



EB-2007-0050

IN THE MATTER OF the *Ontario Energy Board Act 1998*, S.O.1998, c.15, (Schedule B) (the "Act");

AND IN THE MATTER OF an Application by Hydro One Networks Inc. pursuant to section 92 of the Act, for an Order or Orders granting leave to construct a transmission reinforcement project between the Bruce Power Facility and Milton Switching Station, all in the Province of Ontario

PROCEDURAL ORDER NO. 1 The Leave to Construct Application

Hydro One Networks Inc. filed an application with the Ontario Energy Board (the "Board") on March 29, 2007 for leave of the Board to construct approximately 180 kilometres of double-circuit 500 kV electricity transmission line adjacent to the existing transmission corridor which extends from the Bruce Power Facility in Kincardine Township to Milton Switching Station in the town of Milton. Hydro One also proposes to make modifications at the Milton, Bruce A and Bruce B transmission stations to accommodate the new transmission lines. This Leave to Construct Application was given Board file No. EB-2007-0050.

A Notice of Application for the Leave to Construct Application was published in various newspapers and was served on all directly affected landowners. As part of the proceedings, the Board plans on hearing preliminary motions related to this application. Motions are a request for the Board to make a ruling on how the application should proceed. It is not a decision which approves or denies the application. A motion record is the supporting evidence or justification for the request that is being made. Details on the requirements for filing a motion are included in the procedural matters listed below.

The Board considers it necessary to make provision for a number of procedural matters for the Leave to Construct Application. A preliminary list of Intervenor is attached as Appendix A to this Order. A draft Issues List proposed by Board staff is attached as

Appendix B to this Order. A case timetable is attached as Appendix C to this Order. Please be aware that further procedural orders may be issued from time to time.

THE BOARD ORDERS THAT:

1. Parties requiring a preliminary ruling from the Board will file motion records with supporting materials with the Board and all other parties by **Tuesday, June 12, 2007**. Parties that wish to rely only on the materials that they have already filed as part of their intervention requests may do so, but they must indicate to the Board that they wish to have their issues addressed on the motions day. For additional information on how to file a motion please see the Board Rules of Practice and Procedure which can be found on the Board's web site www.oeb.gov.on.ca under the Bruce to Milton Transmission Proceeding.
2. Any parties wishing to file a response shall file a responding motion record with supporting materials with the Board and all other parties by **Tuesday, June 19, 2007**.
3. The Board will hear the motions orally on **Tuesday, June 26, 2007** at the Board's offices **at 9:30 a.m.** in the Board's North Hearing room located on the 25th floor, 2300 Yonge Street, Toronto.
4. An Issues Conference, involving Board staff, Intervenors and Hydro One, will be convened to review a draft Issues List with the objective of developing a proposed Issues List for presentation to the Board on Issues Day. Board staff's draft Issues List is attached to this order as Appendix B. The Issues Conference will be held in the Board's North Hearing room located on the 25th floor, 2300 Yonge Street, Toronto on **Tuesday, July 17, 2007 at 9:30 a.m.** and may continue on **Wednesday, July 18, 2007** if needed.
5. An Issues Day proceeding will take place on **Thursday, August 2, 2007 at 9:30 a.m.** in the Board's West Hearing room located on the 25th floor, 2300 Yonge Street, and may continue on **Friday, August 3, 2007** if needed at which time the Board will hear submissions with respect to any contested issues.
6. Intervenors, who wish information and material from Hydro One that is in addition to the evidence filed with the Board, and that is relevant to the proceeding, shall

request it by written interrogatories filed with the Board and delivered to Hydro One on or before **Monday, August 13, 2007**. All interrogatories must identify the relevant Issue by Issue Number in the format as shown by the example attached as Appendix D.

