

Hydro One Networks Inc.
2017-2022 Transmission Revenue Requirement and Charge Determinants and
2018-2022 Distribution Revenue Requirement and Rates, Remittal of Future Tax
Savings Issue

NOTICE OF MOTION AND PROCEDURAL ORDER NO. 2
December 11, 2020

The Ontario Energy Board (OEB) determined in the EB-2016-0160 Decision and Order (Original Decision) that a portion of the future tax savings resulting from the Government of Ontario's decision to sell a portion of its ownership interest in Hydro One Limited by way of an Initial Public Offering on October 28, 2015 and subsequent sale of shares should be applied to reduce Hydro One Networks Inc.'s (Hydro One) transmission revenue requirement for 2017 and 2018.

Following a motion to review filed by Hydro One, an OEB panel reconsidered the future tax savings issue and determined that the outcome of the Original Decision was reasonable (Rehearing Decision).

With the release of the Rehearing Decision, Hydro One resumed an appeal of the Original Decision to the Ontario Divisional Court (Court). The appeal was heard in November 2019 and the Court issued its decision on July 16, 2020. An order certifying the Court's opinion was issued on September 21, 2020.

The Court granted Hydro One's appeal and ordered that the matter be remitted back to the OEB for a new panel to make an appropriate order varying the tax savings allocation.

On October 2, 2020, the OEB issued Notice and Procedural Order No. 1 (PO#1) in the current proceeding to implement the clear direction of the Court that all of the future tax savings should be allocated to Hydro One's shareholders.

In PO#1, the OEB determined that as a first step it would require Hydro One to file evidence on matters related to implementing the Court's decision. The OEB also made provision for interrogatories on Hydro One's evidence and implementation proposals from OEB staff and intervenors, and for submissions from OEB staff and intervenors and reply submissions from Hydro One.

On December 4, 2020, Hydro One filed its responses to the interrogatories which it received from OEB staff and intervenors.

On December 9, 2020, the School Energy Coalition (SEC), an intervenor in this proceeding, filed a motion requesting an order requiring Hydro One to provide full and adequate responses to the following interrogatories:

- a. Interrogatories SEC-2 through 6
- b. Interrogatory OEB Staff-2(a)(5)
- c. Interrogatory CCC-1

SEC additionally requested such further and other relief as it may request and the OEB may grant. SEC proposed that the motion be heard in writing.

On December 10, 2020, the OEB received a letter from Hydro One which essentially set out Hydro One's position with respect to the issues raised in the motion.

The OEB has determined that it will hear the motion. A schedule for the filing of submissions is set out below. Although Hydro One has already presented the OEB with its initial position through its letter of December 10, Hydro One can also file any additional submissions on January 11 as described below. The remaining procedural steps set out in PO#1 are postponed and will be rescheduled after the hearing of the motion.

The OEB considers it necessary to make provision for the following matters related to this proceeding.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. OEB staff and any parties supporting the motion that wish to file any responding materials to the SEC motion, shall file any such materials with the OEB and forward them to all parties by **December 23, 2020**.

2. Parties opposing the motion that wish to file any responding materials to the SEC motion, shall file any such materials with the OEB and forward them to all parties by **January 11, 2021**.
3. SEC may serve and file any reply materials with the OEB and forward them to all parties by **January 18, 2021**.
4. All remaining procedural dates established in PO#1 are cancelled.

All materials filed with the OEB must quote the file number, **EB-2020-0194**, and be submitted in a searchable/unrestricted PDF format with a digital signature through the OEB's web portal at <https://pes.ontarioenergyboard.ca/eservice>. Filings must clearly state the sender's name, postal address, telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at www.oeb.ca/industry. We encourage the use of RESS; however, parties who have not yet [set up an account](#), may email their documents to registrar@oeb.ca.

All communications should be directed to the attention of the Board Secretary 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 and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

ADDRESS

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

DATED at Toronto, December 11, 2020

ONTARIO ENERGY BOARD

Original Signed By

Christine E. Long
Registrar