

Toronto

November 25, 2019

Montréal

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Our Matter No. 1180729

Calgary

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Ottawa

Ms Christine E. Long
Registrar & Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Vancouver

New York

Dear Ms Long:

EB-2018-0242 – Hydro One Networks Inc. – MAAD Application re PDI (Scope of Hearing)

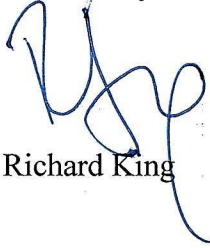
We are legal counsel to Hydro One Networks Inc. (“**HONI**”) with respect to the above-noted matter (the “**Peterborough Application**”), which is being heard together with EB-2018-0270 (the MAAD application in respect of HONI’s purchase of Orillia Power Distribution Corporation (the “**Orillia Application**”)) on December 2, 3 and 4 (the “**Oral Hearing**”).

We are writing to support the comments filed by HONI’s counsel in the Orillia Application (filed earlier today) with respect to the scope of the Oral Hearing. In addition to concerns about the proposed scope of inquiry suggested by School Energy Coalition (“**SEC**”) in its letter to the Board of November 4, 2019, recent correspondence from Save PDI Coalition reinforces the need for the Board to clearly define the scope of the Oral Hearing in advance of December 2, 2019, or at the outset of the Oral Hearing.

Save PDI Coalition (an intervenor in EB-2018-0242) filed a letter with the Board on November 21, 2019 indicating that it intended to participate in the Oral Hearing “to represent the interest of ordinary citizens and ratepayers who opposed the sale” and “further protest the substantial harm that will be done to PDI customers”. To date, Save PDI Coalition has chosen to not participate in the written or oral discovery process. As noted in Procedural Order No. 6, the Oral Hearing is being scheduled “to clarify matters arising from the interrogatories only”. Save PDI Coalition is free to seek such clarification on items from the discovery process, but neither Save PDI Coalition nor any other participant in the Oral Hearing should be permitted to make general submissions on the transaction or engage in cross-examination that is not relevant to the Board’s determination of the “no harm” test as it pertains to the Peterborough Application. By way of example, the OEB has been clear in past MAAD decisions that the process leading to municipal council’s decision to enter into a transaction is irrelevant to the “no harm” test, so the extent that participants

to the proceeding want to explore this issue, we will be objecting as such matters are clearly out of scope.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'R. King', with a stylized flourish at the end.

Richard King

c: J. Richardson (Hydro One)
C. Keizer (Torys)
All participants in EB-2018-0242