7. Hydro One shall file complete responses to the interrogatories with the Board and deliver all the responses to all the Intervenors on or before **Thursday, August 23, 2007**.
8. Intervenors and Board staff who wish to present evidence which is relevant to the proceeding, shall file that evidence with the Board and deliver it to Hydro One and the other Intervenors on or before **Tuesday, September 4, 2007**.
9. Any party (Intervenor, Board staff or Hydro One) who requires additional information related to an Intervenor's filed evidence, which is relevant to the proceeding, shall request it by written interrogatories filed with the Board and delivered to the parties on or before **Tuesday, September 18, 2007**.
10. Responses to the interrogatories shall be filed with the Board and delivered to Hydro One and the other Intervenors on or before **Wednesday, October 3, 2007**.
11. The evidentiary phase of the oral hearing will commence at 9:30 a.m. on **Monday, October 22, 2007 at a location to be determined**. The hearing is currently scheduled for up to 15 hearing days.
12. All parties filing material must provide these to the Board Secretary as ten hard copies and one electronic copy in searchable PDF format at boardsec@gov.on.ca, **by 4:45pm on the date indicated**, and copy all parties.

DATED at Toronto, June 5, 2007.
ONTARIO ENERGY BOARD

Original Signed By

Peter H. O'Dell
Assistant Board Secretary

APPENDIX A

to

Procedural Order No. 1

IN THE MATTER OF

Leave to Construct Application by Hydro One Networks

EB-2007- 0050

DATED June 5, 2007

Preliminary List of Intervenors

**HYDRO ONE NETWORKS INC.
LEAVE TO CONSTRUCT
ACCESS TO LAND PRIOR TO APPROVAL OF LEAVE TO CONSTRUCT
EB-2007-0050
APPLICANT & LIST OF INTERVENORS**

June 5, 2007

Applicant

Rep. and Address for Service

Hydro One Networks Inc.

Glen MacDonald
Senior Advisor – Regulatory
Research and Administration
Hydro One Networks Inc.
8th Floor, South Tower
483 Bay Street
Toronto ON M5G 2P5

Tel: 416-345-5913

Fax: 416-345-5866

Email: glen.e.macdonald@HydroOne.com

Applicant's Counsel

James H. Smellie
Osler, Hoskin and Harcourt LLP
Suite 2500, TransCanada Tower
450 First Street South West
Calgary AB T2P 5H1

Tel: 403-260-7013

Fax: 403-260-7024

Email: jsmellie@osler.com

AND

Jennifer Procuik
Legal Assistant to James Smellie
Osler, Hoskin and Harcourt LLP
Suite 2500, TransCanada Tower
450 First Street South West
Calgary AB T2P 5H1

Tel: 403-260-7079

Fax: 403-260-7024

Email: jprocuik@osler.com

Intervenors

Rep. And Address for Service

1. Association of Power Producers
of Ontario ("APPRO")

Jake Brooks
Executive Director

- 2 -

Association of Power Producers of Ontario
("APPRO")
25 Adelaide Street East
Suite 1602
Toronto ON M5C 3A1

Tel: 416-322-6549
Fax: 416-481-5785
Email: Jake.Brooks@appro.org
David.Butters@appro.org
Tom.Brett@gowlings.com

2. Jeff and Bonnie Bruce

Jeff and Bonnie Bruce
R.R. #2
EM #035302
Grand Valley ON L0N 1G0

Tel: 519-928-5266
Email: bruceview@sympatico.ca

3. Bruce Power

Brian G. Armstrong, Q.C.
Executive Vice President and General Counsel
Bruce Power
P.O. Box 1540 B10
6th Floor
177 Tie Road
Kincardine R.R. #2
Tiverton ON N0G 2T0

Tel: 519-631-6566
Email: brian.armstrong@brucepower.com

AND

George Vegh
McCarthy Tétrault LLP
Box 48, Suite 4700
Toronto Dominion Bank Tower
Toronto ON M5K 1E6

Tel: 416-601-7709
Email: gvegh@mccarthy.ca

4. Gwendolyn Charlton and Alvin
Mcallister

Gwendolyn Charlton and Alvin Mcallister
R.R. #3, Fire #341552
Hanover ON N4N 3B9

Tel: 519-364-7431

5. Council for the Town of Erin
Kathryn Ironmonger
Clerk
Town of Erin
Clerk's Department
5684 Wellington Road #24
R.R. #2
Hillsburgh ON N0B 1Z0

Tel: 519-855-4407
Fax: 519-855-4821
Email: Kathryn.ironmonger@town.erin.on.ca
6. Donald A. Corbett
Donald A. Corbett
Box 191
Durham ON N0G 1R0

Tel: 519-369-2168
7. Willis and Madeline Crane
Willis and Madeline Crane
202132 Highway 9
Lot 22, Concession 11
Township of East Garafraxa
P.O. Box 142, R.R. #3
Grand Valley ON L0N 1G0
8. Keith Cressman
Doris Anna Cressman
Saugeen Maple Farms Ltd.
Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

Tel: 519-369-2515
Fax: 519-369-2522
Email: fallaw@bmts.com
9. Michelle and Dave D'Auria
Michelle and Dave D'Auria
6028 Fourth Line
Orton ON L0N 1N0

Tel: 519-855-4318
Email: mdauria@sympatico.ca
10. Enbridge Inc.
Ron Collins
Manager, Business Development
Enbridge Inc.

- 4 -

500 Consumers Road
North York ON M2J 1P8

Tel: 416-495-6108
Fax: 416-753-7336
Email: ron.collins@enbridge.com

And

Cherry Blackwood
Executive Assistant
Enbridge Inc.
500 Consumers Road
North York ON M2J 1P8

Tel: 416-753-7329
Fax: 416-753-7336
Email: cherry.blackwood@enbridge.com

11. David France

David France
R.R. 2
Conn ON N0G 1N0

Email: Karen.france@sympatico.ca

12. Great Lakes Power Limited

Peter Bettle
Great Lakes Power Limited
Suite 200
480, de la Cite Blvd.
Gatineau QC J8T 8R3

Tel: 819-561-8014
Fax: 819-561-7188
Email: peter.bettle@brookfieldpower.com

AND

Charles Keizer
Ogilvy Renault LLP
Suite 3800
Royal Bank Plaza, South Tower
200 Bay Street
Toronto ON M5J 2Z4

Tel: 416-216-2342
Fax: 416-216-3930
Email: ckeizer@ogilvyrenault.com

13. Stephen Hodges

Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

Tel: 519-369-2515
Fax: 519-369-2522
Email: fallaw@bmts.com

14. Independent Electricity System
Operator ("IESO")

Carl Burrell
Independent Electricity System Operator
655 Bay Street, Suite 410
P.O. Box 1
Toronto ON M5G 2K4

Tel: 416-506-2858
Fax: 416-506-2847
Email: carl.burrell@ieso.ca

AND

John Rattray
Independent Electricity System Operator
655 Bay Street, Suite 410
P.O. Box 1
Toronto ON M5G 2K4

Tel: 416-506-2856
Fax: 416-506-1466
Email: john.rattray@ieso.ca

15. Saugeen Ojibway Nations

David McLaren
Environmental Office Coordinator
Saugeen Ojibway Nations
RR 5
Warton ON N0H 2T0

Tel: 519-534-4107
Email: d.mclaren@the-matrix.ca

16. Philip Lawton

Philip Lawton
7429 Fifth Line
Milton ON L9T 2X8

Tel: 905-875-0614
Email: b.lawton@sympatico.ca

17. Mervyn Wayne Lewis
Jennifer Lynne Lewis
John Leslie Flanagan
Phyllis Dianne Flanagan
Dean Alexander Flanagan
Allan Eric Foster
Karyn Foster
James Douglas Lewis
Penny Joanne Lewis
John Mulhall
Catherine Blanche Mulhall
Calvin John Hughes

Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

Tel: 519-369-2515
Fax: 519-369-2522
Email: fallaw@bmts.com

18. Darvey and Danny Liedtke

Darvey and Danny Liedtke
R.R. #2
Grand Valley ON L0N 1G0

Tel: 519-928-5287

19. Thomas Murtagh
Glenis Falbo

Thomas Murtagh and Glenis Falbo
9045 Side Road 17
R.R. #1
PT Lot 15 Concession 4
Erin Township
Hillsburgh ON N0B 1Z0

Tel: 519-855-4112

20. Ontario Federation of Agriculture
("OFA")

Neil Currie
General Manager
Ontario Federation of Agriculture
100 Stone Road West, Suite 206
Guelph ON N1G 5L3

Tel: 519-821-8883
Fax: 519-821-8810
Email: neil.currie@ofa.on.ca

21. Ontario Power Generation Inc.
("OPG")

Tony Petrella
Senior Advisor – Regulatory Affairs
Ontario Power Generation Inc.
700 University Avenue, H18-E1
Toronto ON M5G 1X6

Tel: 416-592-3036
Fax: 416-592-8519
Email: tony.petrella@opg.com

22. Pollution Probe Foundation

Jack Gibbons
Public Interest Economics
625 Church Street, Suite 402
Toronto ON M4Y 2G1

Tel: 416-926-1907 ext. 240
Fax: 416-926-1601
Email: jgibbons@pollutionprobe.org

AND

Murray Klippenstein
Klippensteins
Barristers & Solicitors
160 John Street, Suite 300
Toronto ON M5V 2E5

Tel: 416-598-0288
Fax: 416-598-9520
Email: murray.klippenstein@klippensteins.ca

AND

Basil Alexander
Klippensteins
Barristers & Solicitors
160 John Street, Suite 300
Toronto ON M5V 2E5

Tel: 416-598-0288
Fax: 416-598-9520
Email: basil.alexander@klippensteins.ca

23. Power Worker's Union ("PWU")

John Sprackett
Staff Officer, President's Office
Power Worker's Union
244 Eglinton Avenue East
Toronto ON M4P 1K2

Tel: 416-322-4787
Fax: 416-481-7914
Email: sprocket@pwu.ca

AND

Bayu Kidane
Consultant
Elenchus Research Associates (ERA)
34 King Street East, Suite 610

Toronto ON M5C 2X8

Tel: 416-348-0666

Fax: 416-348-9930

Email: bkidane@era-inc.ca

AND

Judy Kwik
Senior Consultant
Elenchus Research Associates (ERA)
34 King Street East, Suite 610
Toronto ON M5C 2X8

Tel: 416-348-8777

Fax: 416-348-9930

Email: jkwik@era-inc.ca

AND

Richard Stephenson
Paliare Roland Rosenberg Rothstein LLP
Barristers
250 University Avenue
Suite 510
Toronto ON M5H 3E5

Tel: 416-646-4325

Fax: 416-646-4335

Email: Richard.Stephenson@paliareroland.com

24. Orland Magwood
Gloria Magwood
1063755 Ontario Ltd.
James Magwood, In Trust
Andrew Magwood, In Trust

Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

Tel: 519-369-2515

Fax: 519-369-2522

Email: fallaw@bmts.com

25. David John Milne
Mary Joan Milne

Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

Tel: 519-369-2515

Fax: 519-369-2522

Email: fallaw@bmts.com

26. Powerline Connections

William Allison
Janet Allison
Edward Bird
Maribeth Bird
Robert Barlow
Bruce Barrett
Dave Clifford
Anne Clifford
Pat Crouse
Steve Crouse
Ralph Cunningham
Viviean Cunningham
Paul Fisher
Pat Fisher
John Hofing
John Jenkins
Julia Jenkins
Steven Joyce
Anne Joyce
Robert McClure
Susan McClure
Joseph Rice
Ivan Rice
Verna Rice
Rice & McHarg Limited
Garry Sterritt
Mary Jean Sterritt
Bonnie Neely
Perry Stuckless
Elaine Stuckless
Mark Bergermann
Janet Bergermann
Leslee Einmann
Scott Einmann
John MacLeod
Melanie MacLeod
Joanne Coletta
Fernando Coletta
Maria Coletta
Rosa Nucci
Vittorio Nucci
Jim Dinatale
Lisa Dinatale
Eileen Dinatale
Elda Threndyle

Stephen F. Waqué
Borden Ladner Gervais LLP
Lawyers Patent & Trade-mark Agents
Scotia Plaza, 40 King Street West
Toronto ON M5H 3Y4

Tel: 416-367-6275
Fax: 416-361-2708
Email: swaque@blgcanada.com

Evan A. Cooke
Borden Ladner Gervais LLP
Lawyers Patent & Trade-mark Agents
Scotia Plaza, 40 King Street West
Toronto ON M5H 3Y4

