



EB-2017-0336

Hydro One Networks Inc.

**Notice of Motion to Review and Vary EB-2016-0160 Decision and Order
dated September 28, 2017**

**PROCEDURAL ORDER NO. 1
December 19, 2017**

On October 18, 2017 Hydro One Networks Inc. (Hydro One) filed with the Ontario Energy Board (OEB), a Notice of Motion to Review and Vary portions of the OEB EB-2016-0160 Decision and Order in accordance with Rules 40 and 42 of the OEB's *Rules of Practice and Procedure*. The OEB has assigned case number EB-2017-0336 to this proceeding.

The EB-2016-0160 Decision and Order, issued on September 28, 2017¹, determined Hydro One's Transmission Revenue Requirement and Charge Determinants for 2017 and 2018, effective January 1, 2017.

Hydro One's Motion is based on three aspects of the OEB's EB-2016-0160 Decision which it is asking the OEB to vary:

- a) a portion of tax savings resulting from the Government of Ontario's decision to sell 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's revenue requirement for 2017 and 2018 (Section 15 of the Decision)
- b) Allowance for Funds used During Construction in respect of the Niagara Reinforcement Project should not be included in rates for 2018 (Section 13 of the Decision)

¹ Revised on November 1, 2017

- c) costs attributable to the Ombudsman Office should not be included in rates (paragraphs 7.2.2 and p. 47 of the Decision)

On November 29, 2017, Hydro One filed a letter requesting that the Motion to Review and Vary be treated as inclusive of the November 9, 2017, Decision and Order regarding Hydro One's draft rate order in this same proceeding.

The OEB has determined that this Motion to Review and Vary the EB-2016-0160 Decision and Order has met the threshold for review as defined in section 43 of the OEB's *Rules of Practice and Procedure*, and will hear the motion on its merits. The OEB has also determined that it will treat the OEB's November 9, 2017 Decision and Order as part of this motion proceeding.

The OEB deems the parties granted intervenor status in the EB-2016-0160 proceeding as intervenors in this Motion to Review and Vary. In addition, those parties that were granted cost eligibility status in the EB-2016-0160 case are also eligible for cost awards in this proceeding.

The OEB has also determined a schedule (as set out below) for the filing of written argument on the motion, followed by an oral hearing.

IT IS THEREFORE ORDERED THAT:

1. Hydro One shall file its argument and motion record with the OEB, and send these materials to all intervenors, no later than **January 15, 2018**.
2. Parties supporting the motion in whole or in part shall file their arguments with the OEB and copy all parties no later than **January 22, 2018**.
3. Other parties shall file their arguments with the OEB and copy to all parties no later than **January 29, 2018**.
4. An oral hearing will begin on **February 12, 2018** at 9:30 am at 2300 Yonge Street, 25th floor, Toronto. At the oral hearing the OEB may ask questions of parties regarding their written submissions, and will expect to receive oral reply argument from Hydro One.

All filings to the OEB must quote the file number, **EB-2017-0336**, be made in searchable /unrestricted PDF format electronically through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed

at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.oeb.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

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, Harold Thiessen at harold.thiessen@oeb.ca and OEB Counsel, Jennifer Lea at jennifer.lea@oeb.ca.

ADDRESS

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DATED at Toronto, December 19, 2017

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary