



Wendy Walberg LL.B., LL.M., *C.S.

City Solicitor
Legal Services
55 John Street
Stn. 1260, 26th Flr., Metro Hall
Toronto ON M5V 3C6
Tel. (416) 392-8047
Fax (416) 397-5624

** Certified by the Law Society as a Specialist
in Municipal Law: Local Government*

Reply To: Edward Earle
Tel: 46-397-4058
Fax: 416-397-5624
E-Mail: ward.earle@toronto.ca

File No. 076-5000

January 5, 2021

SENT BY EMAIL (registrar@oeb.ca)

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

Attention: Ms. Christine E. Long
Board Secretary

**RE: EB-2020-0188 – Hydro One Networks Inc., Power Downtown Toronto
Project – REQUEST FOR INTERVENOR STATUS**

Dear Ms. Long,

1. The City of Toronto ("Toronto") seeks intervenor status in the above noted proceeding.
2. Toronto notes that the Board issued the Notice for the Power Downtown Toronto Project ("Project") Application (dated October 27, 2020) of Hydro One Networks Inc. ("PDT Project Application") on November 17, 2020 ("Board Notice"), according to the Board website where it is posted. The Board Notice on the Board website indicates that if one wishes to be an intervenor in the hearing for this matter, the Board must receive a request by December 7, 2020. Toronto received notice from HONI on November 25, 2020 under cover of letter dated November 24, 2020 ("HONI Notice"). Toronto notes that the HONI Notice unfortunately did not actually indicate the date for receipt of requests for intervenor status as directed by the Board, which is a cause for concern for Toronto as a landowner directly affected by the project plan as set out in the Application.

3. Toronto therefore asks that Board now grant this request that Toronto be given intervenor status as the owner and municipality with authority over the property upon which the infrastructure is proposed to be located.
4. In the event that intervenor status is granted to Toronto, it further requests that the time for interrogatories be extended to Friday, January 8, 2021.

Description of the Intervenor

5. Toronto is an Ontario municipality continued under the *City of Toronto Act, 2006*. Toronto has the statutory authority and responsibility to regulate and coordinate the use and occupation of Toronto road allowances to ensure the safety and convenience of the public and other road users, including utility companies.
6. As set out in the PDT Project Application, the proposed new infrastructure will be almost entirely located within road allowances under the jurisdiction of Toronto. In addition, the Application proposes the use of Toronto's property at 75 Elizabeth St. for storage/staging purposes.

Interest of the Intervenor in the Proceeding and the Grounds for the Intervention

7. Toronto is interested in the following specific aspects of this proceeding:
 - (a) The proposed location of the PDT Project within Toronto road allowances and the application of Toronto's construction permit and coordination processes;
 - (b) The potential disruption to the community and other road users due to the PDT Project;
 - (c) The coordination of the PDT Project work with other capital work to be undertaken by Toronto and others;
 - (d) The measures to be taken by the Applicant to ensure adequate communication processes so that the local community is kept informed and concerns can be received by HONI and addressed in a timely way; and
 - (e) The form of land-owner agreement to be approved by the Board as applicable to any negotiations for the use of Toronto's property at 75 Elizabeth St. as proposed by the Applicant.

Nature and Scope of the Intervenor's Intended Participation

8. Toronto intends to participate in all pre-hearing procedures, including such interrogatories, technical conferences, or settlement conference, as the Board may

direct. It also intends to participate in any written or oral hearing for which the Board may provide.

Addresses of Representatives

9. Toronto requests that further communications with respect to this matter be sent to the following representatives in electronic form only:

Edward Earle
Director, Municipal Law
City of Toronto
Legal Services Division
55 John St.
Station 1260, 26th Floor
Toronto, ON M5V 3C6
Email: Ward.Earle@toronto.ca

David J. Twaddle, CET
Director, Permits & Enforcement
City of Toronto
Transportation Services
55 John Street
17th Floor
Toronto ON M5V 3C6
Email: Dave.Twaddle@toronto.ca

Thank you for the opportunity to make this request for the consideration of the Board. Please contact the undersigned should you have questions or require further information.

Yours truly,



Edward Earle
Director, Municipal Law
Legal Services Division

- c. Joanne Richardson, Director, Major Projects & Partnerships, HONI
Michael Millar, Legal Counsel, Ontario Energy Board
Patrick Matozzo, Executive Director, Corporate Real Estate Management, City of Toronto
Michael D'Andrea, Executive Director, Engineering & Construction Services, City of Toronto
Dave Twaddle, Director, Transportation Permits & Enforcement, City of Toronto
Peter Harron, CreateTO