

DECISION AND ORDER

EB-2024-0319

HYDRO ONE NETWORKS, INC.

Application for approval to expropriate certain lands in northwestern Ontario

BEFORE: Patrick Moran

Presiding Commissioner

Robert Dodds Commissioner

Shahrzad Rahbar Commissioner

June 10, 2025



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1 OVERVIEW

This is a Decision and Order of the Ontario Energy Board on an application by Hydro One Networks, Inc. (Hydro One) for authority to expropriate permanent corridor easements on 13 parcels of land¹ to construct a 190-kilometer 230 kV transmission line in northwestern Ontario (Waasigan Project).

The Waasigan Project is the first phase of a two-phase project. The Ontario Energy Board granted Hydro One leave to construct the Waasigan Project on April 16, 2024 (Leave to Construct Decision).²

For the reasons provided in this Decision, the Ontario Energy Board finds that the requested expropriation is in the public interest and grants Hydro One the authority to expropriate the interests in land described in Schedule "A" of this Decision and Order.

¹ Hydro One's <u>initial application</u>, dated November 8, 2024, requested authority to expropriate 31 parcels of land. In <u>Hydro One's Reply Submission</u>, dated April 11, 2025, Hydro One stated that it had reached voluntary agreements regarding 18 of the parcels of land. <u>Appendix 4</u> of Hydro One's Reply Submission shows the final list of land rights being sought.

² EB-2023-0198 <u>Decision and Order</u>, April 16, 2024.

2 CONTEXT AND PROCESS

2.1 Leave to Construct Approval for Waasigan Project

On July 31, 2023, Hydro One applied under section 92 of the *Ontario Energy Board Act,* 1998 (OEB Act), for leave to construct the Waasigan Project. Hydro One also applied under section 97 for approval of the forms of land use agreements offered or to be offered to affected landowners. On April 16, 2024, the OEB issued the Leave to Construct Decision as follows:

- The OEB granted Hydro One leave to construct the Waasigan Project. The OEB found that the Waasigan Project is in the public interest with respect to prices and the reliability and quality of electricity service.
- The OEB approved the form of land easement agreements that have been or will be offered by Hydro One to directly affected landowners for the purposes of section 97 of the OEB Act.

In determining the need for the Waasigan Project, the Leave to Construct Decision³ noted that:

- An Order in Council and Ministry of Energy Directive required Hydro One to develop and seek approvals for the Waasigan Project.
- An IESO report noted the need for additional supply capacity.

2.2 Process to Date

On November 8, 2024, Hydro One applied to the OEB under section 99 of the OEB Act for an order granting authority to expropriate permanent corridor easements in 31 parcels of land to construct Phase 1 of the Waasigan Project.

The OEB issued its Notice of Hearing on December 2, 2024. The only person who requested to participate as an intervenor in this proceeding was Kurt Krause. Mr. Krause was approved as an intervenor and is eligible for a cost award. No party requested an oral hearing.

³ Leave to Construct Decision, pages 7-8.

By letter dated January 30, 2025, Hydro One filed its Proof of Delivery and included a table advising the OEB that it had served owners or interest holders of all but three properties it requires for Phase 1 of the Waasigan Project.⁴ In its response to interrogatories, Hydro One submitted that its efforts to serve the owners or interest holders of the three remaining properties should be considered satisfactory, because two of the unserved owners or interest holders are deceased, and the other (Kurt Krause) demonstrated his knowledge of the application by applying to intervene.⁵

On January 30, 2025, the OEB issued Procedural Order No. 1 which set the schedule for written discovery through interrogatories and for submissions.

On February 21, 2025, the OEB issued Procedural Order No. 2, which approved Kurt Krause's intervention request and set out the issues list for the proceeding. OEB staff submitted interrogatories on February 24, 2025, and Hydro One filed its responses on March 5, 2025. Kurt Krause filed interrogatories on March 11, 2025, and Hydro One submitted responses to Mr. Krause's interrogatories on March 14, 2025.

On March 17, 2025, Mr. Krause submitted a second set of interrogatories relating to Hydro One's efforts to achieve voluntary agreements to acquire land rights related to this application.

On March 20, 2025, the OEB issued Procedural Order No. 3, in which the OEB determined that Hydro One was not required to answer the second set of interrogatories from Mr. Krause. The OEB noted that failure to achieve voluntary agreements is not a barrier to expropriation and that any potential expropriation order does not prevent Hydro One or the landowners from continuing to negotiate reasonable compensation.⁶

On March 24, 2025, the OEB received a letter from Mr. Krause, in which he submitted a motion requesting that the OEB remove his properties from Hydro One's expropriation application.⁷ On March 26, 2025, the OEB dismissed Mr. Krause's motion without prejudice to his ability to make any submissions he may wish to make in his final argument.⁸

⁴ Proof of Delivery Letter January 30, 2025.

⁵ Interrogatory Response #Staff 03a) March 5, 2025.

⁶ Procedural Order No. 3 March 20, 2025.

⁷ Letter from Kurt Krause March 24, 2025.

⁸ Letter to Kurt Krause March 26, 2025.

OEB staff and Mr. Krause made written submissions on March 28, 2025.

In its reply submission, dated April 11, 2025, Hydro One advised that it had closed voluntary land acquisition agreements with the owners of 18 of the 31 affected properties and would no longer be seeking expropriation authorization over those properties. Hydro One also advised that, following Mr. Krause's submissions, Hydro One had reached a voluntary agreement with Mr. Krause. Hydro One requested that Mr. Krause's property and two other properties remain within the scope of the proceeding in the event that the three transactions fail to close.

Letters of Comment from Landowners

On March 10, 2025 and March 13, 2025, the OEB received two letters of comment ^{10,11} from the owners of two properties identified in Hydro One's application. The landowners' first letter raised concerns regarding Hydro One's affidavit of service and Hydro One's January 30, 2025 Proof of Delivery letter. The second letter raised concerns about Hydro One's approach to acquiring permits and the potential for inaccuracies in Hydro One's Records of Consultation.

On March 17, 2025, Hydro One submitted a letter responding to both of the landowners' letters. 12

2.3 OEB's Jurisdiction in Expropriation Applications

Section 99 of the OEB Act establishes the OEB's power to grant an applicant authority to expropriate land for a "work", which includes an electricity transmission line. ¹³ Under section 99, any person who has been granted leave by the OEB to construct certain works, including those under section 92 (relating to electricity) of the OEB Act may apply for authority to expropriate land for such works.

The test for an expropriation order under section 99 is outlined in subsection 99(5) which states that where the OEB is of the opinion that "the expropriation of the land is in

⁹ Hydro One's Reply Submission April 11, 2025, paragraph 4.

¹⁰ Letter of Comment March 10, 2025.

¹¹ Letter of Comment March 13, 2025.

¹² Letter March 17, 2025.

¹³ Section 99 of the OEB Act falls under Part VI of the Act, which sets out the requirements for leave to construct, expropriation and related matters. A "work" is defined in this part of the OEB Act as a hydrocarbon line, electricity distribution line, electricity transmission line, interconnection or station.

the public interest, it may make an order authorizing the applicant to expropriate the land".

Compensation issues do not fall within the OEB's jurisdiction under section 99 of the OEB Act and are addressed in accordance with the *Expropriations Act, R.S.O. 1990, c. E 26* (Expropriations Act)¹⁴ and, if required, are resolved by the Ontario Land Tribunal.¹⁵ If the OEB grants authorization to expropriate land, and Hydro One is not able to reach an agreement with any landowner, the process set out in the Expropriations Act would be used to determine the amount of compensation to be paid.

¹⁴ Expropriations Act, R.S.O. 1990, c. E.26, s. 13.

¹⁵ This was formerly the role of the Board of Negotiation, which has since been continued (as of 2021) as the Ontario Land Tribunal under section 2 of the *Ontario Land Tribunal Act*, *2021*.

3 THE ISSUES

In the Leave to Construct Decision for the Waasigan Project, the OEB considered the interests of consumers with respect to prices and the reliability and quality of electricity service, and determined that the Waasigan Project is in the public interest.

The overarching issue in the present proceeding is whether expropriation of the specific land interests requested by Hydro One is in the public interest. The OEB-approved Issues List contains the following three items:

- 1. Is the proposed expropriation in the public interest?
- 2. Has Hydro One requested expropriation of the minimum amount of land needed for the project, and the minimum legal interest required for that land?
- 3. What conditions, if any, should be attached to the OEB's Order in this proceeding?
- 3.1 Is the proposed expropriation in the public interest and has Hydro One requested expropriation of the minimum amount of land required for the Project and the minimum legal interest required for that land?

This section deals with the first two of the three issues on the Issues List. The Board addresses Issue 3 (related to conditions of approval) in section 3.2 below.

Submissions

Regarding Issue 1, OEB staff submitted¹⁶ that the proposed expropriations are in the public interest, stating:

- 1. In the Leave to Construct Decision, the OEB found the Waasigan Project to be in the public interest and approved the forms of agreements offered to landowners.
- 2. The Waasigan Project has been identified as a necessary project in the Ontario Government's Long Term Energy Plans.

¹⁶ Staff Submission March 28, 2025, pages 6-7.

- 3. The properties subject to Hydro One's application are necessary to construct the Waasigan Project.
- 4. Hydro One has made diligent efforts to identify landowners and negotiate agreements for the land rights.
- 5. Expropriation is necessary to acquire the land rights required for the Waasigan Project.
- 6. Hydro One and the landowners have the right to continue to negotiate voluntary agreements and, if unable to reach an agreement, the parties have remedies under the Expropriation Act which would be determined by the Ontario Land Tribunal.

Regarding Issue 2, OEB staff submitted that Hydro One had requested both the minimum amount of land and minimum legal interest (permanent easement) required for the Waasigan Project.

Regarding the amount of land, OEB staff noted that the land interests requested are within the route approved in the Leave to Construct Decision which included a 46 meter right-of-way. OEB staff also noted that, in its response to interrogatories, Hydro One stated that the size of each parcel was determined in compliance with Canadian construction standards for overhead transmission lines.¹⁷

Regarding the legal interest that Hydro One seeks to expropriate, OEB staff noted that Hydro One was requesting on-corridor permanent easements for each of the parcels. OEB staff submitted that easements are necessary to perform maintenance activities along the transmission line, and that permanent rights are appropriate given the typically long useful life of transmission assets.

