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November 6, 2018

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
Suite 2701  
2300 Yonge Street  
Toronto, ONM4P 1E4

Dear Ms. Walli:

**Re: Combined Proceeding - EB-2017-0182, EB-2017-0194, EB-2017-0364**

On November 1, 2018, the Ontario Energy Board (the “Board”) wrote to the Ministry of Environment, Conservation and Parks (“MECP”), seeking clarification of three points as follows:

1. When does/did the six months for the Wawa Class Environmental Assessment (“EA”) process begin? This is based on the letter dated October 31, 2018 from MECP confirming that the Class EA process could be completed in less than six months.
2. What impact does the need for a Class EA for Wawa have on the issuance of the Individual EA approval for the East-West Tie line? For example, would approval for NextBridge’s EA be postponed until the successful completion of the Wawa Class EA?
3. What impact does the need for a Class EA for Wawa have on the issuance of the various permits and approvals required for construction on the East-West Tie line?

We understand that the Board’s request for clarification arose from MECP’s evidence at the Combined Hearing that MECP has linked EA approvals that relate to the transmission line project. Specifically, as mentioned by the Board, at page 124 of the Transcripts dated October 12, 2018, Mr. Evers states:



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*So the ministry's position, interpretation of that, is that one project can't happen without the other. So there needs to be some regulatory certainty from the individual EA process in order to release permits and approvals for the transformer station that is essentially part of the project.*

And then at page 144 of the Transcripts dated October 12, 2018, Mr. Bonaguro states and Mr. Evers of MECP responds:

*MR. BONAGURO: "My understanding, when you were speaking with Mr. Murray about the relationship between the Marathon station approval and the East-West Tie or LSL approval -- whichever one you want to link it to -- my understanding is that part of the reason that you don't want to give approval or you can't give approval to the Marathon TS station now is for regulatory certainty; i.e., you want to make sure that it is being done in accordance with a line, because otherwise, if no line is approved, then there is no need for an EA approval of that station, correct?"*

*MR. EVERS: That's correct.*

The Board is seeking to understand whether MECP would, in light of this evidence at the Combined Hearing and MECP's recent decision regarding the need for a Class EA at Wawa, be delaying issuance of the individual EA approval for NextBridge's East-West Tie line (and its construction permits and approvals) until such time as the Wawa Class EA process is completed.

It would appear that the response from the MECP will give rise to the need for further submissions from both Hydro One and NextBridge. We are asking that the Board require MECP to provide a response to its letter requesting clarification by no later than noon on November 7, 2018 and extend the deadline for the filing of Reply until November 9, 2018. Should MECP respond by end of today, November 6, 2018, we are requesting that the deadline for filing of Reply be extended by two business days to permit the parties to consider the MECP response for purposes of Reply.

We would ask that the Board provide a response to this letter as soon as possible, as the parties are working on the Reply.

Yours very truly,



Rosalind H. Cooper

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Encls.