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**Jeffrey Smith**

Director, Regulatory Initiatives, Compliance and Support

February 12, 2019

BY COURIER

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

Dear Ms. Walli:

**EB-2018-0218 – Request for Extension – Submission of Interrogatories on OEB Staff Evidence authored by Pacific Economics Group (“PEG”)**

Hydro One Sault Ste. Marie (“Hydro One SSM”) is currently reviewing the expert evidence that was written by Pacific Economics Group (“PEG”) and submitted by OEB Staff on February 4<sup>th</sup>, 2019.

On February 5<sup>th</sup> Hydro One SSM requested, via email, access to the Working Papers used by PEG to formulate their results. These Working Papers would be similar to those originally provided by Mr. Fenrick to OEB Staff and intervenors to support the study filed by Hydro One SSM in its original evidence. Following OEB Staff direction, Hydro One SSM followed up the original request in writing on February 7<sup>th</sup> and is including a Declaration and Undertaking signed by Hydro One SSM’s consultant, Steve Fenrick, who will be doing the analysis of the PEG information.

OEB Staff filed a letter on February 8<sup>th</sup>, 2019 stating, “*PEG is preparing the Working Papers for confidential distribution as soon as possible, and is making its best efforts to have the confidential un-redacted PEG Working Papers delivered ... by February 13, 2019.*”

Hydro One SSM plans to submit interrogatories pertaining to the expert evidence as prescribed in Procedural Order #3 of this proceeding. That order states that Interrogatories are due to be filed not later than February 19, 2019. This timing would practically allow 3-5 business days to review the Working Papers before the submission deadline.

Hydro One SSM’s application is supported by a study completed by Mr. Fenrick. Hydro One SSM notes that a copy Mr. Fenrick’s working papers were provided to OEB Staff by Hydro One SSM on or about August 29<sup>th</sup>, 2018. Interrogatories from OEB Staff (and PEG) related to this material were due on November 16<sup>th</sup>, 2018. This provided approximately 11 weeks for parties to review Mr. Fenrick’s evidence prior to the issuance of Interrogatories.

Mr. Fenrick has advised Hydro One SSM that authoring and submitting a complete and robust set of Interrogatories by February 19<sup>th</sup>, in concert with his other professional commitments already in place, would significantly hinder the quality of his review.

To ensure that all parties are afforded the opportunity for a fair and thorough review of the working papers, Hydro One SSM is requesting that the deadline for Interrogatory submission be extended by one week to February 26, 2019. Hydro One would take no issue if the schedule were also amended such that the two week time frame for written response to the Interrogatories by OEB Staff and PEG be maintained and the response date be moved from March 7<sup>th</sup> to March 14<sup>th</sup>.

We appreciate the Board's consideration in this matter.

Sincerely,

ORIGINAL SIGNED BY JEFFREY SMITH

Jeffrey Smith

**Ontario Energy Board**  
**Form of Declaration and Undertaking**

EB-2018-0218

IN THE MATTER OF Hydro One Sault Ste. Marie LP 2019 Electricity Transmission Rate Application

DECLARATION AND UNDERTAKING

I, Steve Fenrick, am counsel of record or a consultant for  
Hydro One Sault Ste. Marie.

DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

UNDERTAKING

I undertake that:

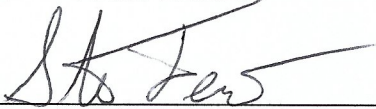
1. I will use Confidential Information exclusively for duties performed in respect of this proceeding.
2. I will not divulge Confidential Information except to a person granted access to such Confidential Information or to the Board.
3. I will not reproduce, in any manner, Confidential Information without the prior written approval of the Board. For this purpose, reproducing Confidential Information includes scanning paper copies of Confidential Information, copying the Confidential Information onto a diskette or other machine-readable media and saving the Confidential Information onto a computer system.
4. I will protect Confidential Information from unauthorized access.
5. With respect to Confidential Information other than in electronic media, I will, promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding:
  - (a) return to the Board Secretary, under the direction of the Board Secretary, all documents and materials in all media containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information; or
  - (b) destroy such documents and materials and file with the Board Secretary a certification of destruction in the form prescribed by the Board pertaining to the destroyed documents and materials.
6. With respect to Confidential Information in electronic media, I will:
  - (a) promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding, expunge all documents and materials containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information, from all electronic apparatus and data storage media under my direction or control and file with the Board Secretary a certificate of destruction in the form prescribed by the Board pertaining to the expunged documents and materials; and
  - (b) continue to abide by the terms of this Declaration and Undertaking in relation to any such documents and materials to the extent that they subsist in any electronic apparatus and data storage media under my direction or control and cannot reasonably be expunged in a manner that ensures that they cannot be retrieved.
7. For the purposes of paragraphs 5 and 6, the end of this proceeding is the date on which the period for filing a review or appeal of the Board's final order in this



proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.

8. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Madison, WI this 10th day of  
February, 2019.

Signature: 

Name: Steve Fenrick

Company/Firm: Clearspring Energy Advisors, LLC

Address: 1050 Regent St. Madison, WI

Telephone: 608.442.8668

Fax: \_\_\_\_\_

E-mail: steve.fenrick@clearspringenergy.com