Tel: 416-367-6202
Fax: 416-361-2561
Email: ecooke@blgcanada.com

27. David Mervyn Rawn
Karen Ruth Rawn

Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

- 10 -

Tel: 519-369-2515
Fax: 519-369-2522
Email: fallaw@bmts.com

28. C.B. and L. Rutledge

C.B. and L. Rutledge
362129 Con Road 8-9 E Luther
R.R. #2
Grand Valley ON L0N 1G0

29. Union Gas Limited

Patrick McMahon
Manager, Regulatory Research and Records
Union Gas Limited
50 Keil Drive North
Chatham ON N7M 5M1

Tel: 519-436-5325
Fax: 519-436-4641
Email: pmcmahon@uniongas.com

30. Marinus and Patricia VanBakel

Marinus and Patricia VanBakel
173077 Mulock Road South
Hanover ON N4N 3B8

Tel: 519-369-5326

31. Thomas William Visser
Laura Lee Heather Visser

Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

Tel: 519-369-2515
Fax: 519-369-2522
Email: fallaw@bmts.com

32. TransAlta Energy Corporation
("TEC")

Sandy O'Connor
Eastern Region, Director, Regulatory and Legal
Affairs
110 – 12th Avenue South West
Box 1900, Station "M"
Calgary AB T2P 2M1

Tel: 403-267-7638
Fax: 403-267-2575
Email: sandy_o'connor@transalta.com

AND

Richard J. King
Ogilvy Renault LLP
Suite 3800
Royal Bank Plaza, South Tower
200 Bay Street
Toronto ON M5J 2Z4

Tel: 416-216-2311
Fax: 416-216-3930
Email: rking@ogilvyrenault.com

33. TransCanada Energy Ltd.
("TransCanada")

Margaret Duzy
Regulatory Analyst
TransCanada Energy Ltd.
55 Street, 8th Floor
Toronto ON M5E 1J4

Tel: 416-869-2180
Fax: 416-869-2056
Email: margaret_duzy@transcanada.com
TCE_Regulatory@transcanada.com

AND

Angela Avery
Legal Counsel
TransCanada Energy Ltd.
450 – 1st Street S.W.
Calgary AB T2P 5H1

Tel: 403-920-2171
Fax: 403-920-2422
Email: angela_avery@transcanada.com

34. Phillip C. and C. Gale Walford

Phillip C. and C. Gale Walford
2186 Utley Road
Mississauga ON L5J 1X1

Tel: 905-822-4593
Fax: 905-823-1436

35. Bob Watson

Bob Watson
132 Baseline South
R.R. #1
Cargill ON N0G 1J0

Tel: 519-353-5358

36. Herman and Berta Weller
Cedarwell Excavating Ltd.

Kevin W. McMeeken, LL.B.
Halpin McMeeken Law Office
478 Tenth Street
Hanover ON N4N 1R1

Tel: 519-364-5505
Fax: 519-364-0165
Email: kevin@hanoverlaw.ca

37. Trevor M.A. Wilson

Trevor M.A. Wilson
P.O. Box 308
Grand Valley ON L0N 1G0

38. David Woelfle

David Woelfle
R.R. #2
Paisley ON N0G 2N0

Tel: 519-353-7146
Email: d.woelfle@bmts.com

39. Robert George Younger

Peter T. Fallis
Fallis, Fallis & McMillan
Barristers & Solicitors
195 Lambton Street East
Durham ON N0G 1R0

Tel: 519-369-2515
Fax: 519-369-2522
Email: fallaw@bmts.com

APPENDIX B

to

Procedural Order No. 1

IN THE MATTER OF

Leave to Construct Application by Hydro One Networks

EB-2007- 0050

DATED June 5, 2007

Draft Issues List

**(Bruce – Milton) Transmission Reinforcement Project
Leave to Construct Application
(EB-2007-0050)**

Draft Issues List

1.0 Project Need and Justification

- 1.1 Does the project qualify as a non-discretionary project as per the OEB's *Filing Requirements for Transmission and Distribution Applications* and if so what categories of need as referred to in Section 5.2.2 of these Filing Requirements are relevant?
- 1.2 Have all appropriate project risk factors (including forecasting, technical and financial risks) been taken into consideration in planning this project?
- 1.3 Is the project suitably chosen and sufficiently scalable so as to meet all reasonably possible future needs of significantly increased (future additional new nuclear) or significantly reduced (no new nuclear and less wind than forecasted) generation?

