



**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. 5**  
**The Leave to Construct Application**

Hydro One Networks Inc. ("Hydro One") filed an amended application (the "Amended Leave to Construct Application") with the Ontario Energy Board (the "Board") dated November 30, 2007 under section 92 of the Ontario Energy Board Act, 1998, S.O. 1998, c.15, Schedule B (the "Act"). This Amended Leave to Construct Application addresses certain changes to Hydro One's original application filed with the Board on March 29, 2007.

Hydro One is seeking an Order of the Board to construct approximately 180 kilometres of double-circuit 500 Kilovolt ("kV") electricity transmission line adjacent to the existing transmission corridor (500 kV and/or 230 kV) extending from the Bruce Power Facility in Kincardine Township to Hydro One's 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.

Hydro One has submitted that the project is required to meet the increased need for transmission capacity associated with the development of wind power in the Bruce area and the return to service of nuclear units at the Bruce Power Facility. Hydro One proposes an in-service date of Fall 2011 for the new 500 kV transmission line and

related facilities. The estimated cost of the transmission project is approximately \$635 million.

On February 7, 2008, the Board issued Procedural Order No.4 setting out the schedule for the proceeding and allowing intervenors to make submissions on the issues list by Friday, February 15, 2008. The Board held an Issues Day on February 21, 2008, and heard submissions on the issues list and on the schedule for the proceeding.

The Board delivered an oral decision regarding the issues list and in that decision concluded that no changes were required for the issues list. The final approved Issues List is attached as Appendix A to this Order. Several parties made submissions on the need for issues to address the relative timing of the Board's leave to construct process and the environmental assessment process. Although the Board made no changes to the issues list at this time, the Board instructed Hydro One to inform the Board and other parties of the status of the environmental assessment process two weeks before the commencement of the oral hearing in this case. The Board will determine at that time the need to add issues resulting from the timing of the environmental assessment process.

The Board also delivered an oral decision regarding the schedule for the proceeding. In that decision, the Board determined that it is necessary to adjust the schedule for the proceeding. Intervenors will be given additional time to file evidence in the proceeding. The Board will also adjust the interrogatory timelines in order to facilitate a more productive and efficient process. The Board encourages intervenors to file interrogatories as soon as possible. Hydro One will be required to answer interrogatories on a timely basis and will be required to make early notification if it intends not to answer an interrogatory. The deadlines are such that if interrogatories are filed promptly, there will be sufficient time to file supplementary interrogatories after the initial answers are received and before the final deadline for interrogatories.

An updated list of Intervenors is attached as Appendix B to this Order. The schedule for the proceeding 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. 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 at any time, but no later than Monday, **March 10, 2008**. All interrogatories must identify the relevant Issue by Issue Number in the format as shown by the example attached as Appendix D. Interrogatories may be filed on a staggered basis; they need not be filed all at once.
2. Hydro One shall file complete responses to each interrogatory no later than **14 calendar days** after receipt of the interrogatory, and deliver such response to all Intervenors with the exception of any interrogatories filed on March 10, 2008, which must be answered by March 25, 2008.
3. If Hydro One intends to refuse to answer an interrogatory, or believes that it does not have access to the requested information, it must make this position known to the Board and intervenors by the end of the third day following the filing of an interrogatory.
4. If an interrogatory requests a report or study which has already been prepared, the Board expects Hydro One to fulfill the request in a period substantially less than two weeks.
5. 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, April 8, 2008**.
6. 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 **Monday, April 14, 2008**.
7. Responses to the interrogatories shall be filed with the Board and delivered to Hydro One and the other Intervenors on or before **Monday, April 28, 2008**.

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8. Hydro One will inform the Board and intervenors regarding the status of the environmental assessment process no later than **Thursday, April 17, 2008**.
9. The evidentiary phase of the oral hearing will commence at 9:30 a.m. on **Thursday May 1, 2008 at a location to be determined**.
10. 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](mailto:boardsec@gov.on.ca), **by 4:45pm on the date indicated**, and copy all parties.

