

BY EMAIL AND RESS

March 14, 2025

Ms. Nancy Marconi
Registrar
Ontario Energy Board
Suite 2700, 2300 Yonge Street
P.O. Box 2319
Toronto, ON M4P 1E4

Dear Ms. Marconi,

Re: EB-2024-0319 – Hydro One Networks Inc. – Waasigan – s. 99 Expropriation – Interrogatory Responses – Kurt Krause Interrogatories

Please find attached an electronic copy of responses provided by Hydro One Networks Inc. (“Hydro One”) to questions received through OEB Staff from Mr. Kurt Krause on March 11, 2025.

Hydro One also acknowledges receipt of two letters of comment dated March 10 and 13, 2025. Hydro One will provide a formal response to these comments as expeditiously as possible and with the intent of not impacting the timelines established for this hearing as set out in Procedural Order #1. Hydro One is striving to have a response provided by no later than end of day March 17, 2025.

Hydro One confirms that all documents filed in support of Hydro One’s interrogatory responses do not disclose any personal information under the *Freedom of Information and Protection of Privacy Act*.

An electronic copy of these responses has been submitted using the Board’s Regulatory Electronic Submission System.

Sincerely,



Joanne Richardson

Cc: All registered parties
Gord Nettleton (McCarthy Tétrault)

1 **KURT KRAUSE INTERROGATORY - 01**

2
3 **Reference:**

4 Questions regarding the conditions of approval and their fulfillment

5
6 **Preamble:**

7 1. Condition Fulfillment and Delays

8
9 **Interrogatory:**

10 Hydro One has stated that not all conditions of approval have been fulfilled, particularly
11 those related to land acquisition agreements and expropriation. Could you please
12 elaborate on the specific obstacles preventing the timely fulfillment of these conditions,
13 and what steps Hydro One is taking to address them? What is the expected timeline for
14 satisfying the remaining conditions?

15
16 **Response:**

17 As detailed in response to OEB Staff Interrogatory 1, the timing of approvals being sought
18 and issued takes into account detailed work locations, seasonality of planned works,
19 construction methodology and potential changes to legislation. Approvals are prioritized
20 based on site-specific work-front construction requirements and are obtained as needed
21 throughout the Project.

22
23 The inability to voluntarily reach land acquisition agreements is the basis for this
24 application. While reasonable attempts have been made to pursue voluntary land
25 acquisition agreements with all affected landowners, project construction and in-service
26 timing now require Hydro One to proceed with the requested expropriation authorization
27 relief sought in this application.

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KURT KRAUSE INTERROGATORY - 02

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Reference:

Questions regarding the conditions of approval and their fulfillment

Preamble:

2. Permit Delays

Interrogatory:

Several permits for Phase 1 of the Waasigan Project are listed as 'partially approved' or 'submitted.' Can Hydro One confirm whether any significant delays in obtaining these approvals could impact the planned construction schedule for Phase 1, and if so, how Hydro One plans to mitigate those risks?

Response:

Permitting delays are potential risks that can adversely affect construction timing and in-servicing of any project.

Hydro One mitigates these risks by implementing appropriate plans that prioritize the approvals required on site-specific work front construction requirements such that all necessary approvals required along a specific work front are obtained. Once approvals are obtained, planning activities continue along other specific work fronts in the same manner. Planning activities entail ongoing dialogue and consultations with all municipal and other permit authorizing bodies.

Risks associated with significant delays in obtaining approvals will be evaluated and mitigated on a case-by-case basis, depending on the specific approval and activity at each work location.

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1 **KURT KRAUSE INTERROGATORY - 03**

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3 **Reference:**

4 Questions regarding expropriation and land acquisition

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6 **Preamble:**

7 3. Expropriation for Phase 1

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9 **Interrogatory:**

10 In the application, Hydro One has requested expropriation authority for 19 properties. How
11 does Hydro One plan to handle any potential disputes or delays in reaching agreements
12 with landowners, and what measures are in place to ensure that expropriation does not
13 unduly delay the construction schedule?

14
15 **Response:**

16 Hydro One's requested expropriation authorization relief, if granted, will preclude the need
17 to reach voluntary land acquisition agreements. Expropriation authorization, if granted,
18 means that no further voluntary negotiations pertaining to the acquisition of land rights is
19 necessary. Disputes regarding compensation for expropriated land rights are matters that
20 will be considered and negotiated further following construction of the Project, but these
21 efforts will not impact construction timing or in-servicing requirements.

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1 **KURT KRAUSE INTERROGATORY - 04**

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3 **Reference:**

4 Questions regarding expropriation and land acquisition

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6 **Preamble:**

7 4. Voluntary Agreements

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9 **Interrogatory:**

10 Hydro One has stated that it has reached voluntary land acquisition agreements with two
11 additional landowners, reducing the number of properties for expropriation. Could Hydro
12 One provide more details on how it is working to expedite agreements with other
13 landowners, and whether there are specific efforts to avoid expropriation altogether for the
14 remaining properties?

15
16 **Response:**

17 For clarity, the removal of two properties from the expropriation application was the result
18 of the real estate transactions pertaining to those properties being closed and registered.
19 Therefore, expropriation authority in respect of these land interests is no longer required.
20 These properties were removed from the list of properties outlined in Attachment 1 of OEB
21 Staff Interrogatory 2.

22
23 While Hydro One is still prepared to convene discussions with remaining landowners,
24 construction timing and in-service requirements dictate that obtaining all necessary
25 remaining land interests by way of expropriation authorization, as is sought in this
26 application, is necessary and in the public interest.

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1 **KURT KRAUSE INTERROGATORY - 05**

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3 **Reference:**

4 Questions regarding project timing and cost impacts

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6 **Preamble:**

7 5. Impact of Delayed Expropriation Authorization:

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9 **Interrogatory:**

10 Hydro One mentioned that delays in granting expropriation authorization would lead to
11 additional costs and delays. Could you clarify how much the projected costs and timeline
12 would be impacted if the requested expropriation authority is delayed by 30, 60, or 90
13 days?

14
15 **Response:**

16 Incremental costs arising from construction timing delays are generally dependent upon a
17 variety of factors, including, specific work-front location, availability of equipment, the
18 ability to re-deploy equipment and resources to other unaffected work front locations,
19 environmental and seasonality impacts etc. The magnitude of incremental costs arising
20 from construction timing circumstances cannot be estimated absent specific information
21 that would then be necessary to assess and quantify. As such, Hydro One has not and
22 cannot conduct the generic type of analysis requested in this question.

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1 **KURT KRAUSE INTERROGATORY - 06**

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3 **Reference:**

4 Questions regarding project timing and cost impacts

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6 **Preamble:**

7 6. Schedule and Cost Adjustments

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9 **Interrogatory:**

10 Given that Hydro One is aiming to complete Phase 1 by the end of 2025, can Hydro One
11 provide a more detailed breakdown of the contingency plans in place should delays in
12 obtaining necessary approvals or expropriation authorization push the timeline beyond the
13 expected completion date?

14
15 **Response:**

16 Hydro One's application for expropriation authorization is, effectively, a contingency plan
17 triggered by the inability to successfully negotiate voluntary land acquisition agreements
18 with all affected landowners.

19
20 The OEB's process is to fairly and efficiently hear and consider the evidence submitted in
21 this proceeding and to make decisions regarding the relief sought. These are matters that
22 can reasonably proceed in a manner that respects Hydro One's construction and in-
23 service timing requirements.

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1 **KURT KRAUSE INTERROGATORY - 07**

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3 **Reference:**

4 Questions regarding confidentiality and transparency

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6 **Preamble:**

7 7. Confidentiality of Information

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9 **Interrogatory:**

10 Hydro One has submitted certain information in confidence due to concerns regarding
11 personal data. Could Hydro One please clarify whether the redacted information could
12 significantly affect the understanding of the project's potential risks or environmental
13 impacts? Additionally, if such an impact exists, how will this information be made
14 accessible to the Ontario Energy Board (OEB) or intervenors for review? Furthermore,
15 could Hydro One confirm whether the confidential document filings dated March 5, 2025,
16 represent the complete disclosure of all proceedings related to the aforementioned
17 project?

18
19 **Response:**

20 No, the redacted information does not affect the understanding of the project risks, nor
21 does it have any environmental impacts. The redacted information is to ensure Hydro
22 One's interrogatory responses do not disclose any personal information as per the
23 *Freedom of Information and Protection of Privacy Act*, and for the protection of
24 sensitive/confidential information related to ongoing negotiations between Hydro One and
25 landowners. Hydro One's confidential document filing on March 5, 2025, pertain only to
26 the two attachments in response to OEB Staff Interrogatory 1, specifically the Attachment
27 1: Description of Lands over which Authority to Expropriate is being Requested, and
28 Attachment 2: Records of Consultation.

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1 **KURT KRAUSE INTERROGATORY - 08**

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3 **Reference:**

4 Questions regarding confidentiality and transparency

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6 **Preamble:**

7 8. Transparency on Permit Status

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9 **Interrogatory:**

10 There are multiple permits listed as either 'submitted,' 'partially approved,' or 'planned.'
11 Given the complexity of the project, how does Hydro One ensure that the permitting
12 process is fully transparent, and what steps are taken to ensure that any issues are flagged
13 early enough to avoid schedule disruptions?

14
15 **Response:**

16 Hydro One complies with requirements of the permitting process as set out by the
17 authorizing agency for the various required permits. Transparency with respect to
18 individual approvals is the responsibility of each particular approval granting authority and
19 not Hydro One.

20
21 Hydro One manages its individual work front approval requirements in a variety of ways,
22 including coordinated planning efforts with its Project Engineering, Procurement and
23 Construction contractor and through ongoing dialogue with various approval making
24 authorities and their staff.

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