



**Hydro One Networks Inc.**

**Application for approval to expropriate interests in lands  
in St. Clair Township and the Municipality of Chatham-  
Kent in Ontario**

**PROCEDURAL ORDER NO. 1  
May 29, 2025**

On April 4, 2025, Hydro One Networks Inc. (Hydro One) applied to the Ontario Energy Board (OEB) under section 99 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) (OEB Act), for an order granting approval to expropriate certain interests in lands in St. Clair Township and the Municipality of Chatham-Kent. Hydro One stated that the authorization is needed to facilitate the construction and operation of a new 230-kilovolt double-circuit electricity transmission line (Project). The OEB granted Hydro One leave to construct the Project in an earlier proceeding.<sup>1</sup> The anticipated in-service date for the Project is December 2028.

On April 22, 2025, Hydro One filed an updated application that removed any property for which it no longer requires expropriation relief due to the closing of a number of voluntary agreements since the original date of filing the original application.

The OEB issued a Notice of Hearing on April 23, 2025.<sup>2</sup> In accordance with the OEB's Letter of Direction, Hydro One served the Notice on affected property owners, registered interest holders, or their legal representatives.

The Siskinds Firm Group (a group of landowners represented by the law firm of Siskinds LLP) applied for intervenor status. No objection was received from Hydro One. No other party applied for intervenor status.

## **Regulatory Framework**

Under section 99 of the OEB Act, any person who has received leave to construct from the OEB may apply for expropriation where they have been unable to reach an agreement with an affected landowner and if after the hearing the OEB is of the opinion

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<sup>1</sup> [EB-2024-0155 Decision and Order](#) issued (December 10, 2024)

<sup>2</sup> EB-2025-0093 Notice of Hearing

that the expropriation of the land is in the public interest, it may make an order authorizing the applicant to expropriate the land.

On December 10, 2024, the OEB granted Hydro One leave to construct and operate the Project (Leave to Construct Decision).<sup>3</sup> The OEB found that “the Project is in the public interest based on an examination of the Project need, alternatives, cost, customer impacts, reliability and quality of electricity service, and land matters.”<sup>4</sup> As part of the Leave to Construct Decision, the OEB approved the form of landowner agreements that Hydro One has offered or will offer to landowners affected by the routing and construction of the Project (collectively the Landowner Agreements).

The OEB does not, in the context of an expropriation application, determine the specific compensation, the principles that are applied to determine compensation, the process through which those principles were developed, the application of those principles in determining compensation, or the reasonableness of compensation offers.<sup>5</sup>

Section 100 of the OEB Act provides that, if the applicant and affected landowners cannot agree on compensation for expropriation, the compensation is determined by the Ontario Land Tribunal under the *Expropriations Act*.

### **Siskinds’ Intervention Request**

The Siskinds Firm Group is approved as an intervenor. The Siskinds Firm Group is eligible to apply for an award of costs under the OEB’s [Practice Direction on Cost Awards](#). The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

In its intervention request, the Siskinds Firm Group submitted that, among other things, the impact of the Project on the properties belonging to the landowners it represents “is not reasonable and not in the public interest”. The Siskinds Firm Group noted that it was an approved intervenor in the earlier leave to construct proceeding. The Siskinds Firm Group is reminded that, in its Leave to Construct Decision, the OEB found that the Project is in the public interest.<sup>6</sup> The current proceeding relates to whether the proposed *expropriations* are in the public interest

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<sup>3</sup> [EB-2024-0155 Decision and Order](#) issued (December 10, 2024)

<sup>4</sup> *Ibid.*, page 2

<sup>5</sup> [OEB Filing Requirements for Electricity Transmission Applications, Chapter 4: Leave to Construct and Related Matters under Part VI of the Ontario Energy Board Act, updated March 16, 2023](#)

<sup>6</sup> [EB-2024-0155 Decision and Order](#) issued (December 10, 2024), page 2

In making its decision on cost awards, the OEB will consider whether the Siskinds Firm Group made reasonable efforts to ensure that its participation in the proceeding was focused on material issues.

The Siskinds Firm Group should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing.

### Issues List

OEB staff will develop a draft Issues List and canvas parties for any unique issues that warrant revisions to the draft Issues List. If parties recommend and agree to revisions, OEB staff will file a revised draft Issues List with the OEB. If there is no agreement on whether the draft Issues List should be revised, OEB staff will advise the OEB in writing. If intervenors do not propose any amendments to the draft Issues List, OEB staff will notify the OEB of this fact. The OEB will approve an Issues List prior to the filing of interrogatories.

### Interrogatories and Submissions

At this time, provision is being made for written interrogatories and submissions. Parties should not engage in detailed exploration of items that do not appear to be material. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

### IT IS THEREFORE ORDERED THAT:

1. OEB staff shall file a proposed issues list or, alternatively, shall advise the OEB in writing that the parties and OEB staff have been unable to reach an agreement on a draft issues list by **June 3, 2025**.

2. OEB staff and intervenors shall request any relevant information and documentation from Hydro One that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **June 27, 2025**.
3. Hydro One shall file with the OEB complete written responses to all interrogatories and serve them on intervenors by **July 11, 2025**.
4. Any written submissions from OEB staff and intervenors, shall be filed with the OEB and served on all parties by **July 25, 2025**.
5. Any written reply submissions from Hydro One shall be filed with the OEB and served on intervenors by **August 8, 2025**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2025-0093** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact [registrar@oeb.ca](mailto:registrar@oeb.ca) for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Abla Nur at [Abla.Nur@oeb.ca](mailto:Abla.Nur@oeb.ca) and OEB Counsel, Ljuba Djurdjevic at [Ljuba.Djurdjevic@oeb.ca](mailto:Ljuba.Djurdjevic@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

Tel: 1-877-632-2727 (Toll free)

**DATED** at Toronto, **May 29, 2025**

**ONTARIO ENERGY BOARD**

**By delegation, before: Ritchie Murray**

Ritchie Murray  
Acting Registrar

**SCHEDULE A**

**LIST OF APPLICANT AND INTERVENORS**

**PROCEDURAL ORDER NO. 1**

**HYDRO ONE NETWORKS INC.**

**EB-2025-0093**

**DATED: MAY 29, 2025**

**Hydro One Networks Inc.  
EB-2025-0093**

**APPLICANT & LIST OF PARTICIPANTS, INTERVENORS**

**May 29, 2025**

**APPLICANT**

**Rep. and Contact Information for Service**

**Hydro One Networks Inc.**

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