**DATED** at Toronto, February 25, 2008

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

**APPENDIX A  
to  
Procedural Order No. 5**

**IN THE MATTER OF  
Leave to Construct Application by Hydro One Networks  
EB-2007-0050  
DATED February 25, 2008**

**Issues List**

## **Issues List**

### **1.0 Project Need and Justification**

- 1.1 Has the need for the proposed project been established?
- 1.2 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?
- 1.3 Have all appropriate project risk factors pertaining to the need and justification (including but not limited to forecasting, technical and financial risks) been taken into consideration in planning this project?
- 1.4 Is the project suitably chosen and sufficiently scalable so as to meet all reasonably foreseeable future needs of significantly increased or significantly reduced generation in the Bruce area?

### **2.0 Project Alternatives**

- 2.1 Have all reasonable alternatives to the project been identified and considered?
- 2.2 Has an appropriate evaluation methodology been applied to all the alternatives considered?
- 2.3 For all of the considered alternatives, does the evaluation methodology utilized include a cost benefit comparison as well as a comparison of all quantitative and qualitative benefits?
- 2.4
  - a) Have appropriate evaluation criteria and criteria weightings been utilized in the evaluation process for the alternatives and the proposed project and what additional criteria/weightings could be considered?
  - b) Have appropriate comparisons been carried out on all reasonable alternatives with respect to reliability and quality of electricity service, including stability and transient stability levels, voltage performance and Loss of Load Expectation projections under normal and post-contingency conditions?
  - c) Do the alternatives meet the applicable standards for reliability and quality of electricity service?
- 2.5 Is the proposal a better project than the reasonable alternatives?
- 2.6 Are the project's rate impacts and costs reasonable for:

- the transmission line;
- the station modifications; and
- the Operating, Maintenance and Administration requirements.

### **3.0 Near Term and Interim Measures**

- 3.1 Are the proposed near term and interim measures as outlined in the application appropriate?
- 3.2 Can the proposed near term and interim measures be utilized longer than the suggested two to three year time frame?
- 3.3 If these proposed near term and 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 double circuit 500 kV transmission line for which Hydro One has applied?

### **4.0 Reliability and Quality of Electricity Service**

- 4.1 For the preferred option, does the project meet all the requirements as identified in the System Impact Assessment and the Customer Impact Assessment?
- 4.2 Does the project meet applicable standards for reliability and quality of electricity service?
- 4.3 Have all appropriate project risk factors pertaining to system reliability and quality of electricity service been taken into consideration in planning this project?

### **5.0 Land Matters**

- 5.1 Are the forms of land agreements to be offered to affected landowners reasonable?
- 5.2 What is the status and process for Hydro One's acquisition of permanent and temporary land rights required for the project?

### **6.0 Aboriginal Peoples Consultations**

Have all Aboriginal Peoples whose existing or asserted Aboriginal or treaty rights 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?

### **7.0 Conditions of Approval**

If Leave to Construct is approved, what conditions, if any, should be attached to the Board's order?



**APPENDIX B**

**to**

**Procedural Order No. 5**

**IN THE MATTER OF**

**Leave to Construct Application by Hydro One Networks**

**EB-2007-0050**

**DATED February 25, 2008**

**Updated 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**

**February 25, 2008**

**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](mailto:glen.e.macdonald@HydroOne.com)

**Applicant's Counsel**

Gord Nettleton  
Osler, Hoskin and Harcourt LLP  
Suite 2500, TransCanada Tower  
450 First Street South West  
Calgary AB T2P 5H1

Tel: 403-260-7047

Fax: 403-260-7024

Email: [gnettleton@osler.com](mailto:gnettleton@osler.com)

AND

Nicole J. MacDonald  
Legal Assistant  
Osler, Hoskin & Harcourt LLP  
Suite 2500  
TransCanada Tower  
450 – 1st St., S.W.  
Calgary, Alberta, Canada T2P 5H1

Tel 403-592-728

Fax: 403.260.7024

Email: [nmacdonald@osler.com](mailto:nmacdonald@osler.com)