2.0 Project Alternatives

- 2.1 Have all reasonable project alternatives been identified?
- 2.2 Have appropriate evaluation criteria and criteria weightings been utilized in the evaluation process and what additional criteria/weightings could be considered?
- 2.3 Has an appropriate evaluation methodology been applied to all the alternatives considered?
- 2.4 Does the evaluation methodology utilized include a cost benefit comparison as well as a comparison of all of the quantitative and qualitative benefits of all of the considered alternatives?
- 2.5 For the preferred option, are the proposed rate impacts reasonable and are the proposed costs reasonable for:
 - the transmission line;
 - the station upgrades; and
 - the estimated Operating, Maintenance and Administration requirements.

3.0 Interim Measures

- 3.1 Can the proposed interim measures be utilized longer than the suggested two to three year time frame?
- 3.2 If these proposed interim measures could be utilized for a longer period than proposed, could they (or some combination of similar measures) be considered an alternative to the recommended double circuit 500 kV transmission line?

4.0 System and Customer Reliability, Adequacy and Security

- 4.1 Has an appropriate comparison been carried out on all considered alternatives with respect to reliability, adequacy and security impacts and benefits?
- 4.2 Is the recommended alternative superior to all other considered options with regard to stability and transient stability levels, voltage performance and Loss of Load Expectation projections under normal and post-contingency conditions?
- 4.3 For the preferred option, does the project meet all the requirements as identified in the System Impact Assessment and the Customer Impact Assessment?

5.0 Land Matters

- 5.1 Is the form of easement offered to all directly affected Landowners reasonable?
- 5.2 Have the necessary permanent and temporary land rights been appropriately acquired?

6.0 First Nation Consultations

- 6.1 Have all First Nation groups whose land interests are affected by this project been identified, have appropriate consultations been conducted with these groups and if necessary, have appropriate accommodations been made with these groups?

APPENDIX C

to

Procedural Order No. 1

IN THE MATTER OF

Leave to Construct Application by Hydro One Networks

EB-2007- 0050

DATED June 5, 2007

Timetable

Timetable

(Note: this timetable may be amended from time to time as required by the Board)

	Event	Date (2007)
1	Motion Records Filed	June 12
2	Response to Motions	June 19
3	Motions Day	June 26
4	Issues Conference	July 17 & 18
5	Issues Day(s)	August 2 & 3
6	Interrogatories to Applicant	August 13
7	Interrogatory Responses	August 23
8	Intervenor Evidence	September 4
9	Interrogatories to Intervenors	September 18
10	Intervenor IR Responses	October 3
11	Possibility for negotiated settlement of various issues or sub-issues	October 11
12	Oral Hearing	October 22 (15 hearing days)

APPENDIX D

to

Procedural Order No. 1

IN THE MATTER OF

Leave to Construct Application by Hydro One Networks

EB-2007- 0050

DATED June 5, 2007

Sample Format for Interrogatories

Sample Format for Interrogatories

Interrogatory No. 1

Ref. Exh. B/T 6/S 5/Appendices 1,5,6

[abbreviation for Exhibit B/Tab 6/Schedule 5/Appendices 1, 5, and 6]

Issue Number: 1.3.

1.3. Issue: Is the project suitably chosen and sufficiently scalable so as to meet all reasonably possible future needs of significantly increased or reduced generation?

Request

Please provide a detailed description of how the added capacity in MW of the double-circuit 500 kV transmission line will be utilized to meet the additional capacity in MW of the two nuclear units (brought into service after being decommissioned), and the committed and projected wind generation in MW by fully reflecting the expected pattern of delivery from each type of generation during the peak demand seasons in summer and winter over a study period of 30 years commencing at the projected in-service date of December, 2011.