

IN THE MATTER OF section 6.1.5 of the Ontario Energy Board's Transmission System Code;

AND IN THE MATTER OF an application by Hydro One Networks Inc. for the review and approval of connection procedures;

AND IN THE MATTER OF an application by Great Lakes Power Limited for the review and approval of connection procedures.

SUBMISSIONS OF GREAT LAKES POWER LIMITED

1. These are the submissions of Great Lakes Power Limited ("GLPL") made in respect of the Ontario Energy Board's (the "Board") Procedural Order No. 3, wherein the Board requested submissions on the interpretation of section 6.3 of the Transmission System Code and on associated costs responsibility issues including section 6.3.6 of the Transmission System Code (the "Code").
2. As set out in Appendix 3 – Transmission Plans of GLPL's proposed customer connection process, with regard to section 6.3.6 of the Code, GLPL indicated that it will develop and maintain transmission plans to meet load growth and maintain liability and integrity of its transmission system. According to the proposed connection process, the transmission plans will cover the next three year period from the current year when the plans are prepared. Transmission plans will be reviewed from time to time as required and updated before the end of the current year. The transmission plans will include information regarding each listed transmission project including the expected completion date and references to the information used at the time to determine the need for the project. As indicated by GLPL, GLPL will not require a customer to make a capital contribution, for pertinent projects listed in the plan except for advancement costs. Information pertinent to a load connection applicant who makes a request to GLPL about its plans will be provided to the load connection applicant in a manner that is consistent with the confidentiality requirements of GLPL's transmission licence and the Code.
3. For load customers, general rules of cost responsibility for new or modified connections are set out at section 6.3.1 and section 6.3.2 of the Code. In brief, these provisions provide:
 - (a) New Customer Connection – when a load customer chooses to be served by transmitter-owned connection facilities, a transmitter shall require a capital contribution, if necessary, from the load customer to cover the cost of a connection facility required to meet the load customer's needs.

- (b) Modified Customer Connection – where a transmitter has to modify a transmitter-owned connection facility to meet a load customer’s needs, the transmitter shall require the load customer to make a capital contribution, if necessary, to cover the cost of the modification.
4. In both sections 6.3.1 and 6.3.2 capital expenditure and improvements are triggered by the customer, that is, either a connection at the customer’s election or a modification to the customer needs.
 5. Sections 6.3.5, 6.3.6 and 6.6.8 are exceptions to the rules of general application set out in section 6.3.1 and section 6.3.2. Section 6.3.5 provides that a transmitter shall not require any customer to make a capital contribution for the construction of or modifications to the transmitter’s network facilities that may be required to accommodate a new or modified connection. Section 6.3.6 provides that a transmitter shall develop and maintain plans to meet load growth and maintain the reliability and integrity of its transmission system. In such circumstances, the transmitter shall not require a customer to make a capital contribution for a connection facility that was otherwise planned by the transmitter, except for advancement costs. Section 6.3.8 provides that a transmitter shall not require a customer to make a capital contribution for capacity added to a connection facility in anticipation of future load growth not attributable to that customer.
 6. Captured within the section 6.3.6 are the dual aspects of: (a) the transmitters obligation to plan for load growth, reliability and system integrity for the benefit of the system (or a part thereof) regardless of any new or modified customer connection, and (b) the allocation of cost responsibility for modified or new customer connections. Transmission plans developed by the transmitter to account for system growth, reliability and integrity are made to fulfill the transmitters obligations under the Code, its licence and good utility practice. Plans are not made in respect of specific customer needs triggering new or modified connections, but rather, as in GLPL’s context, for its system’s integrity, reliability and growth as a whole. As such, a customer should not be responsible for the payment of capital contribution in respect of a new or modified customer connection (except advancement costs) that is otherwise part of the transmitter fulfilling its obligation to plan for load growth, reliability and integrity of the system generally.
 7. With respect to the nature of “plans” referred to in section 6.3.6, it is GLPL’s submission that this term be provided with a general interpretation and not restricted to plans associated with one aspect or construct within the transmission system. Because of the number and integrated nature of GLPL’s transmission system modifications (whether network, connection or transformation), GLPL includes all of its proposed projects within its transmission plan.

All of which is respectively submitted by:



for

Charles Keizer, Solicitor for Great Lakes Power Limited