**Intervenors**

**Rep. And Address for Service**

**Association of Power  
Producers of Ontario**

Jake Brooks  
Executive Director

**(“APPRO”)**

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](mailto:Jake.Brooks@appro.org)  
 [David.Butters@appro.org](mailto:David.Butters@appro.org)  
 [Tom.Brett@gowlings.com](mailto:Tom.Brett@gowlings.com)

**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](mailto:bruceview@sympatico.ca)

**Bruce Power**

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

Tel: 519-631-6566  
 Email: [brian.armstrong@brucepower.com](mailto: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](mailto:gvegh@mccarthy.ca)  
 And [jrosengarten@mccarthy.ca](mailto:jrosengarten@mccarthy.ca)

**Gwendolyn Charlton and Alvin  
 Mcallister**

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

Tel: 519-364-7431

**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](mailto:Kathryn.ironmonger@town.erin.on.ca)

**Donald A. Corbett**

Donald A. Corbett  
Box 191  
Durham ON N0G 1R0

Tel: 519-369-2168

**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

**Enbridge Inc.**

Ron Collins  
Manager, Business Development  
Enbridge Inc.  
500 Consumers Road  
North York ON M2J 1P8

Tel: 416-495-6108

Fax: 416-753-7336

Email: [ron.collins@enbridge.com](mailto: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](mailto:cherry.blackwood@enbridge.com)

- 4 -

**David France**

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

Email: [Karen.france@sympatico.ca](mailto:Karen.france@sympatico.ca)

**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](mailto: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](mailto:ckeizer@ogilvyrenault.com)

**J.B. Gregorovich**

J. B. Gregorovich  
104757 Southgate Road 10  
Rural Route 2  
Mount Forest ON N0G 2L0

**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](mailto:carl.burrell@ieso.ca)

AND

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

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Tel: 416-506-2856  
Fax: 416-506-1466  
Email: [john.rattray@ieso.ca](mailto:john.rattray@ieso.ca)

**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](mailto:d.mclaren@the-matrix.ca)  
Art Pape  
Saugeen Ojibway Nations  
RR 5  
Warton ON N0H 2T0

Tel: 416-916-2989 ext 1  
Email: [apape@pstlaw.ca](mailto:apape@pstlaw.ca)

**Philip Lawton**

Philip Lawton  
7429 Fifth Line  
Milton ON L9T 2X8

Tel: 905-875-0614  
Email: [b.lawton@sympatico.ca](mailto:b.lawton@sympatico.ca)

**Keith Cressman  
Doris Anna Cressman  
Saugeen Maple Farms Ltd.  
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  
Stephen Hodges  
Orland Magwood  
Gloria Magwood  
1063755 Ontario Ltd.  
James Magwood, In Trust  
Andrew Magwood, In Trust  
David John 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](mailto:fallaw@bmts.com)

**Mary Joan Milne  
David Mervyn Rawn  
Karen Ruth Rawn  
Thomas William Visser  
Laura Lee Heather Visser  
Gwendolyn Charlton and Alvin  
McAllister  
Robert Watson  
Sharon Kennedy Meanaul  
Robert George Younger**

**Darvey and Danny Liedtke**

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

Tel: 519-928-5287

**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

**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](mailto:neil.currie@ofa.on.ca)

**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](mailto:tony.petrella@opg.com)

**Pollution Probe Foundation**

Jack Gibbons  
Public Interest Economics

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625 Church Street, Suite 402  
Toronto ON M4Y 2G1

Tel: 416-926-1907 ext. 240

Fax: 416-926-1601

Email: [jgibbons@pollutionprobe.org](mailto: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](mailto: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](mailto:basil.alexander@klippensteins.ca)

**AND**

David Schlissel  
Synapse Energy Economics  
22 Pearl Street  
Cambridge, MA 02139  
United States of America  
Phone: 617-661-3248 ext. 224  
Fax: 617-661-0599  
Email: [dschlissel@synapse-energy.com](mailto:dschlissel@synapse-energy.com)

