



EB-2013-0234

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
Toronto Hydro-Electric System Limited for an order
pursuant to section 29 of the *Ontario Energy Board
Act, 1998*.

PROCEDURAL ORDER NO. 3

December 19, 2013

On June 14, 2013, Toronto Hydro-Electric System Limited ("THESL") filed an application with the Ontario Energy Board seeking an order pursuant to section 29 of the *Ontario Energy Board Act, 1998* that the Board refrain from regulating the terms, conditions and rates for the attachment of wireless telecommunications devices ("Wireless Attachments") to THESL's utility poles.

THESL is currently required by the Board's Decision and Order in EB-2003-0049 dated March 7, 2005 to give Canadian carriers' and cable companies' access to its distribution poles for Wireless Attachments at a regulated rate. THESL is proposing to charge a competitive rate for Wireless Attachments to its utility poles.

On October 4, 2013, the Board issued its Decision on Intervenor Status and Cost Eligibility and Procedural Order No. 1. The Procedural Order established dates for the filing of suggested issues by Board staff and intervenors and established dates for an Issues Conference and Issues Day.

On October 25, 2013, counsel to THESL filed a letter with the Board. The letter addressed the fact that Board staff was in the process of retaining two experts to

participate in the proceeding. The letter also requested that the Issues Conference and Issues Day be postponed to allow time for Board staff to retain the experts.

On October 25, 2013, the Board issued Procedural Order No. 2 postponing the Issues Conference and Issues Day until the Board staff experts have been retained.

A record of all procedural matters that have been dealt with up to this point in this proceeding is available on the Board's website.

Retaining of Board Staff Experts

Board staff has now retained its experts for this proceeding. The Board will therefore establish dates for the Issues Conference and Issues Day.

At this time, the Board considers it necessary to make provisions for the following procedural matters. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. An Issues Conference, involving Board Staff, Intervenors and THESL, will be convened in the Board's North hearing room, on **January 13, 2014** at 9:30 a.m. with the objective of developing a Proposed Issues List for presentation to the Board.
2. An Issues Day will be convened on **January 23, 2014** at 9:30 a.m. in the Board's North hearing room, at which time the Board will hear submissions with respect to the Proposed Issues List, including submissions on any contested issues.

DATED at Toronto, December 19, 2013

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary