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BY E-Mail

December 3, 2019

Ms. Jennifer Tidmarsh
Project Director
Upper Canada Transmission, Inc. (NextBridge Infrastructure)
390 Bay Street, Suite 1720
Toronto, ON M5H 2Y2

Dear Ms. Tidmarsh:

**Re: East-West Tie Expropriation
East-West Tie Project – Expropriation Application
Ontario Energy Board File Number: EB-2019-0127**

Upper Canada Transmission, Inc. operating as NextBridge Infrastructure, LP (NextBridge) applied to the Ontario Energy Board (OEB) under s. 99 of the *Ontario Energy Board Act, 1998* (OEB Act) for an order granting authority to expropriate interests in 12 parcels of land to construct a 450 kilometer 230 kV transmission line in northwestern Ontario (East-West Tie (EWT) Project). On September 12, 2019 the OEB issued a Decision and Order authorizing NextBridge Infrastructure LP (NextBridge) to expropriate the interests sought in the lands on 12 properties owned by six registered owners (Expropriation Decision and Order). The OEB granted to NextBridge the authority to expropriate three types of interests in land:

- i. Permanent Transmission Line
- ii. Permanent Road Use Easements
- iii. Temporary Road Use Easements –The term of temporary rights sought is for either four or seven years.

The Expropriation Decision and Order required that NextBridge file with the OEB final expropriation plans for OEB endorsement (certification) as soon as practical. NextBridge filed five out of 12 final expropriation plans with the OEB for certification. In

the process of reviewing the submitted expropriation plans, the OEB noted an omission in its findings in the Expropriation Decision and Order.

The Decision and Order on page 8 noted that NextBridge requested a four-year term for some Temporary Road Use Agreements as the construction is estimated to last two years and NextBridge needs an additional two years for post construction monitoring and restoration. The OEB also noted that NextBridge requires seven-year Temporary Road Use Easements on parcels where species at risk permits are required pursuant to the *Endangered Species Act, 2007*.

The Expropriation Decision and Order omitted confirming that the four and seven year terms of the temporary easements are appropriate. The OEB has therefore, pursuant to Rule 41.02 of the OEB's *Rules of Practice and Procedure*, revised its findings on page 8 of the Expropriation Decision and Order as follows:

OEB Findings

The OEB finds that the requested permanent and temporary easement area dimensions, ~~and~~ locations and terms are appropriate in the circumstances. The OEB finds that NextBridge has minimized the size of the requested easements following the applicable standards and guidance in order to reduce the impact on the affected properties. The OEB notes that NextBridge has committed to implement mitigation strategies outlined in the EA Report to minimize environmental impacts on the affected properties.

The corrected Expropriation Decision and Order is attached.

Yours truly,

Original Signed By

Christine E. Long
Registrar and Board Secretary

c. Nina Lindop, Legal Counsel, Enbridge
Scott Stoll, Aird & Berlis, Counsel for NextBridge