

**HYDRO ONE LIMITED
RESPONSE TO REQUEST FOR INFORMATION**

JURISDICTION:	WASHINGTON	DATE PREPARED:	9/14/2018
CASE NO.:	U-170970	WITNESS:	James Scarlett
REQUESTER:	TEP	RESPONDER:	Adele Pantusa
TYPE:	Data Request	DEPT:	Law
REQUEST NO.:	TEP – 042(H1)	TELEPHONE:	416-345-6310
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REQUEST:

RE: Supplemental Testimony of James D. Scarlett, Exh. JDS-1T at 22:21-23:12.

With regard to the referenced testimony, please state:

- a. Regarding Commitment 30, please state whether there are any limitations of any kind on the Commission's authority to enforce the Commitments of the Settlement Stipulation as against Hydro One Limited, or any Hydro One subsidiary, based upon the phrase "in accordance with their terms" or any other basis. If so, please describe the limitation with specificity.
- b. Does Commitment 31 (Submittal to State Court Jurisdiction) bind Hydro One Limited, or any other Hydro One corporate entity above the level of Olympus Holdings to submit to state court jurisdiction in Washington?
- c. Regarding Commitment 33 (Commitments Binding), please explain the specific import of the phrase "where noted" and identify with specificity any situation where commitments are not binding upon Hydro One Limited, Olympus Holding Corp. or any other Hydro One entity.

RESPONSE:

- a. Except as otherwise stated in the Commitments themselves (hence, the language "in accordance with their terms"), there are no limitations on the Commission's authority to enforce the Commitments of the Settlement Stipulation as against Hydro One Limited, or any Hydro One subsidiary.
- b. While Commitment 31 specifically refers to "*Olympus Holding Corp. Olympus Holding Corp., on its own and its subsidiaries' behalf, including Avista*", Hydro One agrees to submit to the jurisdiction of the Washington courts for enforcement of violations of the Commitments in the Settlement Stipulation, as was agreed to in the Oregon Settlement Stipulation.
- c. Each Commitment specifies which entity has agreed to it and be bound by it. For example, if a Commitment reads that "Avista shall....", it means Avista is bound by the Commitment. If a Commitment reads "Hydro One and its subsidiaries shall", then Hydro One and each of its subsidiaries are bound by the Commitment (including Avista once the merger is consummated).