



EB-2007-0051

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 98 of the Act, for an Interim Order granting access to land in connection with the Applicant's request for leave to construct a new transmission line between the Bruce Power Facility and the Milton Switching Station.

PROCEDURAL ORDER NO. 1 The Access to Land Application

Hydro One Networks Inc. filed an application with the Ontario Energy Board on March 30, 2007 for approval to access land in connection with Hydro One's application to construct a new transmission line between the Bruce Power Facility and the Milton Switching Station. This Access to Land Application was given Board File No. EB-2007-0051. A Notice of Application and Written Hearing for the Access to Land Application 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.

Parties in the Access to Land Proceeding are defined as those directly affected landowners along the proposed route who contacted the Board to indicate their desire to participate.

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A draft Issues List for the Access to Land proceeding is attached as an Appendix A to this Procedural Order. The Board will also hold an Issues Day to finalize the Issues List.

The Board will give an opportunity to the parties and Board Staff to ask Hydro One written questions (“interrogatories”) to seek additional information or to clarify the evidence provided by Hydro One in the Access to Land Proceeding. Hydro One will be required to answer these questions in the timelines set out below.

The Board will determine the form of the hearing (written or oral) following receipt of interrogatory responses. A timetable for this proceeding is attached to this Procedural Order as Appendix B.

The Board considers it necessary to make provision for the following procedural matters for the Access to Land Application. 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 Hydro One by **Monday, June 11, 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.
2. Any parties wishing to file a response shall file a responding motion record with supporting materials with the Board by **Monday, June 18, 2007** and send a copy to the party filing the motion.
3. The Board will hear the motions orally on **Monday, June 25, 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 Day proceeding will take place on, **Monday, July 9, 2007 at 9:30 a.m.** in the Board's North Hearing room located on the 25th floor, 2300 Yonge Street, at which time the Board will hear submissions with respect to the Proposed Issues List.

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5. Parties in the proceeding and Board Staff, 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, July 16, 2007**.
6. Hydro One shall file complete responses to the interrogatories with the Board and deliver all the responses to all the parties on or before **Monday, July 23, 2007**.
7. **All filings with the Board noted in this Procedural Order must be received by the Board by 4:45 p.m. on the stated date.** If possible, the parties are asked to provide correspondence in electronic form as well as three hard copies.

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

Access to Land Application by Hydro One Networks

EB-2007- 0051

DATED June 5, 2007

Proposed Issues List

Hydro One Networks Inc.

Application for Interim Order under section 98 of the OEB Act

Access to Land prior to approval of Leave to Construct

Bruce-Milton Transmission Reinforcement Project

EB-2007-0051

PROPOSED ISSUES LIST

1. The OEB Act allows the Board to authorize early access to land to allow an applicant “to make such surveys and examinations as are necessary for fixing the site of the work”. Are the early access activities proposed by Hydro One appropriate?
2. What if any conditions regarding the early access activities that the Board should attach to its order under ss. 98 (1.1.) (a) ?

**APPENDIX B
to**

Procedural Order No. 1

IN THE MATTER OF

Access to Land Application by Hydro One Networks

EB-2007-0051

DATED June 5, 2007

Timetable of the Proceeding

**EB-2007-0051
Timetable**

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

	Event	Date
		2007
1	Motion Records (Factums) Filed	Monday, June 11
2	Response to Motions	Monday, June 18
3	Motions Day	Monday, June 25
4	Issues Day	Monday, July 9
6	Interrogatories (written) to Hydro One	Monday, July 16
7	Responses (written) to Interrogatories by Hydro One	Monday, July 23