**AND**

Peter LanzaLotta  
LanzaLotta & Associates LLC  
67 Royal Pointe Drive  
Moss Creek Plantation  
Hilton Head Island, SC 29926  
United States of America  
Phone: 843-836-3278  
Fax: 843-836-2235  
Email: [petelanz@lanzalotta.com](mailto:petelanz@lanzalotta.com)

**AND**

Bob Fagan  
Synapse Energy Economics  
22 Pearl Street  
Cambridge, MA 02139



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United States of America  
Phone: 617-661-3248 ext. 240  
Fax: 617-661-0599  
Email: [rfagan@synapse-energy.com](mailto:rfagan@synapse-energy.com)

**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](mailto: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](mailto: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](mailto: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](mailto:Richard.Stephenson@paliareroland.com)

**Powerline Connections  
William Allison**

Stephen F. Waqué  
Borden Ladner Gervais LLP

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  
Dave D'Auria  
Michelle D'Auria

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](mailto:swaque@blgcanada.com)

Frank Sperduti  
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: [fsperduti@blgcanada.com](mailto:fsperduti@blgcanada.com)

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4 King Street West  
Suite 920  
Toronto ON M5H 1B6

Tel: 416-365-1993  
Fax: 1-800-285-0410  
Email: [Virginia@virginiamaclean.com](mailto:Virginia@virginiamaclean.com)

**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](mailto:pmcmahon@uniongas.com)

**Marinus and Patricia VanBakel**

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

Tel: 519-369-5326

**TransAlta Energy Corporation  
("TEC")**

Sandy O'Connor  
Eastern Region, Director, Regulatory and Legal  
Affairs  
110 – 12<sup>th</sup> 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](mailto: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](mailto:rking@ogilvyrenault.com)

**TransCanada Energy Ltd.  
("TransCanada")**

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

Tel: 416-869-2180  
Fax: 416-869-2056  
Email: [margaret\\_duzy@transcanada.com](mailto:margaret_duzy@transcanada.com)  
[TCE\\_Regulatory@transcanada.com](mailto:TCE_Regulatory@transcanada.com)

**AND**

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

Tel: 403-920-2171  
Fax: 403-920-2422  
Email: [angela\\_avery@transcanada.com](mailto:angela_avery@transcanada.com)

**Phillip C. and C. Gale Walford**

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

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

**Bob Watson**

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

Tel: 519-353-5358

**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](mailto:kevin@hanoverlaw.ca)

**Trevor M.A. Wilson**

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

**David Woelfle**

David Woelfle

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R.R. #2  
Paisley ON NOG 2N0

Tel: 519-353-7146  
Email: [d.woelfle@bmts.com](mailto:d.woelfle@bmts.com)

## LATE INTERVENTIONS

**Tribute Resources Inc.** Bill Blake  
Manager Facilities  
Tribute Resources Inc.  
309 Commissioners Road West Unite-E  
London ON N6J 1Y4

Email: [wblake@tributeresources.com](mailto:wblake@tributeresources.com)

**AND** Peter Budd  
Budd Law  
166 High Park Avenue  
Toronto ON M4P 2S4

Email: [peterbbudd@rogers.com](mailto:peterbbudd@rogers.com)

**Energy Probe Research Foundation** David MacIntosh  
c/o Energy Probe  
225 Brunswick Avenue  
Toronto ON M5S 2M6

Tel: 416-964-9223 ext. 235  
Fax: 416-964-8239  
Email: [DavidMacIntosh@nextcity.com](mailto:DavidMacIntosh@nextcity.com)

**AND** Thomas Adams  
c/o Energy Probe  
225 Brunswick Avenue  
Toronto ON M5S 2M6

Tel: 416-964-9223 ext. 239  
Fax: 416-964-8239  
Email: [TomAdams@nextcity.com](mailto:TomAdams@nextcity.com)

**AND** Peter T. Faye  
Barrister and Solicitor  
42 Eastwood Crescent  
Markham ON L3P 5Z7

Tel: 905-294-2013  
Email: [pfaye@rogers.com](mailto:pfaye@rogers.com)

**AND** Dr. Kimble F. Ainslie  
c/o Energy Probe

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225 Brunswick Ave.  
Toronto ON M5S 2M6

