
From: Kurt Krause <kamorganics@aol.com>

Sent: Saturday, March 29, 2025 9:43 PM

To: Office of the Registrar <Registrar@oeb.ca>

Subject: Subject: Follow-Up on Expropriation Application – Procedural Concerns and Request for Clarifications (EB-2024-0319)

Kurt Krause

March 30, 2025

Ms. Nancy Marconi

Registrar

Ontario Energy Board

Suite 2700, 2300 Yonge Street

P.O. Box 2319

Toronto, Ontario, M4P 1E4

Subject: Follow-Up on Expropriation Application – Procedural Concerns and Request for Clarifications (EB-2024-0319)

Dear Ms. Marconi,

I am writing to formally follow up on the Ontario Energy Board (OEB) staff submission dated March 28, 2025, regarding Hydro One's expropriation application for the Waasigan Transmission Project (EB-2024-0319). As an intervenor in this proceeding, I would like to highlight several key concerns regarding procedural fairness, the adjudicative process, and the broader policy implications of this matter.

1. Procedural Fairness & Transparency in Expropriation Applications

The OEB Act mandates a structured process for expropriation applications, ensuring all affected parties are given a fair and transparent hearing. However, I believe that certain aspects of Hydro One's approach warrant further scrutiny:

- **Incomplete or Delayed Information:** The documentation provided to affected landowners, including myself, has contained inaccuracies and inconsistencies. This raises concerns about whether Hydro One has fully complied with Section 99(3) of the Act, which requires complete and accurate filings regarding land descriptions and affected parties.
- **Negotiation Conduct:** Hydro One's consultation efforts, as documented in the Record of Consultations, do not adequately reflect good-faith negotiations. Voluntary settlement discussions have been misrepresented, and there is an apparent disconnect between the

procedural framework and Hydro One's approach to engaging with landowners.

- **Framing of Intervenor Objections:** The characterization of my objections as mere delaying tactics is inaccurate and unfair. These objections are based on legitimate concerns regarding the process and Hydro One's handling of negotiations. The Board must ensure that all intervenor positions are given due consideration rather than being dismissed as obstacles to project completion.

2. Policy Implications & Need for Process Improvements

This case highlights broader policy concerns that should be addressed in future OEB proceedings, including:

- **Clearer Standards for Assessing "Public Interest":** The threshold for determining whether expropriation is in the public interest should include an assessment of how the applicant has conducted voluntary negotiations. A failure to engage in meaningful discussions should weigh against expropriation approval.
- **Defined Timelines for Document Submission & Review:** The OEB should establish stricter timelines for applicants to provide finalized agreements, accurate compensation details, and clear communication with landowners before proceeding with expropriation requests.

3. Request for Further Clarifications & Next Steps

Given the above concerns, I respectfully request that the OEB:

- Confirm whether Hydro One has fully met its obligations under Section 99(3) regarding complete and accurate documentation.
- Provide clarification on how objections to the expropriation process will be considered in the Board's final decision.
- Outline any further opportunities for landowners to provide input before an expropriation order is granted.

I appreciate the Board's attention to these concerns and look forward to your response. I am also available to discuss this matter further at your convenience.

Sincerely,

Kurt Krause

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