In its reply submission, Hydro One agreed with OEB staff's submission. 18

¹⁷ Interrogatory Response #Staff 04a). The specific standards cited by Hydro One are: CSA 22.3 No. 1 Overhead Systems, Canadian Standards Association CSA 22.3 No. 60826 (IEC 60826) Transmission Lines – Design Criteria, Electrical Power Research Institute – EPRI AC Transmission Line Reference Book – 200 kV and Above, and North American Electric Reliability Corporation NERC FAC-003 Transmission Vegetation Management.

¹⁸ Hydro One's Reply Submission, paragraph 11.

Mr. Krause submitted that expropriation of his specific property is not in the public interest. ¹⁹ Mr. Krause's arguments focussed on Hydro One's conduct during negotiations, which in his view, demonstrated a lack of good faith engagement.

In its reply submission, Hydro One agreed with OEB staff's conclusion regarding Issues 1 and 2.²⁰ Hydro One did not respond to Mr. Krause's submission but has indicated that it has been able to reach a voluntary agreement with Mr. Krause since receiving his submission.²¹

Findings

The OEB has previously granted Hydro One leave to construct the Waasigan Project on the basis that it was in the public interest to do so. For the OEB to determine if the requested expropriation is in the public interest, Hydro One must establish:

- (a) The lands it seeks to expropriate are required for the Waasigan Project;
- (b) The amount of land it seeks to expropriate is the minimum necessary; and
- (c) The legal interest it seeks to expropriate is the minimum necessary.

The OEB is satisfied that Hydro One has established that the lands Hydro One seeks to expropriate are within the route previously approved for the project and therefore necessary for the project.

Hydro One was successful in reaching agreement with most of the affected landowners.

For each of the remaining landowners, Hydro One has established that it seeks to expropriate the minimum amount of land it needs for the project, consistent with Canadian construction standards for overhead transmission lines.

Finally, the permanent easements it proposes to expropriate constitute the minimum legal interest necessary to construct the transmission line, and operate and maintain it on an ongoing basis.

The OEB grants Hydro One authority to expropriate the lands that are required for the Waasigan project and for which Hydro One has been unable to reach voluntary

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¹⁹ Submission from Kurt Krause, March 28, 2025.

²⁰ Hydro One's Reply Submission, paragraph 10.

²¹ *Ibid.*, paragraph 5.

agreements to acquire. This authority also applies to those lands that are the subject of voluntary agreements that have not yet closed, but only in the event that those agreements do not close by the agreed dates.

3.2 What conditions, if any, should be attached to the OEB's Order in this proceeding?

Section 23 of the OEB Act permits the OEB, when making an order, to "impose such conditions as it considers proper." In its interrogatories, OEB staff included a proposed list of eight conditions, to which Hydro One proposed revisions. In its submission, OEB staff requested additional rationale from Hydro One regarding one revision (Draft Condition 2) and objected to one revision (Draft Condition 6). The draft conditions and proposed revisions are summarized below.

Submissions

Draft Condition 1

Hydro One shall notify the OEB in writing in the event that, after this Decision and Order has been issued, a negotiated settlement is reached and expropriation is no longer necessary. This notice shall be filed with the OEB within ten days of the settlement.

Hydro One and OEB staff agreed on the proposed condition.

Draft Condition 2

Hydro One shall use all reasonable efforts to provide oral and written notice to the landowners a minimum of 48 hours prior to the initial entry onto the land.

OEB staff accepted Hydro One's revision (denoted by the underlined text). OEB Staff acknowledged that requiring a minimum of 48 hours' notice prior to each entry onto the land, rather than prior only to the initial entry, may be impractical. However, OEB staff noted that Hydro One had not explained its reasoning for the proposed revision in its response to interrogatories and requested further rationale from Hydro One.

In its reply submission, Hydro One stated that its proposed approach aligns with its approach for past projects and meets its commitments in the Waasigan Project's Environmental Assessment. Hydro One submitted that requiring different notification

requirements for the expropriated lands undermines the benefits of uniform communication practices and is likely to increase the risk of construction delays, cost overruns, and confusion or frustration for landowners.²²

Draft Condition 3

Hydro One will reasonably attempt to accommodate landowner or tenant property operations when Project construction activities take place, subject to the Project's health, safety and security policies and procedures and the Occupational Health and Safety Act.

Hydro One and OEB staff agreed on the proposed condition.

Draft Condition 4

Hydro One or its agents will consult with the landowner in advance of entry as to the manner in which existing gates / fences / entryways are to be managed while entering property. In the event the landowner cannot be contacted, Hydro One shall ensure that gates / fences / entryways used by Hydro One personnel or its agents are left as found.

Hydro One and OEB staff agreed on the proposed condition.

Draft Condition 5

Upon providing Hydro One with reasonable prior notice, the landowner(s) and tenant(s) can be present to observe the transmission facilities' construction and associated activities subject to the Project's health, safety and security policies and procedures and the Occupational Health and Safety Act.

Hydro One and OEB staff agreed on the proposed condition.

Draft Condition 6

Hydro One shall keep records of the personnel attending and entering on lands,

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²² Hydro One's Reply Submission, paragraphs 16-20.

the time in which entry occurred, and the locations entered.

Hydro One proposed the removal of the entire Draft Condition 6. OEB staff argued against removing Draft Condition 6.

OEB staff submitted that additional record keeping requirements are appropriate for expropriated parcels compared to those acquired through voluntary agreements. OEB staff referenced the OEB's decision on Nextbridge's East-West Tie expropriation proceeding, in which the OEB included the same condition.²³

In its reply submission, Hydro One made three arguments against Draft Condition 6.

First, Hydro One stated that none of the evidence in the proceeding justifies imposing different record keeping requirements for the subject parcels compared to those for which voluntary agreements were signed. Hydro One also stated that the record keeping requirements in Draft Condition 6 are not relevant to Issues 1 and 2 in this proceeding.

Second, Hydro One argued that the inclusion of a condition in the Nextbridge East-West Tie expropriation decision did not justify including it in this Decision. Hydro One stated that the circumstances around Nextbridge's application were materially different, arising from Nextbridge's inexperience as a transmitter compared to Hydro One. Hydro One noted that in that proceeding,²⁴ OEB staff's justification for including the record keeping requirement was that it aligned with the OEB's decision on an application filed by Hydro One under section 98 of the OEB Act.²⁵ Hydro One stated that the condition was appropriate for inclusion in the section 98 decision, where the issues related to temporary access to lands not owned by Hydro One, but is not appropriate in the present proceeding.

Finally, Hydro One argued that the cost of additional record keeping requirements is not included in Hydro One's estimated project costs, and that including conditions that would introduce such costs would not be in the public interest.

²³ EB-2019-0127 Decision and Order Corrected December 3, 2019 Schedule C.

²⁴ EB-2019-0127 <u>Staff Submission</u> August 13, 2019.

²⁵ EB-2007-0051 Decision and Order August 20, 2007.

Draft Condition 7

Hydro One shall designate one of its employees as project manager who will be responsible for the fulfillment of these conditions, and shall provide the employee's name and contact information to the OEB and to the landowners and tenants, and shall ensure that this information is clearly posted on Hydro One's construction site office. The project manager will be responsible for the fulfilment of the conditions of approval on the site.

Hydro One and OEB staff agreed on the proposed condition.

Draft Condition 8

Hydro One shall furnish the OEB's designated representative with all reasonable assistance for ascertaining whether Hydro One has complied with these conditions of approval.

Hydro One and OEB staff agreed on the proposed condition.

Kurt Krause's Proposed Condition

In his submission, Mr. Krause proposed that Hydro One be required to "provide full and complete documentation to affected landowners before any expropriation takes effect."²⁶

Hydro One did not respond to Mr. Krause's submission, stating that because it had signed a voluntary agreement with Mr. Krause since receiving his submission, a reply was not necessary.

Findings

Hydro One and OEB staff have agreed to proposed conditions 1, 3, 4, 5, 7 and 8. Hydro One proposed a minor amendment to proposed condition 2, which is supported by OEB staff. The OEB is satisfied that these are reasonable conditions to include in the OEB's order, including condition 2 with the modification proposed by Hydro One.

²⁶ Submission from Kurt Krause, page 3.

Hydro One is opposed to the record-keeping requirement set out in proposed condition 6, while OEB staff supports it:

Hydro One shall keep records of the personnel attending and entering on lands, the time in which entry occurred, and the locations entered.

The OEB is of the view that record keeping requirements in relation to the land subject to expropriation should be consistent with the record keeping requirements established in relation to those lands that are subject to voluntary agreements.

The OEB requires Hydro One to file a summary of the general record keeping requirements it will implement for the Project lands. The expectation is that they will be consistent for all Project lands, regardless of whether Hydro One acquired an interest in those lands through voluntary agreement or expropriation. The OEB recognizes that there may be specific record keeping requirements unique to an individual voluntary agreement and is not expecting that such arrangements will necessarily be applied to all Project lands. The OEB has revised Condition 6 in the final version of the conditions shown in Schedule B to this Decision and Order to reflect this finding.

4 CONCLUSION

The OEB finds that it is in the public interest to grant Hydro One the authority to expropriate the easements in the lands set out in Schedule A, subject to the limitations and conditions set out in this Decision and Order.

5 ORDER

THE ONTARIO ENERGY BOARD ORDERS THAT:

- 1. Hydro One Networks Inc. is hereby authorized to expropriate the interests sought in the lands listed in Schedule "A" to this Decision and Order. This authority includes those lands that are the subject of voluntary agreements that have not yet closed, but only in the event that those agreements do not close by the agreed dates.
- 2. Hydro One Networks, Inc. shall file, with the OEB, a final expropriation plan for OEB approval and endorsement as soon as practical.
- 3. The authorization granted to Hydro One Networks Inc. is subject to the conditions attached in Schedule "B" to this Decision and Order.
- **4.** Kurt Krause shall file with the OEB and forward to Hydro One Networks Inc. his cost claim in accordance with the OEB's *Practice Direction on Cost Awards* on or before **June 24, 2025.**
- **5.** Hydro One Networks Inc. shall file with the OEB and forward to Kurt Krause any objections to the claimed cost of Kurt Krause on or before **July 2, 2025.**
- 6. If Hydro One Networks Inc. objects to Kurt Krause's cost, Kurt Krause shall file with the OEB and forward to Hydro One Networks Inc. his responses, if any, to the objections to cost claim on or before **July 9, 2025**.
- 7. Hydro One Networks Inc. shall pay the OEB's costs incidental to this proceeding upon receipt of the OEB's invoice.

