



**Hydro One Networks Inc.**

**Application for electricity transmission rates for the  
period from January 1, 2020 to December 31, 2022**

**PROCEDURAL ORDER NO. 2**

**August 09, 2019**

Hydro One Networks Inc. (Hydro One Networks) filed a custom incentive rate-setting application with the Ontario Energy Board (OEB) on March 21, 2019 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Hydro One Networks charges for electricity transmission, to be effective January 1, 2020 and for each following year through to December 31, 2022.

On May 30, 2019, Procedural Order No. 1 was issued which ruled on intervention requests and set out a number of procedural steps including the filing of interrogatory responses by Hydro One Networks by August 2, 2019. Hydro One Networks filed its interrogatory responses on the aforementioned date.

As part of that filing, Hydro One Networks included a letter in which it requested confidential treatment for certain information contained in its interrogatory responses, pursuant to the OEB's *Rules of Practice and Procedure* (Rules) and the OEB's *Practice Direction on Confidential Filings* (Practice Direction). Hydro One Networks identified four categories of information to which the request applied:

1. Commercially Sensitive Information of Consultants
2. Information Posing Security-Related Risks
3. Unit Pricing Information
4. Proprietary Information of Third Party.

Hydro One Networks has provided reasons for the confidentiality requests, including reasons why public disclosure of the information would either be injurious to the financial interest of the third parties identified in the documents, or Hydro One Networks, or could pose risks to Hydro One Networks' transmission and distribution systems.

The OEB notes that there appear to be other redactions in the evidentiary record that are not explained by Hydro One Networks. This is particularly the case for filed tax returns such as those included in Hydro One Networks' response to the OEB staff interrogatory #210 (Exhibit I/Tab01/Schedule 210).

The OEB will address Hydro One Networks' confidentiality request, but that request must be complete. The OEB requires Hydro One Networks to identify all such additional redactions in the evidentiary record of this proceeding; provide a full explanation for them including why Hydro One Networks believes confidential treatment of those items conforms with the Rules and Practice Direction; and, where necessary, file non-redacted versions of currently redacted material on a confidential basis as required by the Practice Direction. The OEB has incorporated this requirement into the Order below.

At this time, provision will also be made for the filing of submissions on Hydro One Networks' requests for confidentiality. Counsel and consultants for intervenors that wish to make submissions on the requests for confidentiality shall be granted access to the un-redacted documents provided they have executed the OEB's [Declaration and Undertaking](#). The signed Declaration and Undertaking shall be filed with the OEB and a copy shall be delivered to Hydro One Networks. If Hydro One Networks objects to a Declaration and Undertaking, the objection shall be filed with the OEB and copied to the relevant party within **5 days** from the receipt of the Declaration and Undertaking. The relevant party shall file its reply, if any, with the OEB and deliver a copy to Hydro One Networks, within **5 days** from the receipt of the objection.

For the purposes of the technical conference scheduled to begin Monday, August 12, 2019, the OEB will treat as confidential all material in respect of which Hydro One Networks is requesting confidentiality, and the conduct of the technical conference as it relates to this material will be governed by the Rules and the Practice Direction pending the OEB's determination of the confidentiality request.

#### **THE ONTARIO ENERGY BOARD ORDERS THAT:**

1. Hydro One Networks is to identify all proposed redactions in the evidentiary record of this proceeding that have not been identified in its letter of August 2, 2019; provide a full explanation for the proposed redactions including why Hydro One Networks believes confidential treatment of those items conforms with the Rules and Practice Direction; and, where necessary, file non-redacted versions of the redacted material on a confidential basis as required by the Practice Direction, by August 16, 2019.

2. OEB staff and intervenors who wish to make written submissions on Hydro One Networks' confidentiality requests shall file such submissions with the OEB, and serve them on Hydro One Networks and all other intervenors, by August 23, 2019.
3. If Hydro One Networks wishes to respond to any of the submissions, the reply submission shall be filed with the OEB and served on all intervenors by August 30, 2019.

All filings to the OEB must quote the file number, EB-2019-0082, be made in searchable/unrestricted PDF format electronically through the OEB's web portal at <https://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 <https://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 USB memory stick 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 Registrar 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, Martin Davies at [Martin.Davies@oeb.ca](mailto:Martin.Davies@oeb.ca), and OEB Counsel, James Sidlofsky at [James.Sidlofsky@oeb.ca](mailto:James.Sidlofsky@oeb.ca) and Ljuba Djurdjevic at [Ljuba.Djurdjevic@oeb.ca](mailto:Ljuba.Djurdjevic@oeb.ca).

**ADDRESS**

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

Email: [boardsec@oeb.ca](mailto:boardsec@oeb.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto, **August 09, 2019**

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary