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BY EMAIL

Monica.Caceres@HydroOne.com

July 12, 2023

Monica E. Caceres,
Assistant General Counsel
Hydro One Networks Inc.
483 Bay Street
7th Floor, South Tower
Toronto On M5G 2P5

Dear Ms. Caceres:

**Re: Hydro One Networks Application for Approval of Exemptions related to the funding of a transmission line connecting the OPG Small Modular Reactor near Darlington Switching Station
OEB File Number EB-2023-0108**

The Ontario Energy Board is in receipt of Hydro One Networks Inc.'s (Hydro One) Notice of Withdrawal filed on June 30, 2023, in relation to its application (EB-2023-0108) for certain exemptions to the Transmission System Code (Application).

In its Notice, Hydro One advised the OEB that, "As no public hearing has been held nor final decision issued, Hydro One is exercising its right pursuant to Rule 20.01(a) of the *OEB Rules of Practice and Procedure* to withdraw this Application."

As you know from the OEB's March 20, 2023 letter, your Application is intended to be decided by delegated authority without a hearing. Also, in keeping with that letter, you were provided with an opportunity to provide comments on the OEB's decision to deny the relief sought in your Application, and a draft of the OEB's decision was provided to you on June 27, 2023 for the purpose of allowing you to identify any concerns (e.g., omissions, need for clarification, etc.) with respect to the same.

Rule 20.01 states:

20.01 An applicant or appellant may withdraw an application or appeal:

- (a) at any time prior to the hearing, by filing and serving a notice of withdrawal signed by the applicant or the appellant, or his or her representative; or
- (b) at the hearing with the permission of the OEB.

It is not clear that Rule 20.01 is applicable to a matter that is being determined by delegated authority without a hearing. However, the OEB notes Hydro One's statement that withdrawal raises no public interest concerns and is prepared to permit your proposed withdrawal. The OEB also acknowledges Hydro One's stated intention to engage with relevant parties to identify how best to achieve government policy objectives, which might be followed by a fresh application.

With the withdrawal of your Application and the issuance of this letter, this matter is now closed. The documentary record of this proceeding, including the OEB's June 27, 2023 letter and attached draft decision, will be posted to the OEB's website.

Sincerely,

Nancy Marconi
Registrar