



EB-2017-0049

Hydro One Networks Inc.

**Application for electricity distribution rates beginning
January 1, 2018 until December 31, 2022**

**PROCEDURAL ORDER NO. 4
March 9, 2018**

Hydro One Networks Inc. (Hydro One) filed a 5-year Custom Incentive Regulation application with the Ontario Energy Board (OEB) on March 31, 2016 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to its distribution rates, to be effective January 1, 2018 to December 31, 2022 (the Distribution Rates application).

The OEB issued its decision on the Issues List and Interim Rates and Procedural Order No. 2 on December 1, 2017, which also outlined the interrogatory process for this proceeding.

On January 10, 2018, the OEB issued its Decision on Compensation for the Issues List and Procedural Order No. 3. This procedural order also provided for OEB staff and Intervenor to file expert evidence plans in advance of the oral hearing. OEB staff and Anwaatin Inc. (Anwaatin) indicated that they intend to file evidence. The OEB acknowledges that Anwaatin stressed that its witness, Dr. Richardson, intends to provide written evidence as a "consultant" and not an "expert". The OEB approves the filing of evidence as indicated by OEB staff and Anwaatin. As set out in Procedural Order No. 3, this evidence is to be filed by April 6, 2018.

On February 12, 2018, pursuant to Procedural Order No. 2, Hydro One provided its responses to the interrogatories and sought confidential treatment for a number of documents attached to materials (working papers) requested in OEB staff IR #23 (a).

By letter dated February 26, 2018, Rogers Communications Canada Inc. (Rogers) advised that it would be filing a motion for an order postponing the Technical Conference in this proceeding as it may relate to Hydro One's responses to Rogers' interrogatories, and compelling Hydro One to respond to certain of those interrogatories. Rogers also advised that it would be filing expert evidence relating to the pole attachment rate by the April 6, 2018 filing deadline set out in Procedural Order No. 3. The Rogers' motion was filed on February 27, 2018.

In its letter dated February 28, 2018, the OEB advised that Hydro One's request to change its pole attachment charge will not be considered at this time as there is currently an ongoing OEB consultation on pole attachment charges and the OEB has issued a Draft *Report of the Board on the Framework for Determining Wireline Pole Attachment Charges*.¹ As it is possible that the outcome of that consultation could affect the evidence in this proceeding, be it that of Hydro One or of Rogers and/or other parties, the OEB determined that it would consider Hydro One's request in this regard at a later time, after the final OEB report has been issued. The OEB advised that it does not intend to address the Rogers' motion at this time, as it expects to address matters relating to pole attachments following the outcome of the pole attachment consultation. Consideration of pole attachment-related matters in the technical conference was adjourned. Similarly, the OEB will not require Rogers to file its expert evidence by April 6, 2018. The OEB may issue further directions in this regard at a later date.

In its letter issued on February 28, 2018, the OEB indicated that it would provide opportunities for submissions in respect of Hydro One's confidentiality request. Prior to these submissions, the OEB requires Hydro One to provide more comprehensive and detailed reasoning for the confidentiality request.

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 file its expanded reasons for its confidentiality request regarding the working paper materials with the OEB and serve them on all parties by March 15, 2018.
2. Intervenors and OEB staff who wish to make submissions on the request for confidentiality shall file these submissions with the OEB and serve them on all parties by March 23, 2018.

¹ EB-2015-0304

3. Hydro One shall file with the OEB and serve on all parties, its reply submissions, if any, on the request for confidentiality by March 30, 2018.
4. Considering that the filing of OEB staff and intervenor evidence will proceed through the month of April with the steps outlined in Procedural Order No. 3, the OEB will commence the oral hearing of this application on June 4, 2018, continuing on June 5, 8, 11, 12, 14, 15, 18, 19, 21 and 22, 2018. Additional hearing time will be scheduled as required.

All filings to the OEB must quote the file number, **EB-2017-0049**, 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.oeb.ca/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, Harold Thiessen at harold.thiessen@oeb.ca and OEB Counsel, James Sidlofsky at james.sidlofsky@oeb.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

E-mail: boardsec@oeb.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, March 9, 2018

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Secretary