



EB-2009-0104

IN THE MATTER OF section 99(1) of the *Ontario Energy Board Act 1998*, S.O.1998, c.15, (Schedule B);

AND IN THE MATTER OF an application by Hydro One Networks Inc. for authority to expropriate interest in certain lands for the purpose of constructing transmission facilities in the Woodstock area.

ORDER

Hydro One Networks Inc. ("Hydro One") has filed an application (dated April 2, 2009 and revised April 17, 2009) with the Ontario Energy Board (the "Board") under section 99 of the *Ontario Energy Board Act 1998*, S.O. 1998, c. 15 (Schedule B) (the "Act") for authority to expropriate lands for the purpose of constructing electricity transmission facilities in the Woodstock area.

Prior to August 18, 2009, Hydro One reached agreements with three of the four property owners included in its application to the Board and the application with respect to those three properties was withdrawn, leaving only the application with respect to the I-ON-X Acres Inc. property outstanding. I-ON-X Acres Inc. was an Intervenor in this case and was granted eligibility for a cost award.

An oral hearing was scheduled for August 18, 2009. The parties appeared for the hearing and reported that Hydro One and I-ON-X Acres Inc. had reached a tentative agreement but needed more time for further discussions to finalize it and to complete the transaction. As a result, the hearing was adjourned.

On October 9, 2009, Hydro One filed a letter with the Board advising that the transaction between Hydro One and I-ON-X Acres Inc. was completed on October 6,

2009, that approval to expropriate was no longer required and requesting that the Application be withdrawn. This left only the matter of cost awards to be addressed by the Board.

By a letter from Hydro One dated October 26, 2009 and an e-mail from I-ON-X Acres Inc. dated October 27, 2009, the parties advised that they have settled the costs payable to I-ON-X Acres Inc. and accordingly there will be no cost claim from I-ON-X Acres Inc.

The only outstanding item that remains is the recovery of the Board costs incurred, in accordance with Section 30 of the *Act*. The Board costs are mainly for transcription services that had been contracted for a one-day hearing on August 18, 2009, which the Board is still required to pay, even though the hearing was adjourned. The matter of Board costs is addressed below.

THE BOARD ORDERS THAT:

Hydro One Networks Inc. shall pay the Board's costs incidental to this proceeding upon receipt of the Board's invoice.

Upon receipt of the payment from Hydro One, Board file EB-2009-0104 will be closed.

DATED at Toronto, October 30, 2009

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary