



**PUC (Transmission) LP and Hydro One Sault Ste. Marie LP**

**Application for leave to construct transmission lines and station facilities and associated approvals in the City of Sault Ste. Marie**

**PROCEDURAL ORDER NO. 2**

**May 1, 2024**

PUC (Transmission) LP (PUC Transmission) and Hydro One Sault Ste. Marie LP (HOSSM) applied to the Ontario Energy Board (OEB) on January 2, 2024, under sections 74, 78, 92 and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) for various approvals to build high-voltage transmission facilities in Sault Ste. Marie. The application seeks:

- Permission for PUC Transmission to construct a new 230 kilovolt transformer station in Sault Ste. Marie.
- Permission for PUC Transmission to construct 10 kilometres of 230 kilovolt transmission lines from the Third Line Transformer Station, owned by HOSSM, and ending at the proposed Tagona West Transformer Station, owned by PUC Transmission.
- Approval of the forms of agreement that PUC Transmission will offer affected landowners.
- Permission for HOSSM to construct station facilities and related work at Third Line Transformer Station.
- Approval of a new regulatory deferral account for use by HOSSM to capture costs related to station work that will facilitate the connection of a future priority transmission line in the region.
- An exemption for HOSSM from the Transmission System Code related requirement to require Algoma Steel Inc. to pay bypass compensation.

Procedural Order No. 1 (PO 1) was issued on March 28, 2024. Batchewana First Nation (BFN) and Essar Power Canada Limited (EPC) applied for and were granted intervenor status. BFN was also granted cost eligibility.

## **BFN's request for unredacted Independent Electricity System Operator Expedited System Impact Assessment Report**

In its intervention request, BFN stated that it will request an unredacted version of the Independent Electricity System Operator's (IESO) Expedited System Impact Assessment (SIA) report.

In PO 1, the OEB directed BFN to clarify whether it intends to request any of those portions of the IESO SIA report identified as confidential in the pre-filed evidence and provide an explanation for why it believes that information is relevant to this proceeding by April 5, 2024. BFN did not submit an explanation within the required timeframe.

Coincidentally, on April 4, 2024, the OEB issued a guidance [letter](#) clarifying that it does not require applicants in electricity transmission leave to construct applications to file SIA report appendices (excluding those which contain the requirements for connection). The OEB will proceed under the assumption that BFN no longer seeks an unredacted version of the SIA report at Exhibit F in the current proceeding.

## **BFN's Long-term Energy Plans**

In its intervention request, BFN stated that it intends to provide "submissions" respecting its long-term energy plans and will indicate how the PUC Transmission project and HOSSM station project will support these plans.

In PO 1, the OEB noted that it was unclear whether BFN was seeking OEB approval to file evidence in this proceeding. BFN was directed to provide a description of any evidence it intends to file on its long-term energy plans by April 5, 2024. The OEB clarified that this information would aid in determining if the proposed evidence is relevant and material within the context of this proceeding.

On April 23, 2024, BFN filed two documents related to its long-term energy plans (BFN Energy Documents). On April 25, 2024, BFN submitted a letter seeking confidential treatment of the BFN Energy Documents in accordance with the OEB [Practice Direction on Confidential Filings](#). The letter included a non-confidential summary of the BFN Energy Documents. BFN agreed to grant access to the BFN Energy Documents to parties identified in Schedule A of PO 1 who sign a Declaration and Undertaking, in accordance with the OEB's [Practice Direction on Confidential Filings](#). The OEB will not make the BFN Energy Documents publicly available in this proceeding. However, the OEB will grant access to these documents to parties who sign a Declaration and Undertaking. The OEB will provide for interrogatories and interrogatory responses for the BFN Energy Documents.

The requirement in PO 1 for intervenors and OEB staff to file submissions on the long-term energy plans by April 12, 2024, is cancelled. The remaining procedural steps set out in PO 1 remain unchanged. For clarity, the remaining steps of PO 1 are reiterated in the Order section below.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

### **IT IS THEREFORE ORDERED THAT:**

#### **BFN's Energy Documents**

1. Parties that require access to BFN Energy Documents, shall file a written Declaration and Undertaking with the OEB and serve it on BFN by **May 6, 2024**.
2. Parties that wish to file written interrogatories in relation to BFN Energy Documents shall file such interrogatories with the OEB and serve them on all parties by **May 9, 2024**.
3. BFN shall file with the OEB complete written responses to all interrogatories related to BFN's Energy Documents and serve them on all intervenors by **May 14, 2024**.

#### **Application and Evidence**

4. OEB staff and intervenors shall request any relevant information and documentation from PUC Transmission and HOSSM in relation to the application that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **May 2, 2024**.
5. PUC Transmission and HOSSM shall file with the OEB complete written responses to all interrogatories and serve them on intervenors by **May 16, 2024**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2023-0360** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact [registrar@oeb.ca](mailto:registrar@oeb.ca) for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 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, Katherine Wang at [katherine.wang@oeb.ca](mailto:katherine.wang@oeb.ca) and OEB Counsel, Ljuba Djurdjevic at [ljuba.djurdjevic@oeb.ca](mailto:ljuba.djurdjevic@oeb.ca)

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**DATED** at Toronto, **May 1, 2024**

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar