

**Ministry of the
Attorney General**

Legal Services Branch
Environment and Climate Change

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Via email (boardsec@oeb.ca and registrar@oeb.ca) and delivery (two hard copies to the Board)

April 16, 2018

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
E-mail: boardsec@oeb.ca
Tel: 1-888-632-6273
Fax: 416-440-7656

Dear Ms. Walli

**RE: Board File No. EB-2017-0364
NextBridge Infrastructure motion to dismiss application
Letter of Intervention**

I am writing to request that the Ministry of the Environment and Climate Change ("MOECC") be granted intervenor status in NextBridge Infrastructure's motion to dismiss Hydro One Networks Inc.'s Lake Superior Link application.

The OEB has invited parties to the motion to make submissions on the issue of whether NextBridge's environmental assessment work for the East-West Tie line project can be

used by Hydro One for the purpose of complying with *Environmental Assessment Act* (“EAA”) requirements. In addition, the OEB requires Hydro One to provide evidence on the following questions:

- the status of discussions between Hydro One and the Ministry of the Environment and Climate Change regarding any exemption to *EAA* requirements, and
- the implications for Hydro One’s proposed project if no exemption is forthcoming or if it cannot avail itself of the environmental assessment work performed by NextBridge.

The MOECC wishes to intervene in this matter to provide assistance to the Board on the question as to whether NextBridge’s environmental assessment work can be used by Hydro One for the purposes of complying with the *EAA*. As the ministry responsible for the *EAA*, MOECC has expertise in the interpretation and application of the *EAA*. MOECC has an interest in ensuring that the provision of the *EAA* are interpreted and applied properly and consistently. MOECC’s intervention on this issue will not cause prejudice to the parties and is unlikely to duplicate the arguments of the parties to the hearing.

The Ministry is also prepared to provide evidence and submissions on the status of discussions between Hydro One and MOECC regarding *EAA* requirements and possible exemptions.

As an intervenor, MOECC reserves the right to adduce evidence, receive a copy of the evidence and submissions, submit interrogatories, cross-examine witnesses, attend technical and settlement conferences, provide oral and written submissions, and attend hearings in accordance with the Board's procedures stipulated for this proceeding.

MOECC requests a copy of the written evidence and all documents filed with the Board by each party to this motion.

MOECC does not intend to seek an award of costs.

MOECC can be served with documents by delivering to me at the following address:

Nicholas Adamson
Crown Counsel
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Climate Change
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This letter has been copied to counsel for the moving party, NextBridge, and to counsel for the applicant, Hydro One.

Yours very truly,

A handwritten signature in black ink, appearing to read "Nicholas Adamson". The signature is fluid and cursive, with the first name "Nicholas" being more legible than the last name "Adamson".

Nicholas Adamson

cc: Zora Crnojacki, Case Manager (via email to zora.crnojacki@oeb.ca)
Lawren Murray, OEB Counsel (via email to lawren.murray@oeb.ca)
Fred. D. Cass, counsel for NextBridge Infrastructure (via email to fcass@airdberlis.com)
Michael Engelberg, counsel for Hydro One Networks Inc. (via email to mengelberg@HydroOne.com)