



**EB-2007-0051**

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

**AND IN THE MATTER OF** an Application by Hydro One Networks Inc., pursuant to section 98 of the OEB 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. 3 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.

Procedural Order No. 1 dated June 5, 2007 established a partial timeline for this proceeding and also provided a draft Issues List proposed by Board staff.

In a Procedural Order No. 2, issued on July 5, 2007, the Board determined that following the round of written interrogatories and interrogatory responses (established in Procedural Order No. 1), an oral hearing will be convened in Orangeville commencing on July 30, 2007.

On July, 9, 2007 the Board held an Issues Day. By way of an oral decision, the Board defined the final Issues List for the proceeding. The Board approved Issues List is attached as Appendix A of this Procedural Order.

Please be aware that further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. The scope of issues to be addressed in the EB-2007-0051 proceeding is set in the Issues List attached to this Procedural Order.

**DATED** at Toronto, July 9, 2007  
**ONTARIO ENERGY BOARD**

*Original Signed By*

Peter H. O'Dell  
Assistant Board Secretary

**APPENDIX A  
to**

**Procedural Order No. 3**

**IN THE MATTER OF**

**Access to Land Application by Hydro One Networks**

**EB-2007-0051**

**DATED July 9, 2007**

**Issues List**

Hydro One Networks Inc.

Application for Interim Order under section 98 of the OEB Act

Bruce-Milton Transmission Reinforcement Project

EB-2007-0051

**ISSUES LIST**

1. Is it appropriate to grant Permission to Access
  - a. In advance of the approved EA Terms of Reference , or
  - b. In advance of the submission of the proposed EA Terms of Reference to the Ministry of the Environment?
  
2. 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?
  
3. What conditions, if any, regarding the early access activities should the Board attach to its order under ss. 98 (1.1.) (a) ?