



Ontario Energy Board Commission de l'énergie de l'Ontario

DECISION AND ORDER

EB-2019-0088

UPPER CANADA TRANSMISSION, INC.

Electricity Transmission Licence Amendment

Further to Ministerial Directive

BY DELEGATION, BEFORE: Brian Hewson

Vice President, Consumer Protection &
Industry Performance

February 11, 2019

BACKGROUND

Under section 28.6.1(1) of the *Ontario Energy Board Act, 1998* (OEB Act), the Minister of Energy, Northern Development and Mines (Minister) may issue directives to the Ontario Energy Board (OEB) requiring the OEB to take such steps as are specified in the directive relating to the construction, expansion or reinforcement of transmission systems.

Sections 28.6(2) and 26.6(3) of the OEB Act apply with necessary modifications in respect of directives issued under section 28.6.1. As stated in section 28.6(2) of the OEB Act, such a directive may require the OEB to amend the licence conditions of a transmitter to require the transmitter to take the actions specified in the directive in relation to its transmission system, including enhancing, reinforcing or expanding that system. In accordance with section 28.6(3) of the OEB Act, such a directive may specify whether the OEB is to hold a hearing for the purposes of giving effect to the directive.

Under cover of a letter dated January 30, 2019, the OEB received a directive issued by the Minister under section 28.6.1 of the OEB Act (Transmission Directive). The Transmission Directive was approved by Order in Council No. 52/2019 dated January 30, 2019. The Transmission Directive requires the OEB to amend, without a hearing, the electricity transmission licence of Upper Canada Transmission, Inc. (UCT) to require it to:

- develop, seek approvals in respect of, and proceed with immediacy to construct, expand or reinforce the electricity transmission network in the area between Wawa and Thunder Bay composed of the high-voltage circuits connecting Wawa TS and Lakehead TS (East-West Tie Line Project)
- provide reporting to the OEB and the Independent Electricity System Operator (IESO) in relation to the East-West Tie Line Project

The Transmission Directive, Order in Council No. 52/2019 and related correspondence are available on the [OEB's website](#).

THE TRANSMISSION DIRECTIVE

The Transmission Directive requires the OEB to amend the conditions of UCT's electricity transmission licence to require it to proceed to do the following related to the construction, expansion or reinforcement of the transmission system for the East-West Tie Line Project: develop, seek approvals in respect of, and proceed with immediacy to construct, expand or reinforce the East-West Tie Line Project.

The Transmission Directive also requires the OEB to amend UCT's licence to require it to provide such reporting to the OEB and the IESO as the OEB or the IESO may, from time to time, consider appropriate with respect to the progress, timeliness, and cost-effectiveness of the construction, expansion or reinforcement activities of the East-West Tie Line Project. Such reporting is to include, at a minimum, regular reports on construction progress, budget, timing and risks in relation to the East-West Tie Line Project.

UCT's electricity transmission licence, like all OEB licences, includes a requirement to provide to the OEB such information as the OEB may require from time to time, in the manner and form determined by the OEB. By virtue of section 70(7) of the OEB Act, UCT's electricity transmission licence is also deemed to include a condition that UCT provide such reasonable information to the IESO as the IESO may require, in the manner and form specified by the IESO. Given the Transmission Directive, the OEB will include supplementary licence conditions pertaining to reporting in respect of the East-West Tie Line Project. The OEB will identify its more specific reporting requirements at a later date.

In accordance with the Transmission Directive, the OEB is required to amend UCT's electricity transmission licence as set out in the Transmission Directive without a hearing. This Decision and Order is being issued by the Delegated Authority pursuant to section 6 of the OEB Act.

IT IS ORDERED THAT:

1. Upper Canada Transmission, Inc.'s electricity transmission licence ET-2011-0222 is amended to include the following new conditions:
 - 13.1 The Licensee shall develop, seek approvals in respect of, and proceed with immediacy to construct, expand or reinforce the electricity transmission network in the area between Wawa and Thunder Bay composed of the high-voltage circuits connecting Wawa TS and Lakehead TS.
 - 13.2 For greater certainty, paragraph 13.1 in no way limits the obligation of the Licensee to obtain all necessary approvals for the transmission project referred to in that paragraph.
 - 13.3 Without limiting the generality of paragraph 14.1, the Licensee shall maintain records of and provide to the Board, in the manner and form determined by the Board, such information as the Board may from time to time require in relation to the transmission project referred to in paragraph 13.1.

- 13.4 The Licensee shall maintain records of and provide to the IESO, in the manner and form determined by the IESO, such information as the IESO may from time to time require in relation to the progress, timeliness, and cost-effectiveness of the construction, expansion or reinforcement activities pertaining to the transmission project referred to in paragraph 13.1 until such date as that project comes into service.

DATED at Toronto February 11, 2019

ONTARIO ENERGY BOARD

Original signed by

Brian Hewson
Vice President, Consumer Protection & Industry Performance