Nation, Board Staff and Remotes. Even the court case (*Advocacy Centre for Tenants-Ontario v. Ontario Energy Board, Ontario Divisional Court, February 25, 2008*) referred to by NAN in the Notice of Motion, was relied upon and explained by NAN in its written submission dated July 12, 2013.

Although Remotes has no objection to addressing NAN’s arguments once again - this time, in EB-2013-0331 - Remotes submits that doing so by way of a written hearing would be more time-efficient and cost-efficient for the parties, as well as for the Board. Remotes’ written submission, for example, would be short because it would largely refer to NAN’s written submission dated July 12, 2013, and to Remotes’ written submission dated July 18, 2013. Furthermore, none of the grounds mentioned in the Notice of Motion is a ground on which Cat Lake First Nation made a submission in the hearing in EB-2012-0137.

Yours very truly,

ORIGINAL SIGNED BY MICHAEL ENGELBERG

Michael Engelberg

c – Parties to EB-2012-0137 (electronic only)