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Ontario Energy Board
P.O. Box 2319, 27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Attention: Ms. Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: : EB-2023-0298: Upper Canada Transmission 2 Inc., (“UCT 2”) Application for Electricity Transmission Rates Beginning January 1, 2024

We are counsel to UCT 2 in the above matter. We write with regard to the Interrogatory Response filing date (January 30, 2024) and Settlement Conference set out in the Board’s Procedural Order No. 1.

On January 10, 2024, UCT 2 received 310 written interrogatories (inclusive of subparts) from OEB Staff and interveners. UCT 2’s personnel have been working on these requests; working well beyond regular business hours each and every day since January 10, 2024. Despite these significant efforts, the original 20 day period contemplated in Procedural Order No. 1 will not provide sufficient time to file responses. UCT 2 expects to complete this by no later than noon February 5, 2024. UCT 2 is therefore requesting this relatively short extension of time (i.e. less than four full business days) as it is reasonable given the number and content of the questions received and the original allotted time.

UCT 2 is mindful that the Settlement Conference set out in Procedural Order No. 1 is scheduled for February 8th and 9th, 2024. Based on informal discussions held with a number of intervener representatives, deferring the Settlement Conference until the week of February 12th 2024 is preferred.

UCT 2 is aware of two main constraints with this timing. First, several interveners are also involved in the Board’s EB-2023-0295 proceeding. February 12th is the deadline for interveners to file interrogatories in that proceeding thus making it difficult, if not impossible, for them to participate in a Settlement Conference into this proceeding, should it be scheduled to begin on that date. Second, UCT 2 representatives are unavailable on February 15th as in-person attendance is required at other oral regulatory proceedings.

While other individual intervener timing constraints may arise with the remaining dates, it is UCT 2’s strong preference that the Settlement Conference proceeds on February 13th or 14th and the 16th remains available, should circumstances warrant use of that time. If at any time a consensus is reached that the prospect of settlement is unlikely, UCT 2 will advise the Board in writing within

24 hours from the date of that outcome. Further, UCT 2 proposes to report on the status of the Settlement process by no later than February 21, 2024.

In summary, UCT 2 respectfully requests Procedural Order No. 1 is revised to accommodate:

- An extension to file interrogatory responses by noon, February 5th 2024;
- Commencement of the Settlement Conference occurs on either February 13th or 14th and carries over on February 16th.
- UCT 2 will, within 24 hours, advise the Board in writing if the prospect of settlement is unlikely; and
- UCT 2 will provide the Board with a report on the status of settlement by no later than February 21, 2024 if settlement discussions are ongoing or have been completed.

Please feel free to contact the undersigned should you have any questions or concerns.

All of which is respectfully submitted,

McCarthy Tétrault LLP



Gordon M. Nettleton
Partner | Associé

cc: EB-2020-0150 Interested Parties
Michael Price, OEB Staff