DATED at Toronto June 10, 2025

ONTARIO ENERGY BOARD

Ritchie Murray Acting Registrar

SCHEDULE A DECISION AND ORDER DESCRIPTION OF PROPERTIES SUBJECT TO EXPROPRIATION HYDRO ONE NETWORKS, INC.

EB-2024-0319

JUNE 10, 2025

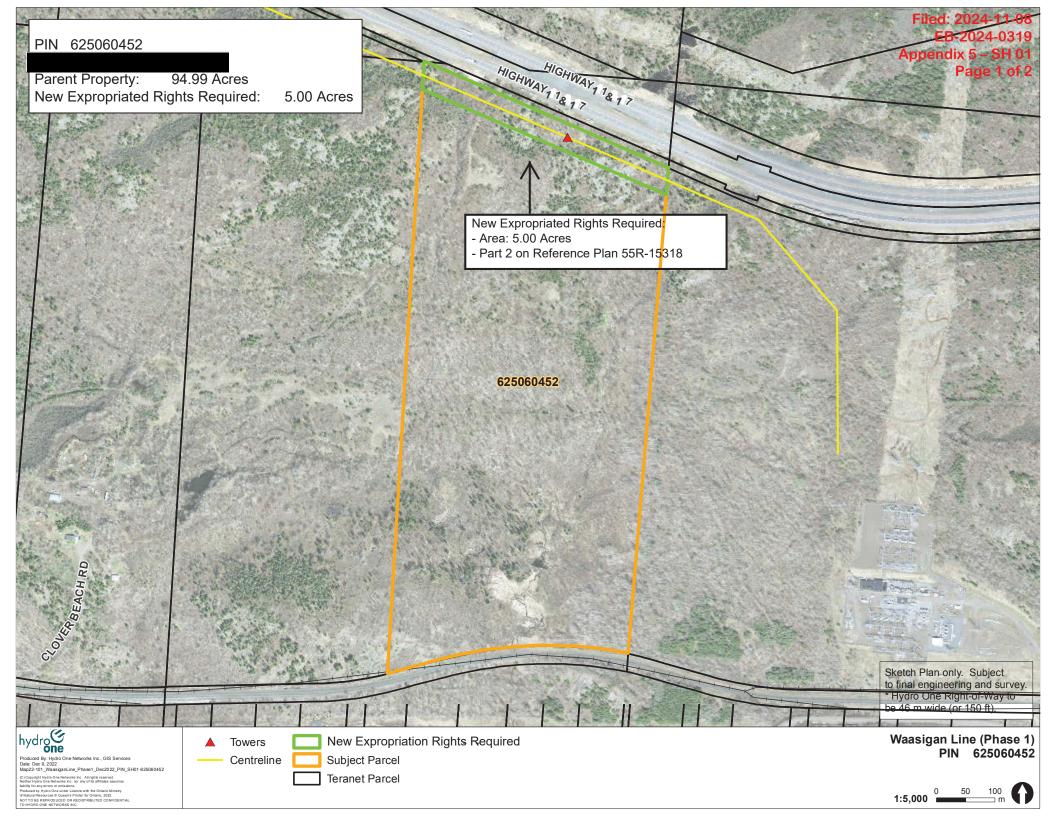
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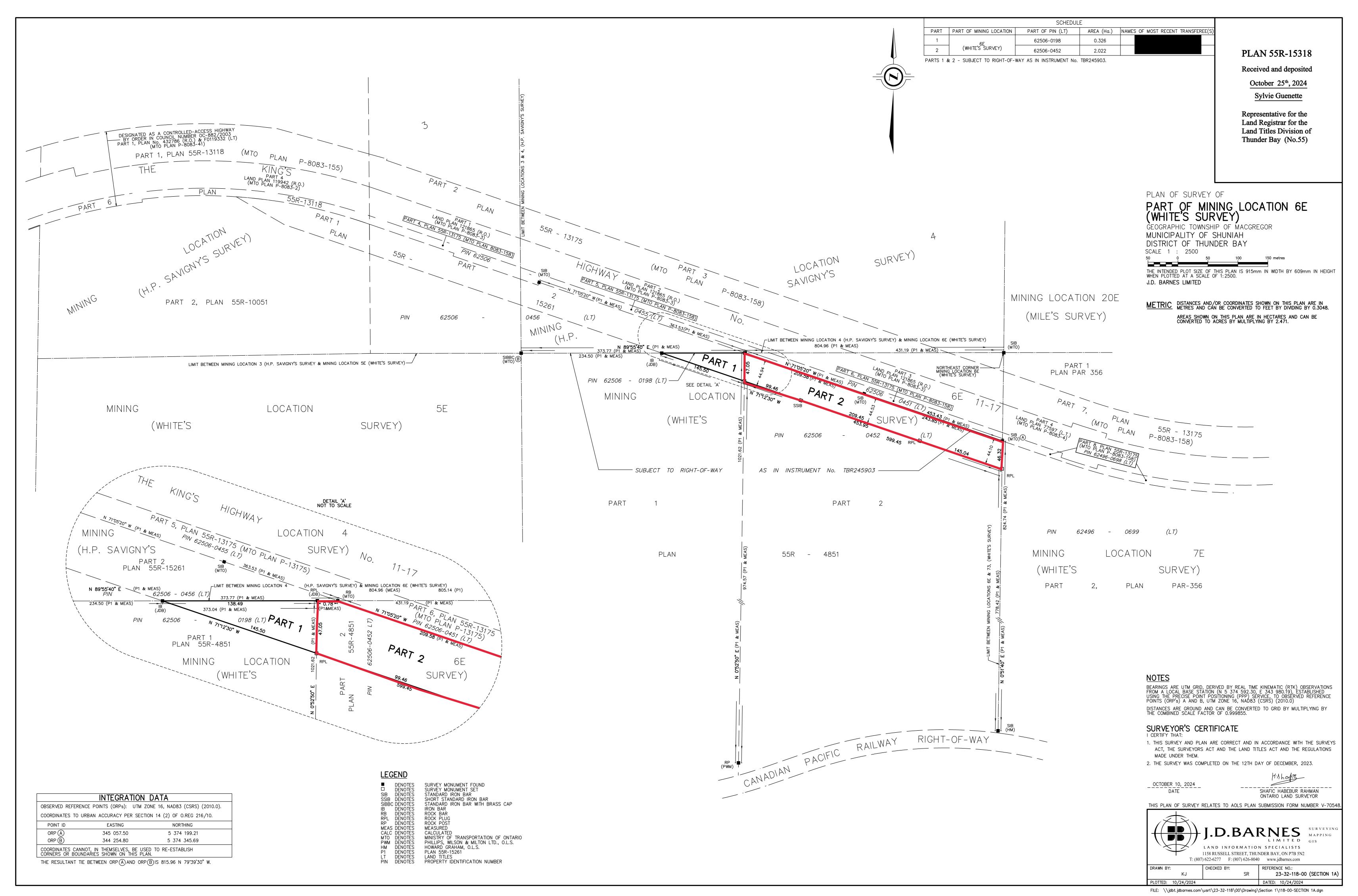
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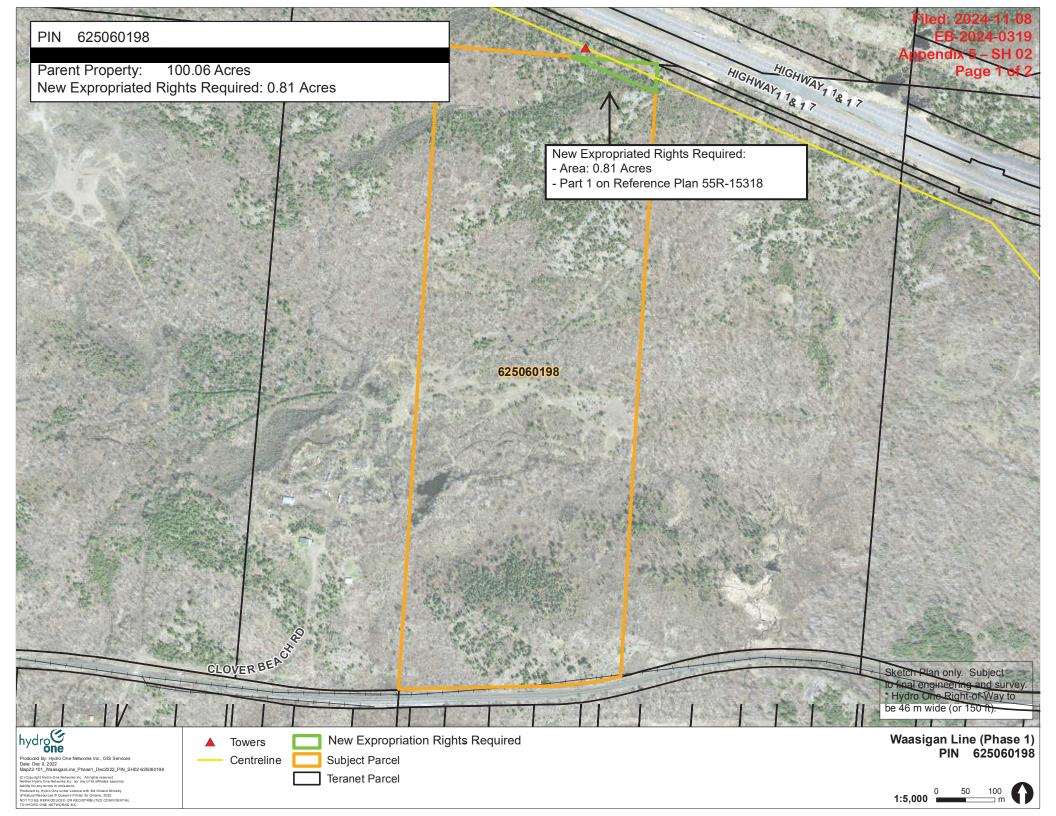
	X 4 - DESCRIPTION OF LANDS OVER WHICH AUTHORITY TO EXPROPRIATE IS BEING REQUESTED General Description Voluntary Settlement Other Registered Interests on Title						
	Hydro One File No.			of Interest to be	Signed (Closing		
lunicipality	File No.	Registered Property Owner Name(s)	Legal Description of Interest to be Expropriated	Expropriated	Pending)	Name	Interest
nuniah							
huniah	SH01		Part of Mining Location 6E (White's Survey), Twp of Macgregor, designated as Part 2 on Plan 55R-15318; Shuniah being part of PIN 62506-0452		No		Easement
ihuniah	SH02		Part of Mining Location 6E (White's Survey), Twp of Macgregor, designated as Part 1 on Plan 55R-15318; Shuniah being part of PIN 62506-0198	Permanent Easement (Corridor)	No		Easement
Thunder Bay							
Thunder Bay	TB01		Part of Southeast 1/4 of Mining Location N8, Twp of Gorham,	Permanent Easement	No		Easement
,			designated as Parts 1 & 2 on Plan 55R-15327; Thunder Bay being part of PIN 62325-0254	(Corridor)			Charge
hunder Bay	TB04	_,	Part of Mining Locations A.L 42, Twp of Gorham, designated as	Permanent Easement	No		Easement
nunuer bay	1504		Parts 1 & 2 on Plan 55R-15145; Thunder Bay being part of PIN	(Corridor)	No		
			62325-0286				Easement
							Easement
hunder Bay	TB16		Part of Lot 13 Concession 1, Twp of Gorham, designated as Part		Yes		Easement
			3 on Plan 55R-15175; Thunder Bay being part of PIN 62324- 0248	(Corridor)			Easement
hunder Bay	TB44		Part of North 1/2 Lot 6 Concession 2, Twp of Ware, designated		No		Easement
			as Part 6 on Plan 55R-15178; Thunder Bay being part of PIN 62322-0331	(Corridor)			Charge
nunder Bay	TB60		Part of Lot 11 Concession 3, Twp of Ware, designated as Parts 1		Yes		Easement
			& 4 on Plan 55R-15154; Thunder Bay being part of PIN 62321- 0168	(Corridor)			Easement
							Easement
							Charge
							Claimant
hunder Bay	TB64	-	Part of South 1/2 Lot 13 Concession 3, Twp of Ware, designated		No		Easement
			as Parts 1 & 2 on Plan 55R-15321; Thunder Bay being part of PIN 62321-0162	(Corridor)			Easement
							Easement
dou Dou	TB73	_,	Part of North 1/2 Lot 18 Concession 3, Twp of Ware, designated	I Downsont Forement	No		Easement
nunder Bay	16/3		as Part 1 on Plan 55R-15326; Thunder Bay being part of PIN 62321-0140	(Corridor)	NO		Lasement
nunder Bay	TB80		Part of South 1/2 Lot 13 Concession 1, Twp of Forbes,	Permanent Easement	No		Easement
			designated as Part 1 on Plan55R-15325; Thunder Bay being par of PIN 62318-0110 $$	t (Corridor)			Easement
							Easement
							Notice of Security Agreeme
under Bay	TB106		Part of Lot 30 Concession 2, Twp of Dawson Road Lots, desigated as Parts 5 & 6 on Plan 55R-15316, Thunder Bay being	Permanent Easement	No		Easement
			part of PIN 62319-0131	, (Corndon)			Charge
							Claimant re Unpaid Taxes
							Applicant re Unpaid Taxes

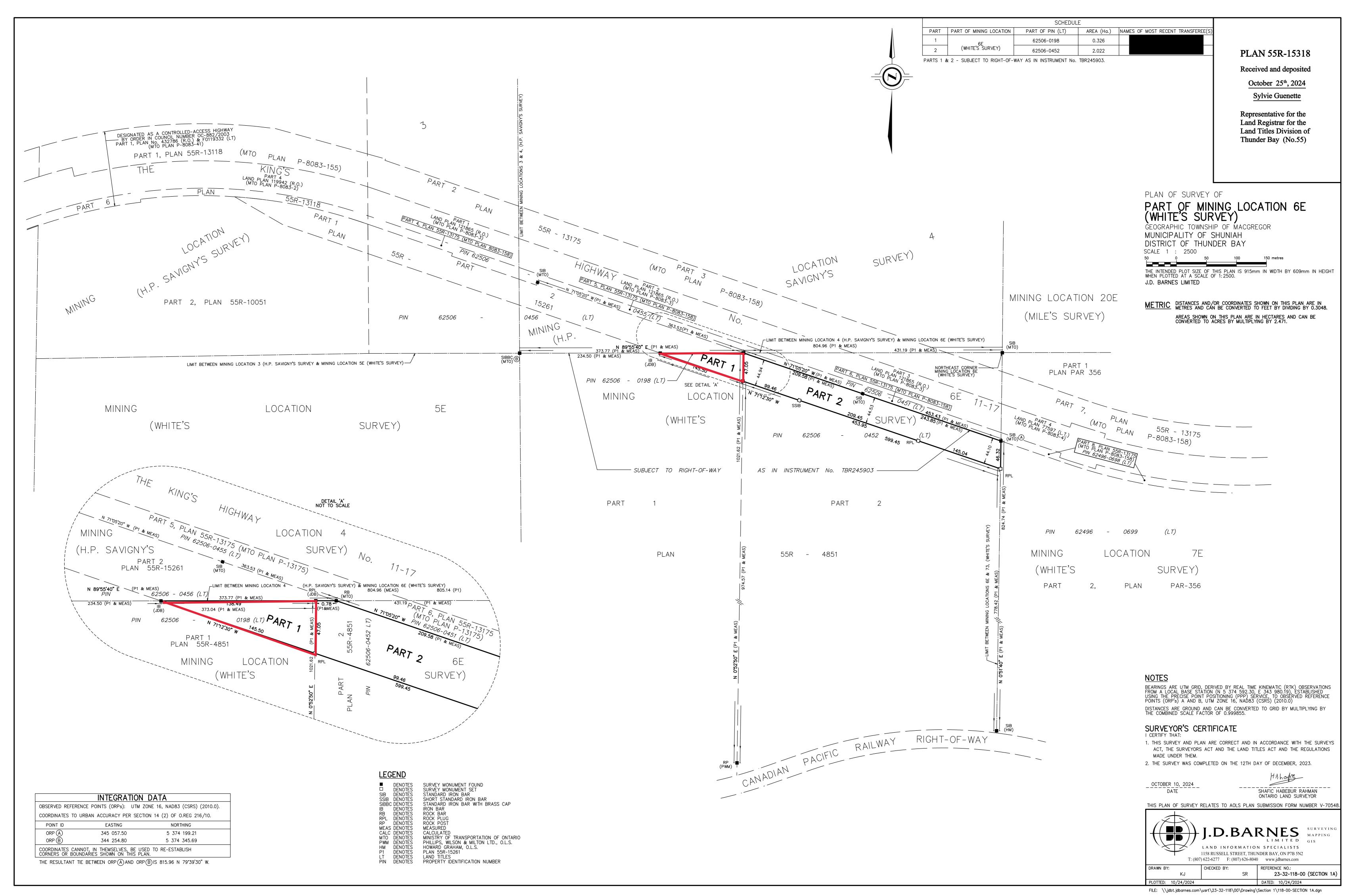
	APPENDIX 4 - DESCRIPTION OF LANDS OVER WHICH AUTHORITY TO EXPROPRIATE IS BEING REQUESTED							
		Hydro One				Voluntary Settlement Signed (Closing	Other Registered Interests on Title	
	Municipality	File No.	Registered Property Owner Name(s)	Legal Description of Interest to be Expropriated	Expropriated	Pending)	Name	Interest
12	Thunder Bay	TB149		Part of Mining Locations AL-641, Twp of Haines, designated as Part 1 on Plan 55R-15328, Thunder Bay being part of PIN 62505- 0591	Permanent Easement (Corridor)	No		Easement
13	Thunder Bay	TB155		Part of Mining Location 71-Z, Twp of Haines, desigated as Part 8 on Plan 55R-15201, Thunder Bay being part of PIN 62505-1124		Yes		Option
				orman sox 19201, mande bay being part of FIN 02909-1124	Corruory			Lien Claimant

APPENDIX 5 - SH SHUNIAH Maps







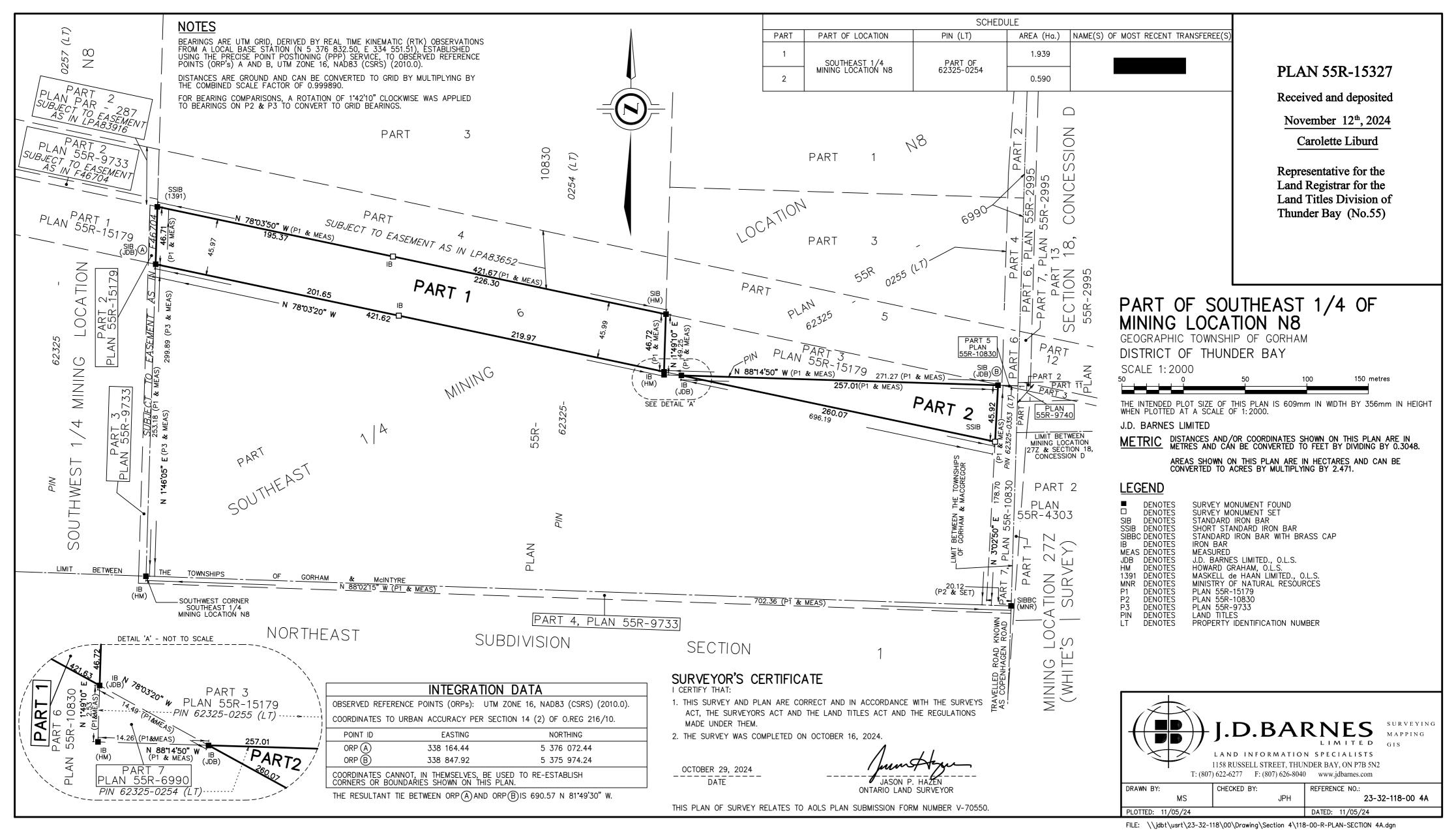


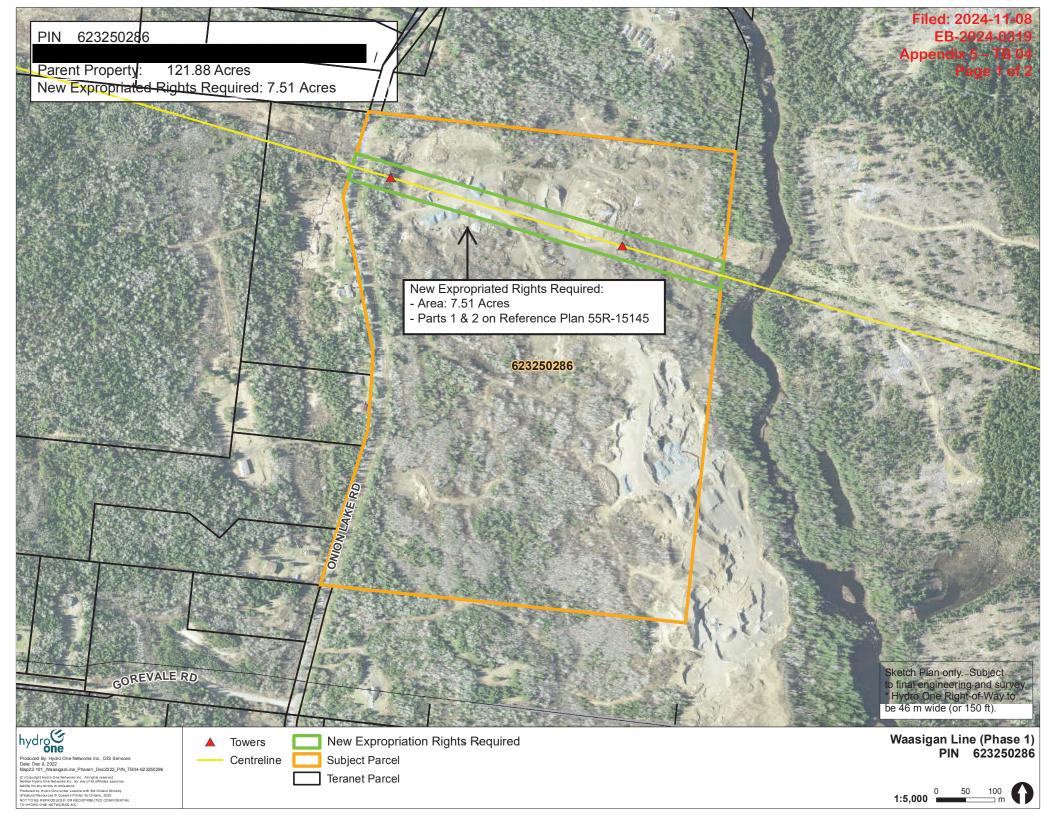
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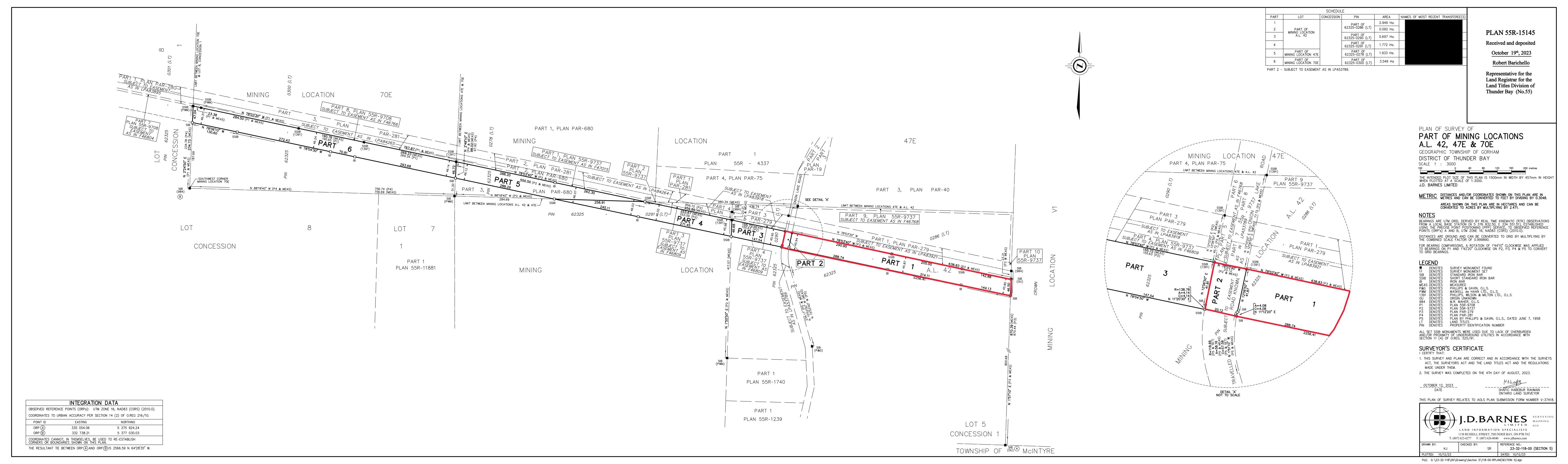
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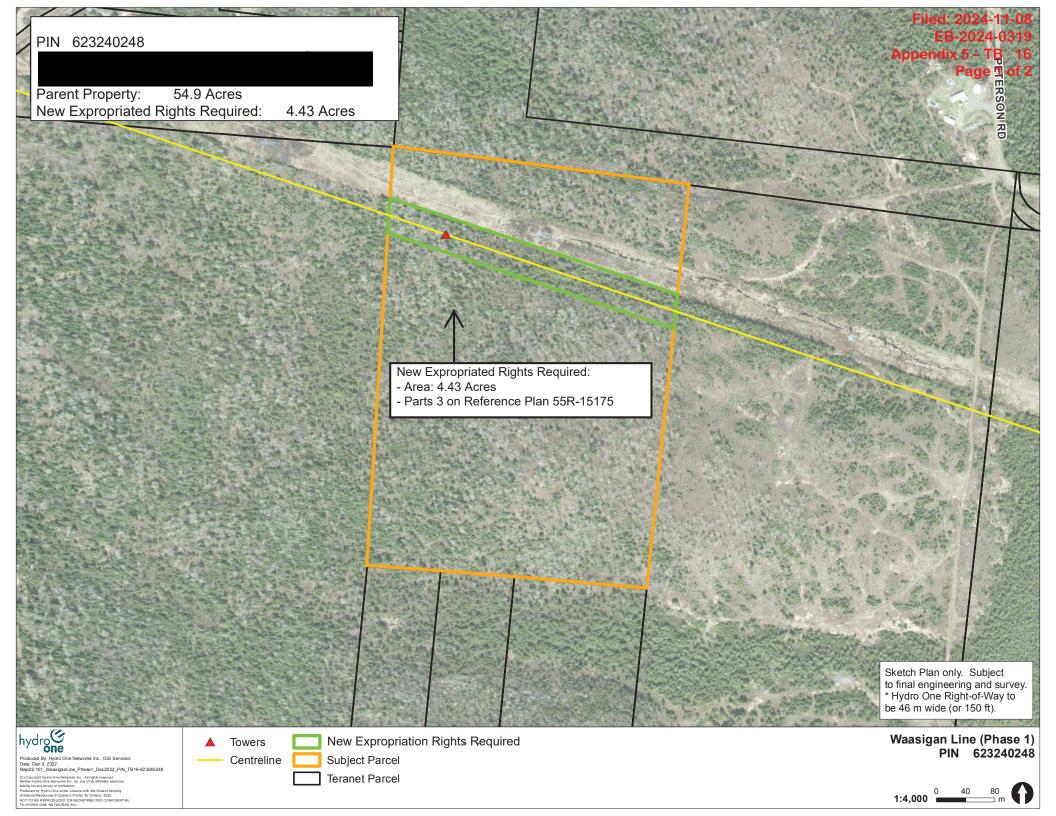
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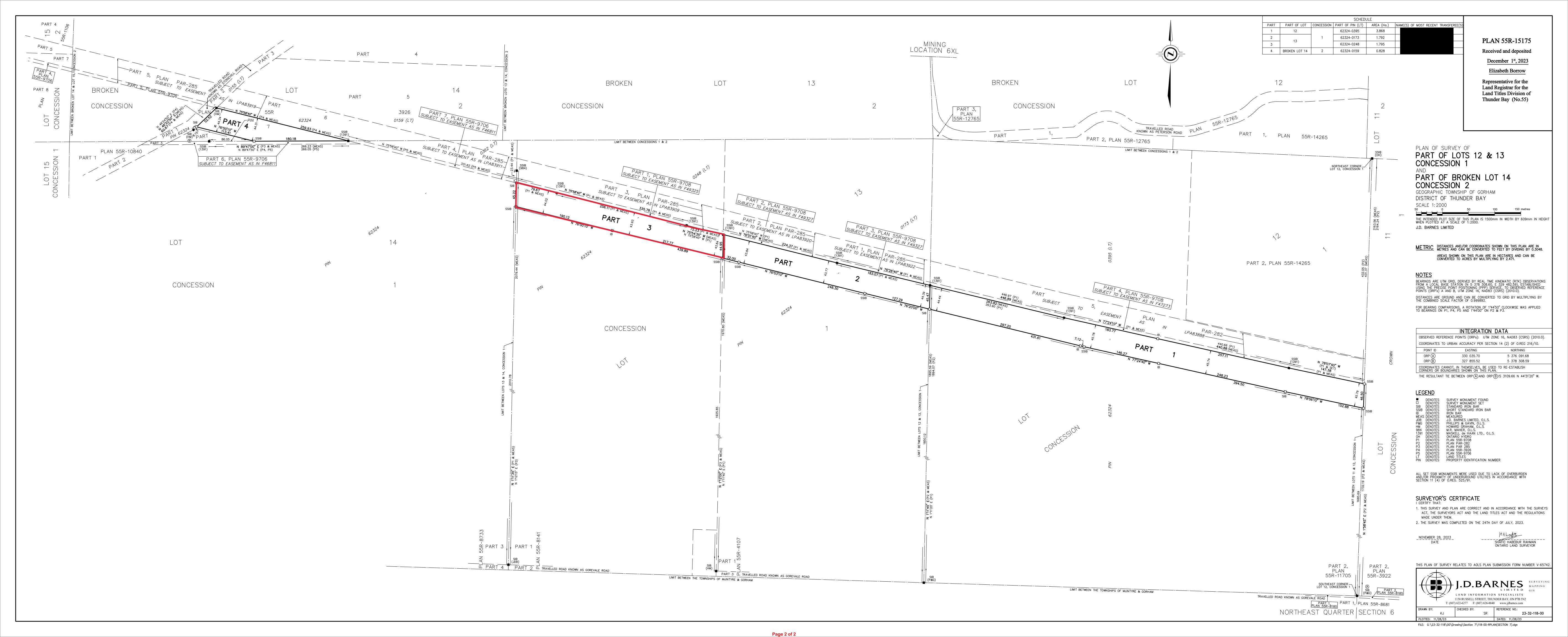


