



Hydro One Networks Inc.

**Application for leave to construct: reconductoring of
electricity transmission lines in the cities of Toronto and
Mississauga.**

**PROCEDURAL ORDER NO. 2
October 13, 2021**

Hydro One Networks Inc. (Hydro One) applied to the Ontario Energy Board (OEB) on July 16, 2021 under sections 92 and 97 of the Ontario Energy Board Act, 1998, S.O. 1998, c. 15, (Schedule B), for approval to reductor four electricity transmission circuits between the Richview Transformer Station and the Trafalgar Transformer Station in the cities of Toronto and Mississauga.

Confidentiality

Pursuant to Procedural Order No. 1, Hydro One filed responses to interrogatories filed by intervenors and OEB staff. In a letter dated October 8, 2021, Hydro One requested confidential treatment of “information data” which is contained in a spreadsheet that was filed as an attachment as part of the response to interrogatory Exhibit I, Tab 3, Schedule 3 part i. Hydro One stated that the information should not be disclosed for the following reasons:

The information included in the spreadsheet is sensitive and privileged data pertaining to flows on the Bulk Electrical System. This is classified as commercially sensitive information as there is a potential for historical data to be used for future speculative transactional opportunities and therefore detrimental to free market forces, and it should not be publicly disclosed. For these reasons, Hydro One submits that the confidentiality of this information outweighs the public interest in terms of its disclosure.

Additionally, Hydro One requested approval to “maintain the redactions of persons names and personal information with regards to landowner agreements submitted as Attachment 1 in response to interrogatory Exhibit I, Tab 2, Schedule 1. Hydro One stated that the “names are not relevant, nor in the public interest to disclose in the context of this leave to construct Application”.

Hydro One stated that the information for which Hydro One requests confidential treatment “is consistent with the types of information for which confidential treatment is contemplated in Appendix 'A' to the Practice Direction and for which the OEB has consistently granted confidential status”.

In accordance with the OEB’s *Practice Direction on Confidential Filings* (Practice Direction), the OEB will allow parties an opportunity to file any submissions with respect to Hydro One’s requests for confidentiality, and for Hydro One to respond to any submissions.

Until such time that the OEB makes a final determination on Hydro One’s request, Attachment 1 provided in response to Environmental Defence interrogatory Exhibit I, Tab 3, Schedule 3 part i) will be treated as confidential. An unredacted version of Attachment 1 will be provided to individuals who sign a Declaration and Undertaking. The OEB has determined that the redacted portions of Attachment 1 to City of Mississauga interrogatory Exhibit I, Tab 2, Schedule 1 will be permanently redacted and unavailable to individuals irrespective of signing a Declaration and Undertaking. This personal information is not relevant to the proceeding, and redaction further appears to be required in accordance with the Freedom of Information and Protection of Privacy Act (FIPPA).

Technical Conference

Procedural Order No. 1 established the Application’s procedural schedule, up to and including Hydro One’s filing of its reply argument. Procedural Order No. 1 set a tentative date of October 15, 2021 for a transcribed technical conference to clarify interrogatory responses. Procedural Order No. 1 ordered that any party requesting a technical conference shall file its request and list of the interrogatories that require clarification with the OEB by October 12, 2021.

Each of Environmental Defence, the Association of Power Producers of Ontario and OEB staff filed letters indicating that they do not request a technical conference. No letters were received from the City of Mississauga, the Independent Electricity System Operator or Capital Power Corporation. The OEB will therefore not hold a technical conference for this proceeding.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. If OEB staff or intervenors wish to object to Hydro One's request for confidentiality in relation to Attachment 1 provided in response to Environmental Defence interrogatory Exhibit I, Tab 3, Schedule 3 part i), they shall file written submissions with the OEB and deliver them to Hydro One and all other parties by October 18, 2021.
2. The redactions of persons names and personal information with regards to landowner agreements submitted as Attachment 1 in response to interrogatory Exhibit I, Tab 2, Schedule 1 will be permanently maintained.
3. If Hydro One wishes to respond to any submissions received, it shall file such submissions with the OEB and deliver them to parties by October 25, 2021.
4. The technical conference that was tentatively scheduled for Friday October 15, 2021 will not be held.
5. All other dates established through Procedural Order No. 1 remain unchanged.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2021-0136** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [Filing Systems page](#) on the OEB's website
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Andrew Pietrewicz at andrew.pietrewicz@oeb.ca and OEB Counsel, Michael Millar at michael.millar@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, **October 13, 2021**

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar