



EB-2013-0421

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* (as amended) granting leave to construct transmission line facilities in the Windsor-Essex Region, Ontario.

**PROCEDURAL ORDER NO. 4.
March 20, 2015**

BACKGROUND

Hydro One Networks Inc. (Hydro One) applied to the Ontario Energy Board (the OEB) for an order granting leave to construct approximately 13 kilometers of transmission line in the Windsor-Essex area and to install optic ground wire on existing and new towers as part of the Supply to Essex County Transmission Reinforcement project (SECTR Project). The Application was filed on January 22, 2014, under s. 92 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (the Act). Pursuant to Procedural Order No. 3, Hydro One filed an updated application on February 12, 2015.

Phase 1 of the Proceeding (Leave to Construct)

Interrogatories on Phase 1 of this proceeding were filed by Comber Wind LLP and OEB staff. On March 16, 2015, Hydro One responded to these interrogatories. The OEB notes that the procedural orders from Procedural Order No. 3 with respect to Phase 1 of the proceeding will remain as it stands.

Phase 2 of the Proceeding (Cost Allocation)

Intervention requests for Phase 2 of this proceeding were received from Association of Major Power Consumers in Ontario (AMPCO), Brantford Power Inc. (BPI), the Building Owners and Managers Association, Greater Toronto (BOMA), the Coalition of Large Distributors¹ (CLD), the Electricity Distributors Association (EDA), Energy Probe Research Foundation (Energy Probe), InnPower Corporation (InnPower), London Property Management Association (LPMA), Oakville Hydro Electricity Distribution Inc. (Oakville Hydro), Power Workers' Union (PWU), Wataynikaneyap Power Corporation (Wataynikaneyap). Requests for cost award eligibility were received from AMPCO, BOMA, Energy Probe, LPMA and Wataynikaneyap. No submissions on whether an oral hearing is needed for Phase 2 were received from these parties.

Intervention requests were also received from Canadian Manufacturers & Exporters (CME), Consumers Council of Canada (CCC), School Energy Coalition (SEC) and Toyota Manufacturing Canada Inc. (TMMC). CME, CCC and SEC requested cost award eligibility. CME and TMMC also submitted that an oral hearing, preceded by a written discovery process and a settlement conference would be the most efficient process for Phase 2. CCC and SEC submitted that until Hydro One responds to interrogatories it is premature to assess whether a written or an oral hearing is more appropriate for Phase 2.

The OEB hereby grants intervenor status to AMPCO, BPI, BOMA, CME, CLD, CCC, EDA, Energy Probe, InnPower, LPMA, Oakville Hydro, PWU, SEC, TMMC and Wataynikaneyap. The OEB has also determined that AMPCO, BOMA, CME, CCC, Energy Probe, LPMA, SEC, and Wataynikaneyap are eligible to make a cost claim for Phase 2 of this proceeding. The OEB notes that Wataynikaneyap intends to provide the policy perspective of the remote First Nations communities. It is in this capacity that eligibility has been granted.

The E3 Coalition (composed for the purposes of this proceeding of E.L.K. Energy Inc. (ELK), Entegrus Powerlines Inc. (Entegrus), and Essex Powerlines Corporation (Essex), an intervenor in this proceeding, submitted a letter on February 12, 2015 requesting that the OEB modify the schedule set out in Procedural Order No. 3 to allow additional time for parties to review Hydro One's responses to interrogatories in Phase 2 and to determine whether parties will seek to file evidence. The E3 Coalition suggested that

¹ The Coalition of Large Distributors represents Enersource Hydro Mississauga Inc., Horizon Utilities Corporation, Hydro Ottawa Limited, PowerStream Inc., Toronto Hydro-Electric System Limited, and Veridian Connections Inc.

the April 7, 2015 deadline be changed to April 21, 2015. The E3 Coalition also requested that the OEB provide for an oral hearing of Phase 2, subject to reassessment following the close of interrogatories and the filing of evidence by intervenors or OEB staff, if any.

ELK, Entegrus and Essex each requested individual intervenor status for Phase 2 in the event any issues arise that are unique to them.

The OEB grants individual intervenor status to ELK, Entegrus and Essex. A list of approved intervenors and their contact information is attached as Appendix A to this Order.

The OEB considers it necessary to make provision for the following procedural matters. The OEB may issue further procedural orders from time to time.

THE OEB ORDERS THAT:

Phase 2 of the Proceeding (Cost Allocation):

1. OEB staff and intervenors in Phase 2 who wish information and material from Hydro One that is in addition to the (updated) pre-filed evidence and that is relevant to the Phase 2 issues of the hearing, shall request it by written interrogatories filed with the OEB and copied to the applicant by **April 2, 2015**. Where possible, the interrogatories should specifically reference the pre-filed original or revised evidence.
2. Hydro One shall file with the OEB complete responses to each of the interrogatories and copy all parties in Phase 2 by **April 23, 2015**.
3. OEB staff and intervenors in Phase 2 shall, by **April 30, 2015** indicate whether they intend to file evidence.

All filings to the OEB must quote the file number, EB-2013-0421, be made electronically in searchable / unrestricted PDF format through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed. 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.

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DATED at Toronto, March 20, 2015

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix A

Hydro One Networks Inc.

Leave to Construct Application

Board File No. EB-2013-0421

Applicant & List of Intervenor for Phase 2

Dated: March 20, 2015

Hydro One Networks Inc.

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APPLICANT & LIST OF INTERVENORS

March 20, 2015

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APPLICANT & LIST OF INTERVENORS

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APPLICANT & LIST OF INTERVENORS

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