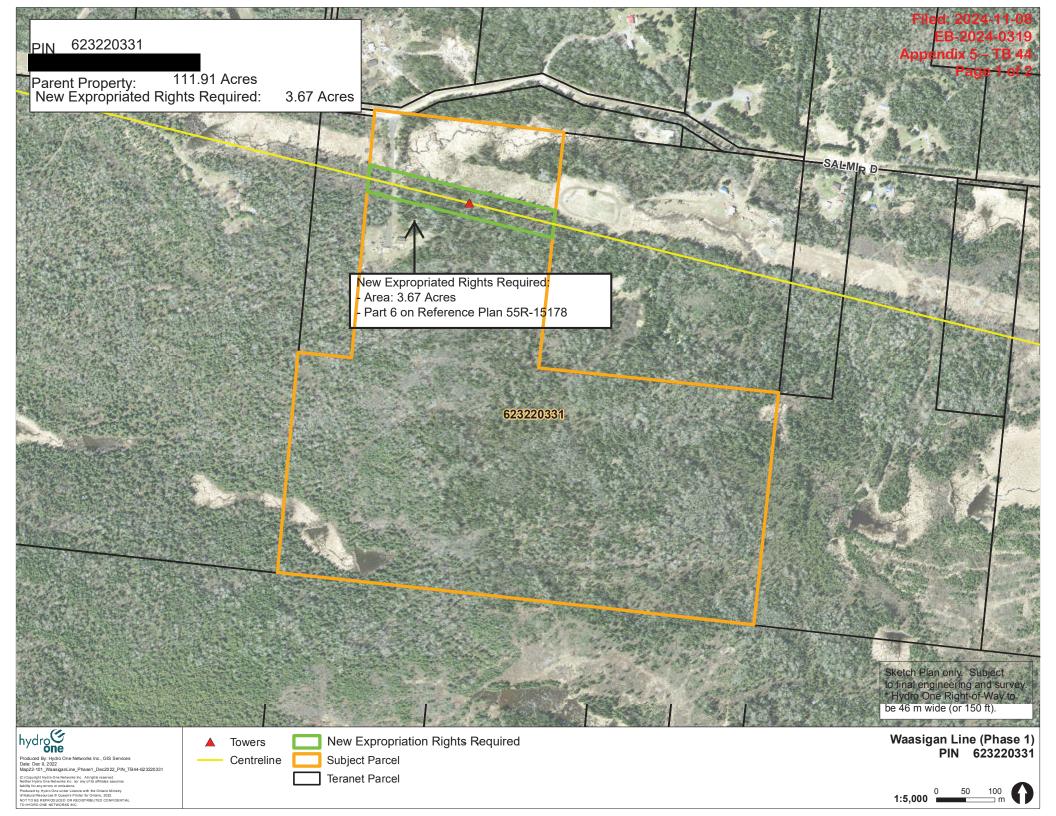


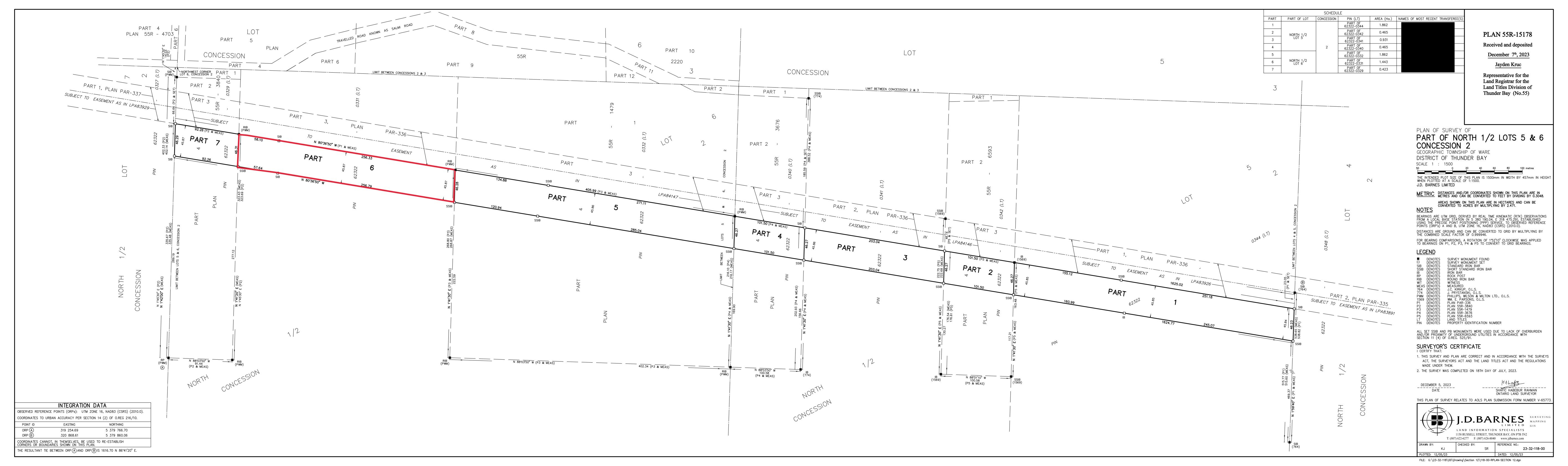


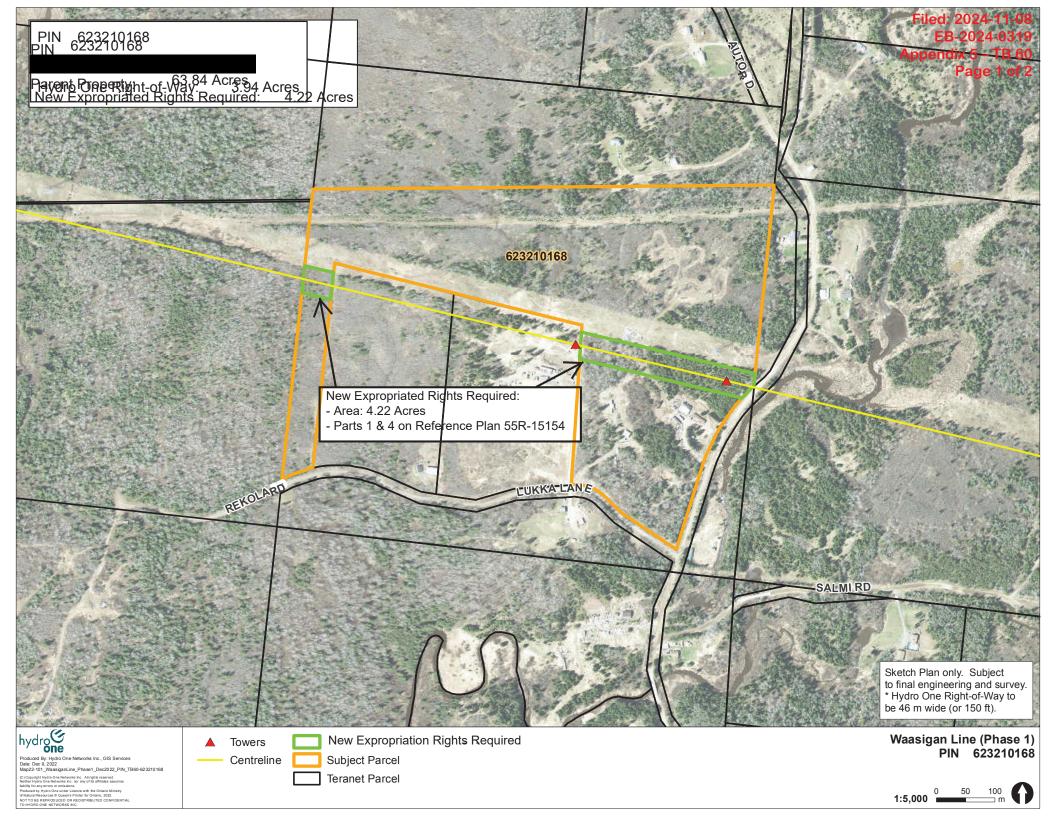


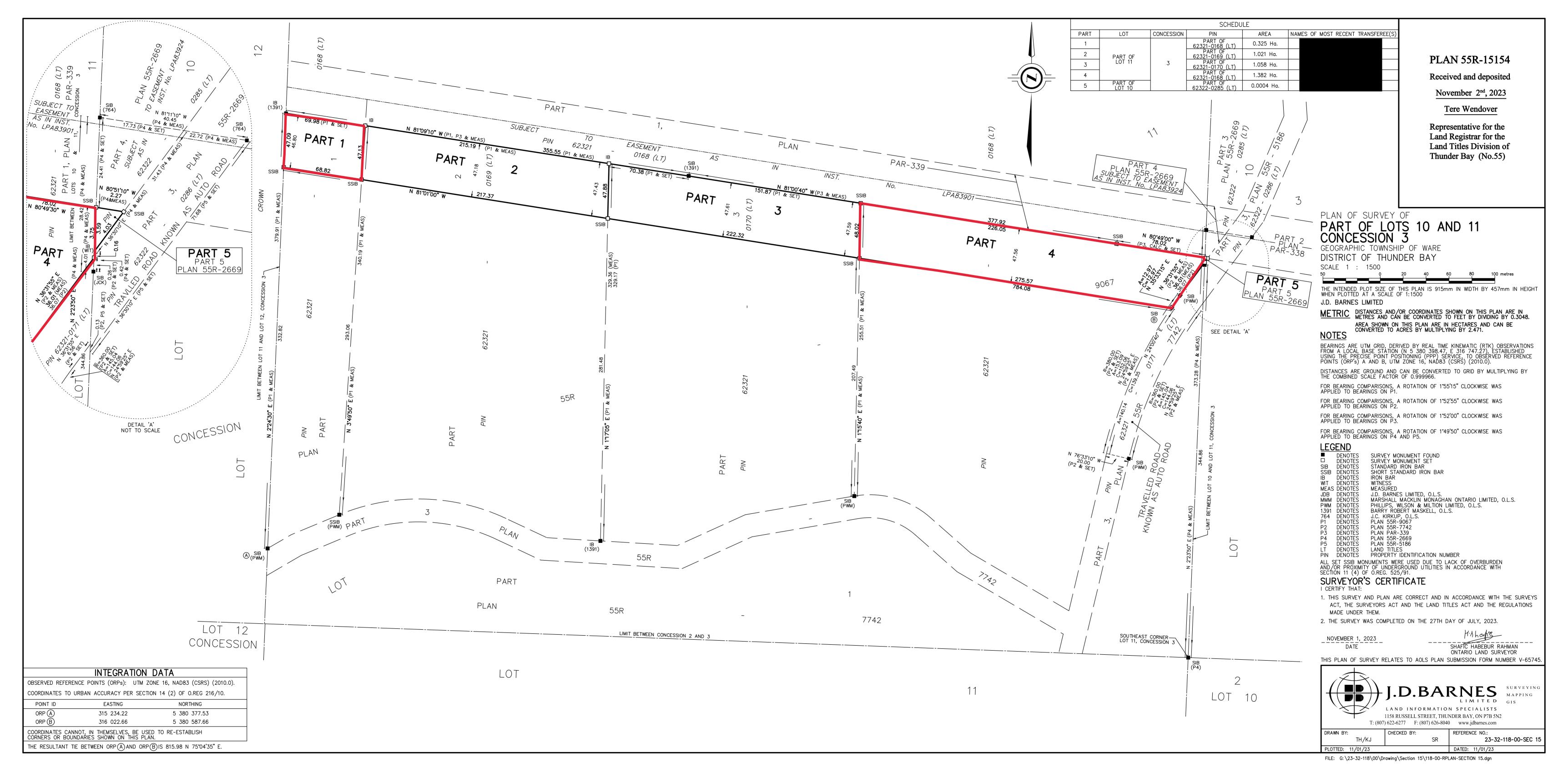


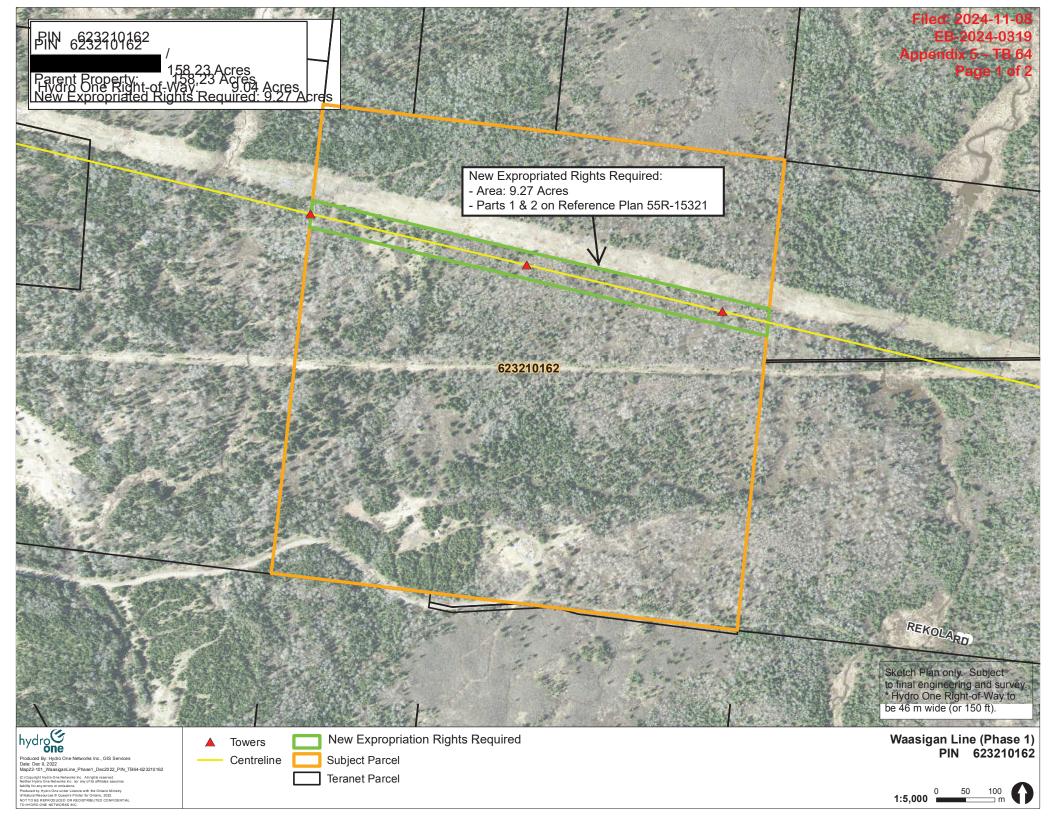


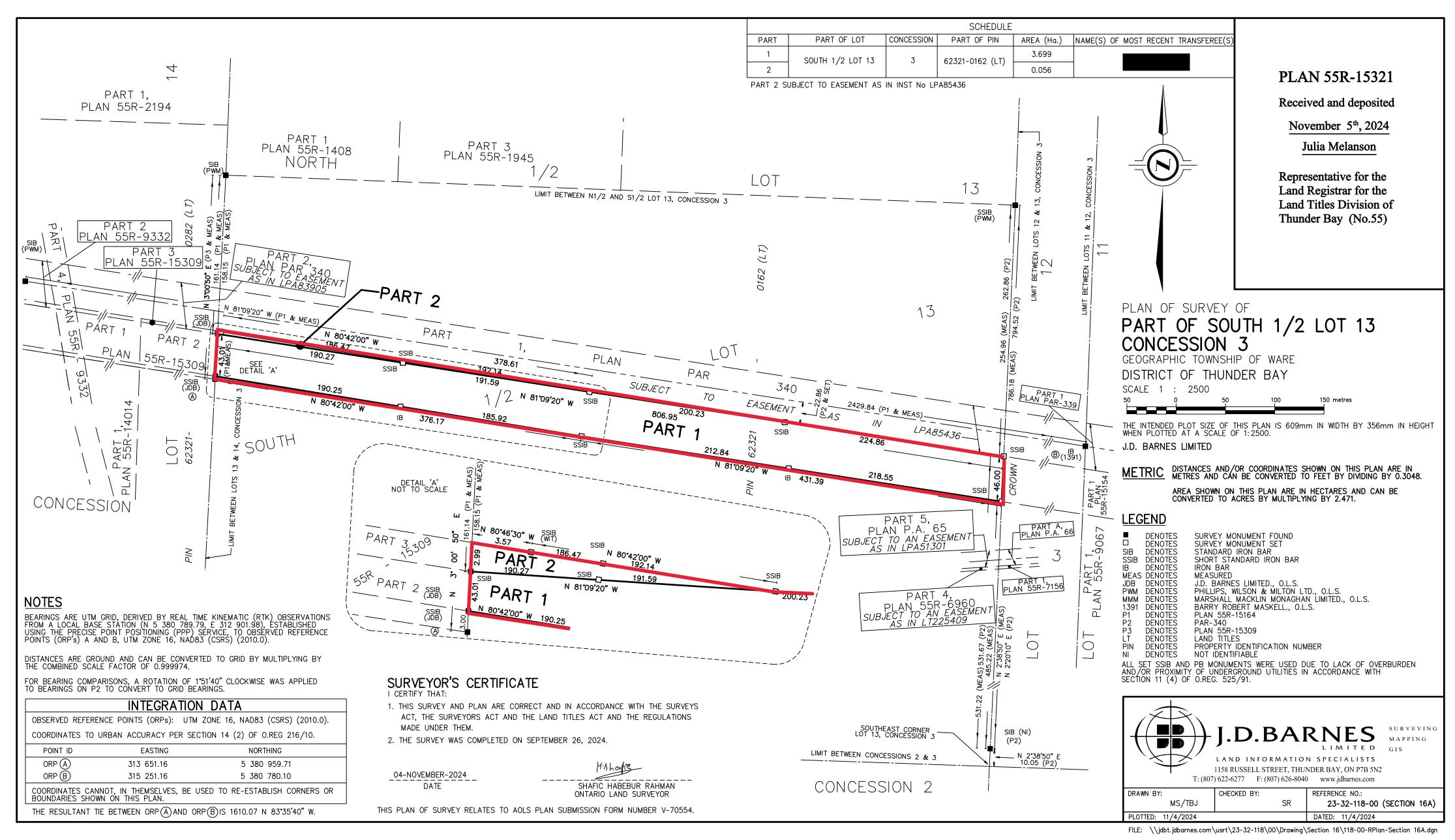


