

J.Mark Rodger
T 416.367.6190
mrodger@blg.com

Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada M5H 4E3
T 416.367.6000
F 416.367.6749
blg.com



November 4, 2019

DELIVERED BY RESS and EMAIL

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto, Ontario M4P 1E4

Dear Ms. Walli:

Re: Peterborough Distribution Inc., Peterborough Utility Services Inc., Hydro One Networks Inc., and 1937680 Ontario Inc. Application for approval to amalgamate Peterborough Distribution Inc. and Peterborough Utilities Services Inc. and sell the amalgamated electricity distribution system to Hydro One Networks Inc.

Submission regarding Oral Hearing

EB-2018-0242

We write in response to the Ontario Energy Board's letter dated October 28, 2019 requesting submissions from the parties as to whether or not an oral hearing is required.

Peterborough Distribution Inc. and Peterborough Utility Services Inc. ("Peterborough") submit that an oral hearing of this matter is not required and that the Board can make a determination of the issues based on the evidence filed to date and the written submissions of the parties and the interveners, which would be forthcoming.

There has already been substantial evidence filed to date in this proceeding that has been subject to probing and cross-examinations by OEB Staff and the interveners:

- The parties and the interveners made written interrogatories of the Applicants arising from that evidence. Each of the OEB Staff, Energy Probe, the School Energy Coalition, the Power Workers' Union, the Consumers Council of Canada, the International Brotherhood of Electrical Workers, and the Vulnerable Energy Coalition of Consumers provided an extensive list of interrogatories.
- The Applicants provided responses to these interrogatories.

- A two day technical conference was held on October 3 and October 4, 2019 where each of the interveners and OEB Staff had the opportunity to seek further clarification from the Applicants. A transcript is available of that technical conference.
- Undertakings were made at the technical conference. Hydro One Networks Inc. and Peterborough have provided responses to those undertakings.

In Peterborough's submission, an oral hearing would only be duplicative of the issues that have already been thoroughly canvassed in the evidence. This is not a situation where an oral hearing would be of assistance to the OEB because of issues of credibility or where the OEB would need to have the benefit of hearing expert evidence *viva voce*.

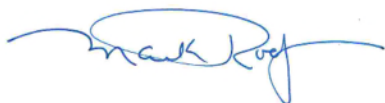
For the above reasons, we request that the matter proceed to the filing of written submissions.

In the event the OEB chooses to proceed directly to submissions in this matter, Peterborough suggests the following schedule:

- Applicant's argument-in-chief - November 22, 2019,
- Intervenor and OEB Staff submission - December 6, 2019, and
- HONI reply submissions - December 20, 2020.

Yours truly,

BORDEN LADNER GERVAIS LLP



J. Mark Rodger
Incorporated Partner*
*Jonathan Rodger Professional Corporation

JMR/ld