

**OEB STAFF INTERROGATORIES**  
**APPLICATION BY HYDRO ONE NETWORKS INC.**  
**FOR AUTHORITY TO EXPROPRIATE INTEREST IN CERTAIN LANDS**  
**EB-2010-0023**

**Status of Properties within the Niagara Escarpment Planning Area**

*References: (1) Exhibit A, Tab 1, Schedule 1, Page 5, Par. 11*  
*(2) Decision From the Niagara Escarpment Hearing Office, dated July 12, 2010*

**Preamble**

In Reference (1), Hydro One advised that the Niagara Escarpment Commission's ("NEC") decision to grant a development permit for the Project is currently under appeal. As a result, 13 properties within the Niagara Escarpment Planning Area (the "Properties") have not been included in the application. Hydro One further submitted, that depending on the timing and outcome of this appeal, Hydro One will advise the Board of whether revisions will be made to the application or if a separate application for expropriation authority in respect of such properties will be necessary.

On July 13, 2010, Hydro One filed with the Board, a written decision (Reference (2)) from the Niagara Escarpment Hearing Office (the "NEC Decision"), dated July 12, 2010, concerning motions that requested, among other things, adjournment of the NEC appeal process. In that decision, the proposed motions were dismissed.

Board staff requires clarification regarding the status of the above, including Hydro One's expected process and timing for acquiring the property/easement rights for the Properties.

**Questions / Requests**

1. Since the motions mentioned in the preamble have been dismissed, what is the current status of the NEC's appeal process regarding the Properties? When is this expected to be resolved?
2. The NEC Decision indicates that the NEC conditionally approved Hydro One's application on October 16, 2009. What are the conditions of that approval?

3. Please describe the process and timing that Hydro One expects to follow with respect to acquiring its required property / easement rights for the Properties.
4. If applicable, does Hydro One intend to revise the current application or file a separate application with the Board, if voluntary settlements are not reached with some or all of the owners of the Properties? Please provide the expected timing.