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Kathleen Burke
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BY EMAIL AND RESS

September 16, 2021

Ms. Christine E. Long, Registrar
Ontario Energy Board
Suite 2700, 2300 Yonge Street
P.O. Box 2319
Toronto, ON, M4P 1E4

Dear Ms. Long:

EB-2021-0110 – Hydro One Networks Inc. 2023-2027 Joint Rate Application

In connection with the anticipated issuance of Procedural Order No. 1 in this proceeding, we are writing regarding two points in respect of the schedule for exchange of further evidence.

OEB staff has indicated it intends to deliver responding evidence in this application, in particular, a report from Pacific Economics Group (PEG) responding to the report filed as part of the application from Hydro One's econometrician expert, Clearspring Energy (Clearspring). OEB staff has asked Hydro One to provide OEB staff with Clearspring's working papers supporting its report in advance of the interrogatory process to facilitate PEG's preparation of a response. Hydro One is prepared to accommodate OEB staff's request for early access to the working papers, provided the timing for the subsequent exchange of report(s) and information between these two experts is handled in a manner that is fair and efficient for the parties and experts.

In this regard, Hydro One proposes that PEG's responding report be delivered two weeks after receipt of interrogatories, which may be earlier than the time for delivery of other responding evidence contemplated in the pending procedural order. Earlier delivery of the PEG report will allow Clearspring reasonable time to consider PEG's report and prepare any reply (if necessary). Hydro One further requests that PEG deliver its supporting working papers at the same time as delivery of its responding report, so that Clearspring can review them without delay. Hydro One asks that these proposed terms be incorporated into Procedural Order No. 1 and the applicable timetable.

In addition, in order to address confidentiality of the Clearspring working papers at this stage (prior to the formal OEB confidentiality order process), Hydro One requests that PEG and OEB staff (and

also any intervenor who may seek early access) execute the standard confidentiality declaration and undertaking as a pre-condition to obtaining the working papers.

With respect to reply evidence generally, in addition to the PEG report, it is possible other responding evidence will be filed. We are not currently aware whether other parties may deliver responding evidence. We have raised with OEB staff (and also with intervenors at the recent stakeholder session) that the timetable in Procedural Order No. 1 should provide for and specify the time for delivery of any reply evidence by Hydro One, which should be a reasonable period of time after delivery of OEB staff and any intervenors' responding evidence. As a matter of basic procedural fairness, Hydro One needs an opportunity to deliver any proper reply evidence, and we think it best that the timing of doing so be addressed in the timetable at the outset, rather than waiting to address this point after delivery of the responding evidence.

Hydro One has discussed these matters with OEB staff and asks the Board to include these requests in Procedural Order No. 1. If you have any questions on the above points or require any additional information, please let us know.

Sincerely,

Kathleen Burke

Kathleen Burke

cc: OEB Staff, Parties with intervention requests