

**Ontario Energy
Board**
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'énergie
de l'Ontario**
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL

July 7, 2016

Lisa (Elisabeth) DeMarco
Senior Partner
5 Hazelton Avenue, Suite 200
Toronto ON M5R 2E1
lisa@demarcoallan.com

Dear Ms. DeMarco:

**Re: Enersource Hydro Mississauga Inc., Horizon Utilities Corporation, and
PowerStream Inc. (the applicants)
Application for approval to amalgamate to form LDC Co. and for LDC Co. to
purchase and amalgamate with Hydro One Brampton Networks Inc.
OEB File Number: EB-2016-0025**

The OEB, in accordance with Procedural Order No. 1, has now received interrogatories from all parties and has some questions with respect to the interrogatories filed by the Electrical Contractors Association of Ontario (ECAO).

The OEB issued a Decision on the Issues List on June 30, 2016 which clearly sets out the scope of the proceeding and it is not clear that the three questions set out by the ECAO fit within that scope, nor is it clear that the interrogatories are proper.

With respect to question one, it is the Panel's view that the interrogatories relate to matters concerning the Affiliate Relationship Code or matters of compliance with legislation and as such the Panel does not see how the interrogatories are relevant to the proceeding. ECAO is asked to clarify how the question fits within the scope of the proceeding.

It is the Panel's view that question two sets out hypothetical scenarios which assume LDC Co. will not be acting in the best interests of ratepayers. There is no reference in the interrogatories to any evidence in the application to support the question.

Specifically, there is no evidence that LDC Co will move into “non-traditional markets and effectively eliminate private sector competition.” Nor is there any evidence on the record that LDC Co will underbid construction projects or be involved in lawsuits.

Lastly, question three clearly sets out interrogatories that contemplate potential non-compliance issues. The OEB is of the view that, as with question two, there is no evidence on the record which supports the interrogatories. If there is a matter of potential non-compliance then a complaint can be made through the OEB’s compliance/enforcement process which is independent of this proceeding.

Please file any response to this letter no later than July 14, 2016.

Yours truly,

Original signed by

John Pickernell
Applications Administration

cc: All Parties