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**Susan Frank**

Vice President and Chief Regulatory Officer  
Regulatory Affairs

BY COURIER

July 25, 2007

Ms. Kirsten Walli  
Secretary  
Ontario Energy Board  
Suite 2700, 2300 Yonge Street  
P.O. Box 2319  
Toronto, ON.  
M4P 1E4

Dear Ms. Walli:

**EB-2007-0051 – Hydro One Networks' Section 98 Early Access Application re: Bruce – Milton Transmission Reinforcement project – Updated Response to OEB Staff Interrogatory B-1-5**

I am attaching ten (10) paper copies of the Hydro One Networks' responses to interrogatory B-1-5. An electronic copy (text searchable Acrobat format on CD) is provided with this letter.

Electronic copy (text searchable Acrobat format) will be sent to the Board Secretary email address and to EB-2007-0051 participants with email addresses. All EB-2007-0051 participants are being sent a paper copy of this letter and the updated interrogatory response B-1-5. Finally, electronic copy (text searchable Acrobat format) will be posted on the Hydro One Networks external regulatory web page at –

[http://www.hydroonenetworks.com/en/regulatory/oeb\\_applications/](http://www.hydroonenetworks.com/en/regulatory/oeb_applications/)

Sincerely,

ORIGINAL SIGNED BY ODED HUBERT ON BEHALF OF SUSAN FRANK

Susan Frank

c. EB-2007-0051 Participants (paper copy by courier)

Attach.



1 3) Reasonable accommodation is to be made to the early access schedule for landowner  
2 requests/concerns to ensure access activities do not interfere with landowners operations.

3  
4 4) Landowners can be present to observe early access activities subject to Hydro One  
5 safety policies and procedures and the Occupational Health and Safety Act.

6  
7 5) Upon request the landowners are to be provided with results of the information  
8 collected by the early access activities, subject to applicable MNR or other agency  
9 disclosure guidelines (e.g., with respect to species-at-risk protection).

10  
11 6) Hydro One is to ensure gates/fences/entryways used by Hydro One personnel or its  
12 agents in connection with early access activities are closed. Work sites are to be left in a  
13 safe condition overnight.

14  
15 7) Affected areas are to be restored to their original condition to the extent possible and  
16 practicable failing which, damages to be paid as per section 98 (2) of the OEB Act.

17  
18 **Response**

19  
20 Hydro One wishes to replace Staff's proposed conditions with the following:

- 21  
22 1. Unless otherwise indicated, early access activities as described in Hydro One's  
23 application dated March 30, 2007 shall only take place within the lands (known as  
24 the widened corridor lands) as described in Exhibit B, Tab 6, Schedule 11 of EB-  
25 2007-0050, or on access routes thereto.
- 26  
27 2. Hydro One shall use all reasonable efforts to provide oral or written notice to  
28 landowners a minimum of 48 hours prior to entry. Unless otherwise agreed upon  
29 with landowners, access is to be limited for a subsequent 5 day window in which  
30 early access activities could then occur. All access activities shall only take place  
31 during weekdays and not statutory holidays and between the hours of 8 am and 5  
32 pm. (Example: Hydro One will provide notice by Friday for a 5 day access  
33 window beginning the next Monday and until and including the following Friday;  
34 all access activities will occur during this period between the hours of 8 am and 5  
35 pm).
- 36  
37 3. Where Hydro One has not been able to contact a landowner prior to access, Hydro  
38 One shall keep a record of activities conducted and make it available to the  
39 landowner upon request.
- 40

- 1 4. The notification described in (2) above shall include a list of the activities Hydro  
2 One intends to perform during the access window. A description of these  
3 activities are as follows:  
4
- 5 • Legal surveys involving property staking and measuring by survey crews  
6 along the perimeter of the widened corridor, along the perimeter of properties  
7 subject to buy-out, and on potential access routes off-corridor (as required);
  - 8 • Engineering surveys involving property staking and measuring by survey  
9 crews within the widened corridor;
  - 10 • Soil testing on selected properties involving bore hole drilling within the  
11 widened corridor using a tracked vehicle there and on access routes;
  - 12 • Property appraisals including woodlot assessments on each affected property;
  - 13 • Biological surveys by personnel on foot involving the collection of plant and  
14 wildlife information, habitat assessments and delineation of wetland and  
15 ANSI boundaries within the widened corridor and on potential access routes  
16 off-corridor;
  - 17 • Archaeological surveys by licensed personnel on foot and in accordance with  
18 Provincial Guidelines. Work includes surface checks for items of interest in  
19 recently ploughed fields or digging of small test pits to a maximum depth of 1  
20 m should ploughing not be possible. The studies will be performed in the  
21 widened corridor and potential access routes off-corridor.
  - 22 • Other environmental investigations by personnel on foot including  
23 hydrologic/water quality testing, landscape and visual assessment, cultural and  
24 built heritage assessment, landowner and business owner surveys, agricultural  
25 investigations, and well water testing, within the widened corridor and on  
26 potential access routes off-corridor.
- 27
- 28 5. Unless otherwise agreed to by the landowner, Hydro One or its representatives  
29 shall not clear or remove trees having a calliper diameter of more than 2 inches  
30 measured at 3 feet above ground level.  
31
- 32 6. In the event soil testing activities are planned to be conducted on lands with  
33 tracked equipment, Hydro One will use all reasonable efforts to consult with the  
34 landowner in advance of entry and provide a sketch depicting the access route and  
35 the location of the soil testing activities. Such notification and consultation with  
36 the landowner will occur at minimum 5 days prior to entry. This period of time is  
37 intended to provide landowners with the opportunity to indicate the locations of  
38 any special fixtures (such as wells, tile drainage or septic areas) that are to be  
39 avoided while soil testing activities are carried out.  
40
- 41 7. Reasonable accommodation is to be made to the early access schedule for  
42 landowner requests/concerns to ensure access activities do not interfere with

- 1 landowner operations. These accommodations will be determined on a site  
2 specific basis but where appropriate may include the following:  
3
- 4 • The use of temporary fencing to surround soil testing area if tracked  
5 equipment remains onsite overnight;
  - 6 • The use and installation of temporary drainage (i.e. culverts)  
7 instruments on access routes to maintain drainage flows on access  
8 lands
- 9
- 10 8. Landowners can be present to observe early access activities subject to Hydro  
11 One safety policies and procedures and Occupational Health and Safety Act.  
12
- 13 9. Hydro One shall keep records of the personnel attending and entering on lands,  
14 the time in which entry occurred and the locations accessed.  
15
- 16 10. Upon request, landowners will be provided with the results of the information  
17 collected by the early access activities, (such as legal surveys and property  
18 appraisal information and the information described in (9) above) and biological  
19 information subject to applicable MNR or other agency disclosure guidelines  
20 (e.g., with respect to species-at-risk protection). In the event biological  
21 information cannot be disclosed to a landowner, Hydro One will disclose that fact  
22 and provide to the landowner the rationale for such non-disclosure.  
23
- 24 11. Hydro One or its agents will consult with landowners in advance of entry as to the  
25 manner in which gates/fences/entryways are to be managed while accessing  
26 property. In the event landowners cannot be contacted Hydro One shall ensure  
27 that gates/fences/entryways used by Hydro One personnel or its agents in  
28 connection with early access activities are left as found. Work sites are to be left  
29 in a safe condition overnight.  
30
- 31 12. Unless otherwise directed by this Board, this Order shall remain in effect until  
32 April 1, 2009  
33