



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. 4 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 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 was attached to Procedural Order No. 3, issued on July 9, 2007.

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The Board wishes to provide parties in the Access to Land proceeding with an opportunity in advance of the oral hearing to pre-file written evidence upon which such parties intend to rely. The Board also requires that parties other than the Applicant, who intend to call witnesses to speak to pre-filed evidence or to deliver oral testimony at the hearing provide notice to the Board, the Applicant and all other parties of such intention. Please be reminded that any evidence, whether written or oral, that is intended to be filed or delivered by way of oral witness testimony must be within the scope of issues set in the Issues List. For a reference the Issues List is attached in Appendix A to this Procedural Order.

For clarity, the requirements in this Procedural Order do not apply if you are only planning to cross-examine Hydro One's witnesses and/or make oral comments in accordance with the Board's July 16, 2007 letter.

A list of parties to this proceeding is attached as Appendix B to this Procedural Order.

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

THE BOARD ORDERS THAT:

1. Any party wishing to file written evidence in the proceeding shall file such evidence with the Board and deliver it to the Applicant and all other parties on or before Wednesday, July 25, 2007.
2. Any party wishing to present oral evidence by way of the oral testimony of one or more witnesses at the hearing scheduled to commence on July 30, 2007 in Orangeville, shall notify the Board, the Applicant and all other parties on or before Wednesday, July 25, 2007.

DATED at Toronto, July 20, 2007

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Wallil
Board Secretary

**APPENDIX A
to**

Procedural Order No. 4

IN THE MATTER OF

Access to Land Application by Hydro One Networks

EB-2007-0051

DATED July 20, 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) ?

**APPENDIX B
to**

Procedural Order No. 4

IN THE MATTER OF

Access to Land Application by Hydro One Networks

EB-2007-0051

DATED July 20, 2007

List of Participants

ACCESS TO LAND APPLICATION
by
HYDRO ONE NETWORKS INC.
EB-2007-0051

APPLICANT & LIST OF PARTICIPANTS

July 18, 2007

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