Tel: 416-964-9223 ext. 223

Fax: 416-964-8239

Email: [KimbleAinslie@nextcity.com](mailto:KimbleAinslie@nextcity.com)

**William H. Allen**

William H. Allen  
R.R. #1  
Hillsburgh ON N0B 1Z0

**Heinrich and Theresia  
Eschlboeck**

Anthony Wellenreiter  
Wellenreiter & Wellenreiter  
Barristers, Solicitors & Notaries Public  
Rastrick House  
48 Forest Avenue  
Hamilton ON L8N 1X1

Tel: 905-525-4520

Fax: 905-525-7943

Email: [awellenreiter@wellenreiter.ca](mailto:awellenreiter@wellenreiter.ca)

**“The Ross Firm”**

Dave and Martha Barrett  
Jack and Hildreth Park  
Lloyd Hutton  
Tom Fritz  
Doug Hackett  
Bob and Betty Mills  
Jim and Jairus Maus  
Dave and Pat Woelfle  
Glenn and Sandra Sawyer  
Carman and Everlyn Hodgkinson

Quinn M. Ross  
The Ross Firm  
Barristers & Solicitors  
138 Courthouse Square  
Goderich ON N7A 1M9

Tel: 519-524-5532 ext. 211

Fax: 519-524-8438

Email: [qmross@rossfirm.com](mailto:qmross@rossfirm.com)

**Toad Hall Farm Inc.**

Bryn Waern, M.D.  
Toad Hall Farm Inc.  
23 Biggar Avenue  
Toronto ON M6H 2N5

Tel: 416-654-1333/ 519 928-2025

Fax: 416-654-1333

**Phillip and Gale Walford  
Ron Elo**

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](mailto:fallaw@bmts.com)

**NEW INTERVENORS AS OF AMENDED NOTICE Dec 11, 2007**

Bentinck Packers Limited

Steven Lindner  
Bentinck Packers Limited  
381488 Concession 4 NDR  
Hanover ON N4N 3B9

Tel: 519-364-3538

Fax: 519-364-0898

Doug, Donna, Daryl and Drew  
Braithwaite

Doug, Donna, Daryl and Drew Braithwaite  
033699 Lots 6 & 7 Conc. 4 NDR  
R.R. #3  
Hanover ON N4N 3B9

Tel: 519-364-1237

Emily and Jorge Botelho

Emily and Jorge Botelho  
013695 Bruce Rd. #10  
R.R. #3  
Hanover ON N4N 3B9

Tel: 519-364-7560

Buffalo Sunrise Farm

Paul John Eisenbarth and Margaret Helen Cuff  
Buffalo Sunrise Farm  
381104, Lots 2 & 3 Concession 4 NDR  
R.R. #3  
Hanover ON N4N 3B9

Tel: 519-364-0890

Fax: 519-364-7714

Email: [marnpaul@bellnet.ca](mailto:marnpaul@bellnet.ca)

Calldron Gas Bars Ltd.

Bob Ware  
General Manager  
5495 Eglinton Ave West  
Toronto ON M9C 5K5

Tel: 416-200-9995 or 905-257-3030

Fax: 905-812-5411

Email: [r.o.ware@sympatico.ca](mailto:r.o.ware@sympatico.ca)

And [theoldpro@sympatico.ca](mailto:theoldpro@sympatico.ca)

Dirk Emde

Dirk Emde  
R.R. #3  
Hanover ON N4N 3B9

Paul Garvey

Paul Garvey  
381145 Line 4 NDR Bentinck Twp.  
R.R. #3  
Hanover ON N4N 3B9

Email: [pgarvey@bmts.com](mailto:pgarvey@bmts.com)

Mike and Carolyn Giesler

Mike and Carolyn Giesler  
341553 Lot 27 Con 3 NDR  
R.R. #3  
Hanover ON N4N 3B9

Tel: 519-364-4596

Sherwood and Gladys Hume

Sherwood and Gladys Hume  
9313 4<sup>th</sup> Line  
R.R. #5  
Milton ON L9T 2X9

