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November 21, 2016

Delivered by Email & RESS

Ms. Kirsten Walli, Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2701
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Board File No. EB-2016-0276
Hydro One Networks Inc. MAAD Application to purchase the shares of
Orillia Power Corporation**

We are counsel to the City of Orillia (Orillia) in the above noted matter.

On November 17, 2016 we received a copy of a letter from Mr. Stanley Makuch who requests intervenor status for Mr. Kehoe, who we understand is a resident of Orillia, and the Orillia Water Light and Power Commission (the Commission). Mr. Makuch also requests an oral hearing in connection with this MAAD application.

Orillia objects to the granting of any status to the Commission and also objects to the request that an oral hearing be held in this case. Various statements contained in Mr. Makuch's correspondence are simply false. For example:

1. *"The distribution system is owned by the Orillia Water Light and Power Commission"* (Makuch, para. 2). The Orillia Water Light and Power Commission no longer exists given the fact that the Commission was dissolved on November 1, 2000. For your information we attach City of Orillia By-Law 2000-146, duly passed by Orillia Council, which dissolved the Commission. The Board will recall that in 2000 all former municipal electric distributors were mandated by the Province through the *Energy Competition Act, 1998* to reconstitute themselves as corporations pursuant to the Ontario *Business Corporations Act*.
2. Since the Commission does not exist, the statement in Mr. Makuch's letter that *"the Commission has authorized this intervention in these proceedings"* is also untrue (Makuch, para. 4).

3. The reference in Mr. Makuch's letter that "*Orillia Power Distribution Corporation does not own the distribution system*" is also incorrect (Makuch, para. 1). On October 16, 2000 the City of Orillia passed transfer By Law No. 2000-144 which conveyed the Orillia distribution system to Orillia Power Distribution Corporation. The Board has licenced Orillia Power Distribution Corporation as the regulated electric distributor for the City of Orillia since that time. OPDC is owned by holding company which in turn is owned 100% by the City of Orillia as sole shareholder.

Accordingly, Orillia submits it would be confusing to the general public, misleading, and a falsehood to approve intervenor status to an entity, the Commission, which no longer exists and which has not existed for some 16 years.

Orillia also objects to the request for an oral hearing since the central grounds contained in Mr. Makuch's letter in support of an oral hearing (described above) are simply not correct.

Orillia has no objection to the Board granting to Mr. Kehoe intervenor or observer status as an individual private citizen. With respect to Mr. Kehoe seeking costs for his participation in this proceeding, Orillia will provide submissions on this matter at the conclusion of the proceeding.

Yours truly,

BORDEN LADNER GERVAIS LLP

original signed by Mark Rodger

J. Mark Rodger
Incorporated Partner*
*Mark Rodger Professional Corporation

Encl.

Copy to: Mayor Steve Clarke, City of Orillia
Michael Engelberg, Counsel, Hydro One

BY-LAW NUMBER 2000-146 OF THE CITY OF ORILLIA**A BY-LAW TO DISSOLVE THE ORILLIA WATER, LIGHT AND POWER COMMISSION**

WHEREAS the Orillia Water, Light and Power Commission (the "Commission") was established by special legislation and is deemed to be a commission established under Part III of the Public Utilities Act (Ontario);


AND WHEREAS The Corporation of the City of Orillia (the "City") proposes to transfer the assets and undertaking under the control and management of the Commission and owned by the City to corporations incorporated pursuant to Section 142 and Section 145 of the Electricity Act, 1998 (Ontario);

AND WHEREAS upon the completion of the said transfer the Commission is no longer required.

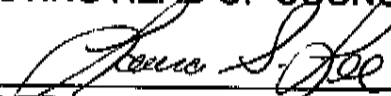
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF ORILLIA HEREBY ENACTS AS FOLLOWS:

1. THAT the City is authorized to accept a General Conveyance, Assignment and Bill of Sale from the Commission with respect to any assets which it owns, has registered title to, or uses to provide public utility services on behalf of the City.
2. THAT any By-laws heretofore passed by the City or any predecessor thereof establishing the Orillia Water, Light and Power Commission are hereby repealed.
3. THAT Chapter 524 of the City of Orillia Municipal Code is hereby repealed.
4. THAT the Commission is hereby dissolved and ceases to exist.
5. THAT this By-law shall take effect 12:00 a.m. November 1, 2000.

BY-LAW read a first, second and third time and finally passed this 16th day of October, 2000.



ACTING HEAD OF COUNCIL



CLERK