



**EB-2016-0050**

**Hydro One Inc.**

**Application for approval to purchase Great Lakes  
Power Transmission Inc.**

**PROCEDURAL ORDER NO. 2  
June 10, 2016**

Hydro One Inc. (Hydro One) filed a complete application with the Ontario Energy Board (OEB) on March 18, 2016 under section 86(2)(b) of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, (Schedule B), seeking approval to purchase the voting shares of Great Lakes Power Transmission Inc.

On May 18, 2016 the OEB issued Procedural Order No. 1 in which it approved intervenors and made provision for submissions and reply submissions on Hydro One's confidentiality requests, interrogatories and interrogatory responses.

In accordance with Procedural Order No. 1, OEB staff filed a submission on the confidentiality requests which was responded to by Hydro One. As well, OEB staff and intervenors have filed interrogatories and Hydro One's interrogatory responses are to be filed by June 20, 2016.

The OEB has reviewed OEB staff's submission as well as Hydro One's reply submission on the confidentiality requests and seeks further clarification from Hydro One on particular aspects of the confidentiality requests before it can make a determination.

The OEB has reviewed the late request for intervenor status filed jointly by Enersource Hydro Mississauga Inc., Horizon Utilities Corporation, and PowerStream Inc. (the Utilities) and considers that the request, does not meet the requirements of the OEB's Rules of Practice and Procedure.

Rule 22.02 requires that the person applying for intervenor status must satisfy the Board that he or she has a substantial interest and intends to participate actively and responsibly in the proceeding by submitting evidence, argument or interrogatories, or by cross-examining a witness.

The letter of intervention does not indicate a substantial interest and states that the intention is to participate in the proceeding by reviewing the application and any evidence on the record or that is publicly available.

It does not appear that the intention of the Utilities is to actively participate in the proceeding but rather to participate as an observer. If this is not the case the OEB encourages the Utilities to file additional information with the OEB in support of an intervention request.

The OEB has not yet determined whether an oral hearing is required but considers it necessary to make provision for tentative dates for a technical conference and/or oral hearing, if required. After its review of interrogatory responses, the OEB will confirm these dates (if necessary) and the next steps in this proceeding.

The OEB considers it necessary to make provision for the following matters related to this proceeding.

**IT IS THEREFORE ORDERED THAT:**

1. Hydro One shall provide further specific explanation as to why the following sections and schedules of the Purchase Agreement should be granted confidential status:

Section 2.4.1 (ii)

Schedule 1.2.6

Schedule 9.6

2. Furthermore, where Hydro One is seeking confidential status for a section or schedule in its entirety, Hydro One shall provide the justification for such treatment.
3. In respect of the information contained in Schedule 9.2, Item 2, Hydro One shall advise whether the commercial negotiations are ongoing or anticipated.

4. Enersource Hydro Mississauga Inc., Horizon Utilities Corporation, and PowerStream Inc. shall, if they still wish to seek intervenor status, provide the OEB with a clear statement of their interest in this proceeding, setting out the nature and scope of their participation as well as reasons for their late request by **June 14, 2016**.
5. A technical conference and/or oral hearing, if required are tentatively scheduled for **July 7, 8, 15 and 16, 2016**.

All filings to the OEB must quote the file number, EB-2016-0050, be made in searchable/ unrestricted PDF format electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed at the OEB'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, Judith Fernandes at [judith.fernandes@ontarioenergyboard.ca](mailto:judith.fernandes@ontarioenergyboard.ca) and Maureen Helt at [maureen.helt@ontarioenergyboard.ca](mailto:maureen.helt@ontarioenergyboard.ca).

## **ADDRESS**

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**DATED** at Toronto, June 10, 2016

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary