

EB-2016-0276
Hydro One Inc. Orillia Power Distribution Corporation
Hydro One Networks Inc. Application for approval to purchase Orillia Power
Distribution Corporation
Request for Stated Case in Response to Board Procedural Order No.4

1. The Ontario Energy Board in Procedural Order No. 4, dated February 16, 2017, in the above matter denied the the request of Orillia Water Light and Power Commission to be granted intervener status in the above matter.
2. This is to request that the Board state a case to the Divisional Court under section 32 of the Ontario Energy Board Act asking whether the Board is correct in denying the intervener status.
3. The reasons for requesting that the Board state a case is as follows:
 - (a) The Board failed to address that section 145 of the Electricity Act is irrelevant to whether the Commission still exists.
 - (b) The Board failed to consider the submissions of Mr. Kehoe on this issue.
 - (c) Stating a case will avoid the possibility of an appeal to the Courts or a motion for judicial review by the Commission.
 - (d) The elected Commission continues to exist: believes it has a fiduciary duty to the citizens of Orillia; and its members formally met and formally authorized the request for the intervention.
4. The legislation should be interpreted in accordance with its plain meaning and democratic values which require a referendum to authorize the Commission's dissolution; all of which the Board ignored.

All of which is respectfully submitted,



Stanley M. Makuch