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**Frank D'Andrea**

Vice President, Reliability Standards and Chief Regulatory Officer

BY EMAIL AND RESS

June 30, 2020

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

Dear Ms. Long,

**Re: Hydro One Network Inc.'s Response to the request for input into Virtual Hearings**

The Ontario Energy Board's ("OEB") issued a letter on June 17<sup>th</sup> 2020, requesting input into the proposal to facilitate "Virtual Hearings" using Zoom technology. This initiative is in response to the necessity to limit physical proximity during the COVID-19 pandemic.

Hydro One Networks Inc. ("Hydro One") applauds the effort and is pleased to provide initial input into the proposal. Moreover, given that Hydro One is a common participant in hearings and would likely be a frequent user of the proposed technology option, we would appreciate the opportunity to continue commenting on the initiative as it evolves. Finally, Hydro One has had success with similar technologies and makes the offer to support the OEB with any technical resources that the OEB may find valuable.

**Response:**

In its initial request letter asking for input on the proposal, the OEB asked three fundamental questions. Hydro One's response is in the form of bullet points considering potential issues focused on those questions.

**1. What issues should the OEB consider as it plans for the ability to conduct a virtual hearing?**

- a. The use of the technology may be impaired by the availability of reliable internet connections; especially for Northern or rural areas in Ontario. Most of the electrical distribution customers in these areas get service from Hydro One.
- b. It will be critical to develop and distribute a robust and validated training guide with a visual tutorial on how to connect to the hearing.
- c. As part of the training manual, the OEB should consider having dedicated technical support for participants to access in real-time during the hearing.

- d. Prepare an outline for the virtual hearing to establish a communication protocol during the hearing. This will be key to trying to maintain the vibrancy that is provided by a live hearing. This should include items such as:
  - i. How do people ask questions without interrupting the speaker,
  - ii. How does counsel interject on a point while a witness is testifying,
  - iii. Similarly, how do Panel members interject to moderate or facilitate certain lines of questioning,
  - iv. Visual Aids are often a key component of testimony. How do participants effectively present visual references (ie. evidence and other documents)
  - v. How do witnesses privately convene an ad-hoc discussion amongst themselves during questioning to consider a response.
  - vi. When exhibits are being discussed in a live hearing, copies of the exhibit are displayed on a screen. This has proven very helpful to the process. How will this take place in a virtual setting? What will be the process for the operator to ask for clarity if a reference is not clearly heard?
  - vii. Timing on when participants will receive documents such as compendiums, evidence to be filed in the hearing, undertakings etc. so that it can be effectively reviewed without distracting from the proceeding.
- e. How will the hearing be transcribed – especially if sound quality is poor? Recording technologies are available and such files may be helpful as part of the record.
- f. How will the hearing be made accessible for people with either visual or hearing disabilities
- g. Determine the “in camera” process for certain discussions.

**2. Are there any technical obstacles which would prevent you from participating in a virtual hearing?**

- The primary technical aspect that could prevent anyone from participating is access to reliable, high-speed internet. This may vary, even among Hydro One employees, if they are working from home.
- Will participants have equipment that is compatible with Zoom? In light of this, should the OEB make preparations to provide IT equipment to participants that do not have suitable devices.
- Recently there have been concerns raised regarding the security of online meeting platforms, such as Zoom. The OEB may want to investigate various platforms to ensure the security settings are suitable for the OEB’s purpose. Will the ownership of technology prejudice the hearing? For example, will poor sound or video quality impair the quality of the testimony for some participants.
- Could the OEB provide a separate, isolated, and safe physical location for participants to use that cannot make technology work in their circumstances? Could those locations be made available in parts of Ontario other than Toronto?

**3. Are there matters you think should be specifically discussed at a pre-hearing conference in advance of a virtual hearing?**

Not specifically. However, Hydro One requests the OEB to consider the use of an Issues List, which would enhance the clarity and scope of matters to be addressed, for all virtual hearings

Obviously, there are many more items that need to be considered. Hydro One would suggest that, as part of this process, the OEB plan upfront for a series of “mock hearings” with external participants to refine the use of the technology and build familiarity among the participants. Hydro One offers freely its staff and resources as desired by the OEB to help in that exercise.

Sincerely,

A handwritten signature in cursive script that reads "Frank D'Andrea".

Frank D'Andrea