Tel: 905-878-4878

Email: [gladyshume@wwdb.org](mailto:gladyshume@wwdb.org)

Daniel and Marjorie Kobe

Daniel and Marjorie Kobe  
R.R. #3  
Hanover ON N4N 3B9

Manfred and Luzia Lindner

Manfred and Luzia Lindner  
Lot 12 Concession 4 NDR  
Hanover ON N4N 3B9

Tel: 516-364-0038

Steve and Catherine Lindner

Steve and Catherine Lindner  
R.R. #3  
381486 Concession 4 NDR  
Hanover ON N4N 3B9



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Tel: 519-364-6041  
Fax: 519-364-0898  
Email: [lindner@log.on.ca](mailto:lindner@log.on.ca)

Allan R. McFee

Allan R. McFee  
13071 Fourth Line  
R.R. #4  
Acton ON L7J 2M1

Tel: 519-853-3322

Métis Nation of Ontario

Jason Madden  
JTM Law  
546 Euclid Avenue  
Toronto ON M6G 2T2

Tel: 416-945-7958  
Fax: 416-981-3162  
Email: [Jason@jtmlaw.ca](mailto:Jason@jtmlaw.ca)

One Milton Trust Inc.

Yadvinder S. Toor  
Toor Law Office  
1790 Albion Road  
Suite 202  
Toronto ON M9V 4J8

Tel: 416-748-7775  
Fax: 416-748-5553

Bernd and Gerd Pollex

Bernd and Gerd Pollex  
381057, Con 4 NDR  
R.R. #3  
Hanover ON N4N 3B9

Tel: 519-364-6012  
Email: [g.b.pol@sympatico.ca](mailto:g.b.pol@sympatico.ca)

Dieter E. and Vija M. Sebastian

Dieter E. and Vija M. Sebastian  
R.R. #3 Stn. Main  
381237 Conc. 4 NDR  
Hanover ON N4N 3B9

Tel: 519-364-2223  
Email: [sebasdv@log.on.ca](mailto:sebasdv@log.on.ca)

The Regional Municipality of  
Halton

Peter Dailleboust  
Assistant Corporate Counsel  
The Regional Municipality of Halton  
1151 Bronte Road  
Oakville ON L6M 3L1

Tel: 905-825-6000  
Fax: 905-825-8838  
Email: [Peter.Dailleboust@halton.ca](mailto:Peter.Dailleboust@halton.ca)

Ernest Thompson and Catherine  
Dalton

Ernest Thompson and Catherine Dalton  
Brigadoon Farm  
381 103 Concession 5  
R.R. #3  
Hanover ON N4N 3B9

Tel: 519-364-0942  
Email: [brigadoonfarm@gmail.com](mailto:brigadoonfarm@gmail.com)

Dr. James and Sandra Shaw

Dr. James and Sandra Shaw  
Unit 41- 1890 Richmond Street  
London ON N5X 4J2

Tel: 519-645-6168  
Email: [sshaw@uwo.ca](mailto:sshaw@uwo.ca)

Mathew and Logan Smerek

Mathew and Logan Smerek  
12211 Fourth Line  
R.R. #4  
Acton ON L7J 2M1

Tel: 905-873-6657

**APPENDIX C**

**to**

**Procedural Order No. 5**

**IN THE MATTER OF**

**Leave to Construct Application by Hydro One Networks**

**EB-2007-0050**

**DATED February 25, 2008**

**Timetable**

## Timetable

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

	<b>Event</b>	<b>Date (2008)</b>
1.	Last Interrogatories to Applicant	March 10
2.	Last Interrogatory Responses	March 25
3.	Intervenor Evidence	April 8
4.	Interrogatories to Intervenors	April 14
5.	Applicant to inform on status of the EA	April 17
6.	Intervenor IR Responses	April 28
7.	Oral Hearing Begins	May 1

**APPENDIX D  
to  
Procedural Order No. 5**

**IN THE MATTER OF  
Leave to Construct Application by Hydro One Networks  
EB-2007-0050  
DATED February 25, 2008**

**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.