

**Ontario Energy  
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**Commission de l'énergie  
de l'Ontario**

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**BY E-MAIL**

June 28, 2018

Richard Stephenson  
Paliare Roland Rosenberg Rothstein LLP  
155 Wellington Street West, 35<sup>th</sup> Floor  
Toronto ON M5V 3H1

Dear Mr. Stephenson:

**Re: Hydro One Inc.  
Orillia Power Distribution Corporation  
Motions to Review and Vary  
OEB File No. EB-2018-0171**

On May 2, 2018, Hydro One Inc. (Hydro One) and Orillia Power Distribution Corporation (Orillia Power) each filed a Notice of Motion to review the OEB's EB-2016-0276 Decision and Order, in which the OEB denied Hydro One's application to acquire the shares of Orillia Power (the acquisition proceeding). The OEB decided that it would hear these motions together and assigned file number EB-2018-0171 to this matter (the motion proceeding). In the Notice of Hearing and Procedural Order No. 1, the OEB adopted as intervenors in the motion proceeding the intervenors from the acquisition proceeding.

The Power Workers' Union (PWU) did not intervene in the acquisition proceeding but filed a letter on June 20, 2018 requesting intervenor status in the motion proceeding. The letter states that PWU members are affected by the motion as, in the event the acquisition was approved, Orillia Power employees would fall under PWU representation. In the PWU's view, the OEB's decision in the acquisition proceeding will have a serious and prejudicial effect on future merger and amalgamation applications.

The OEB declines to approve the request for intervenor status at this time. This is an unusual request for participation in the review of a decision where the requesting party has not participated in the original proceeding. The information provided does not convince the OEB of the substantial interest of the PWU in accordance with Rule 22.02 of the OEB's *Rules of Practice and Procedure* in the particular application of the OEB's *Handbook to Electricity Distributor and Transmitter Consolidations* to the facts of this case. The OEB would require further and better information elaborating on the substantial interest that has been engaged by the motion and that motivates the intervention request at this juncture before it can approve the PWU request.

Yours truly,

*Original signed by*

Kirsten Walli  
Board Secretary

CC: Paul Reece, PWU  
Bayu Kidane, Elenchus Research Associates  
Kim McKenzie, Elenchus Research Associates  
Parties to EB-2018-0171