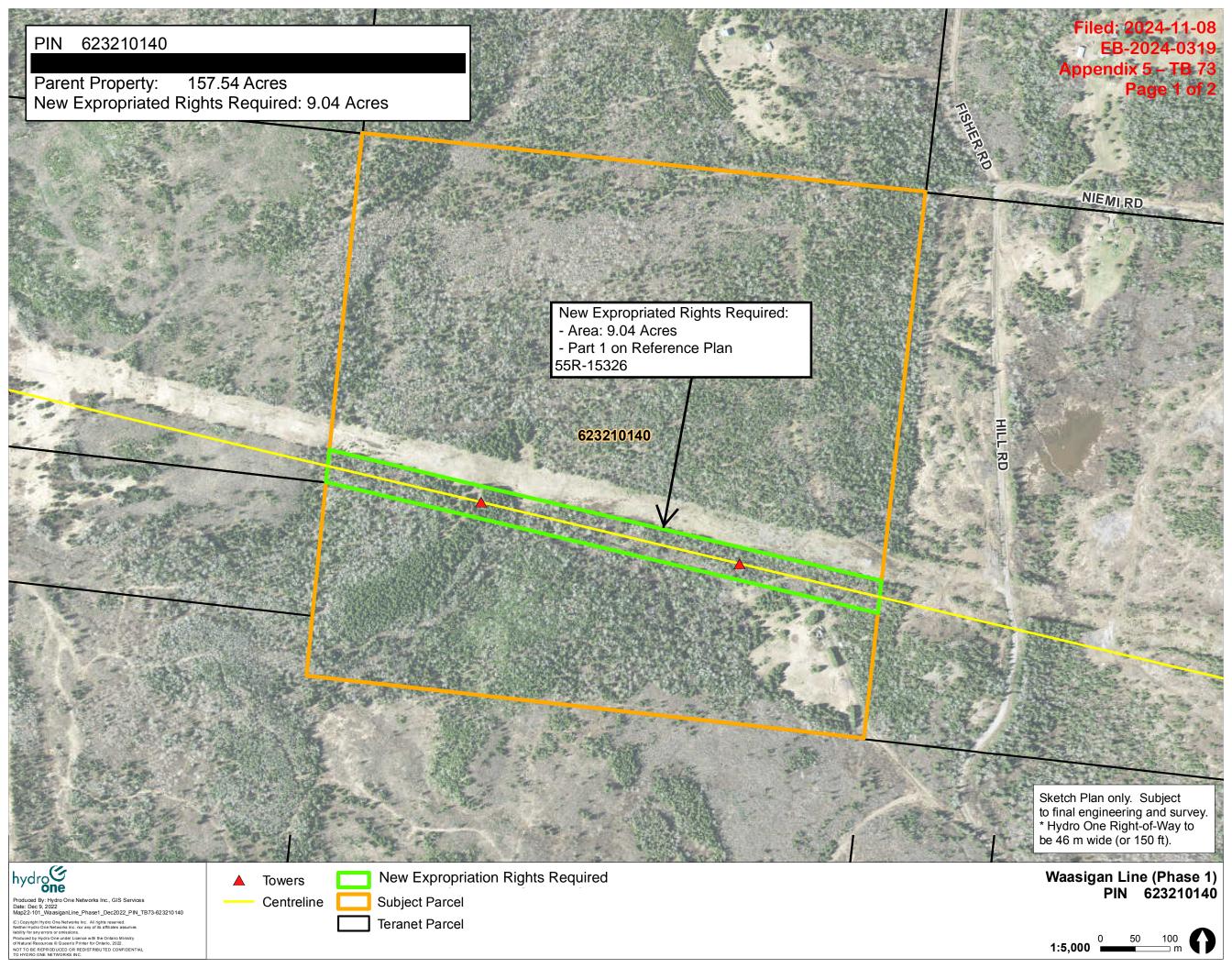


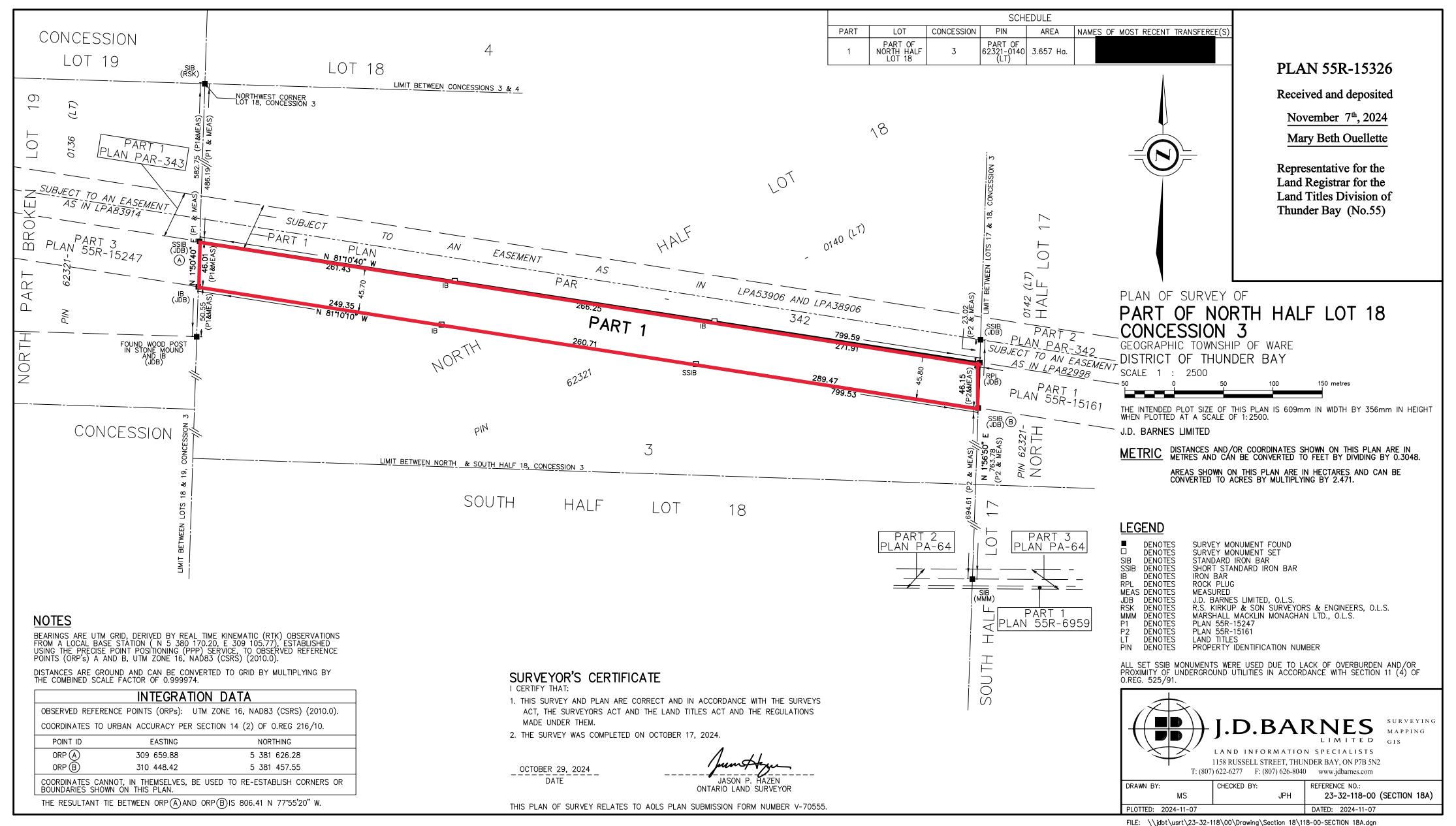


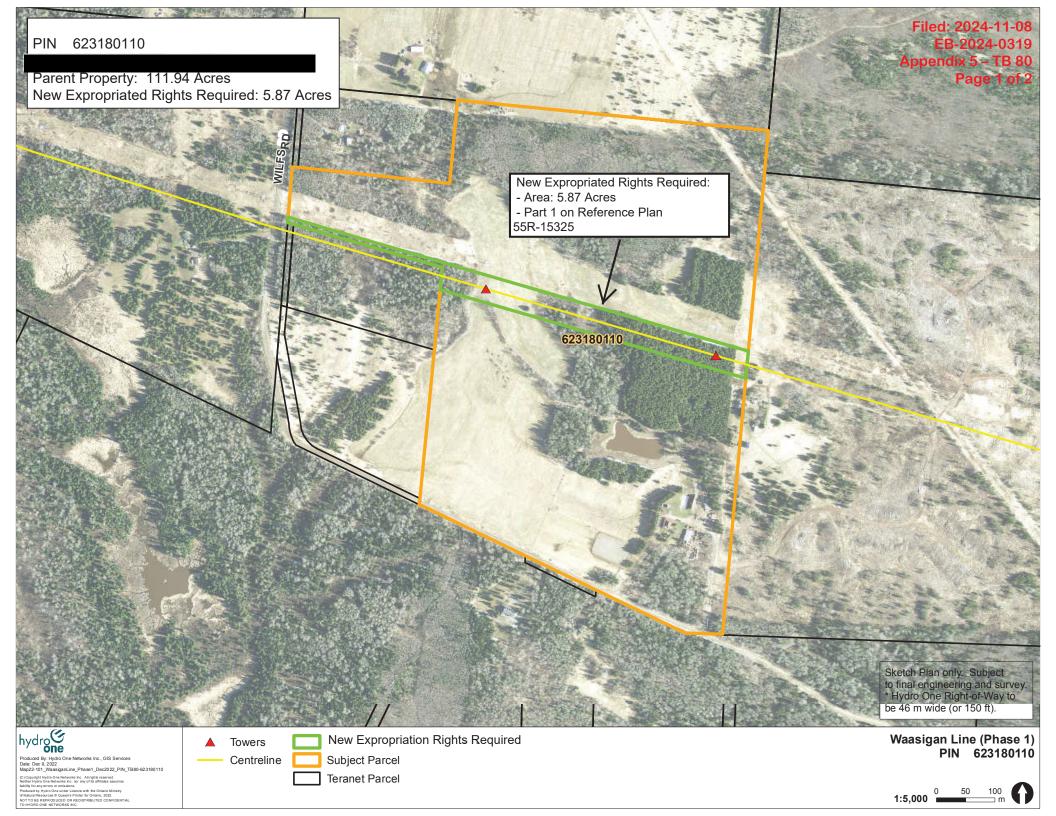


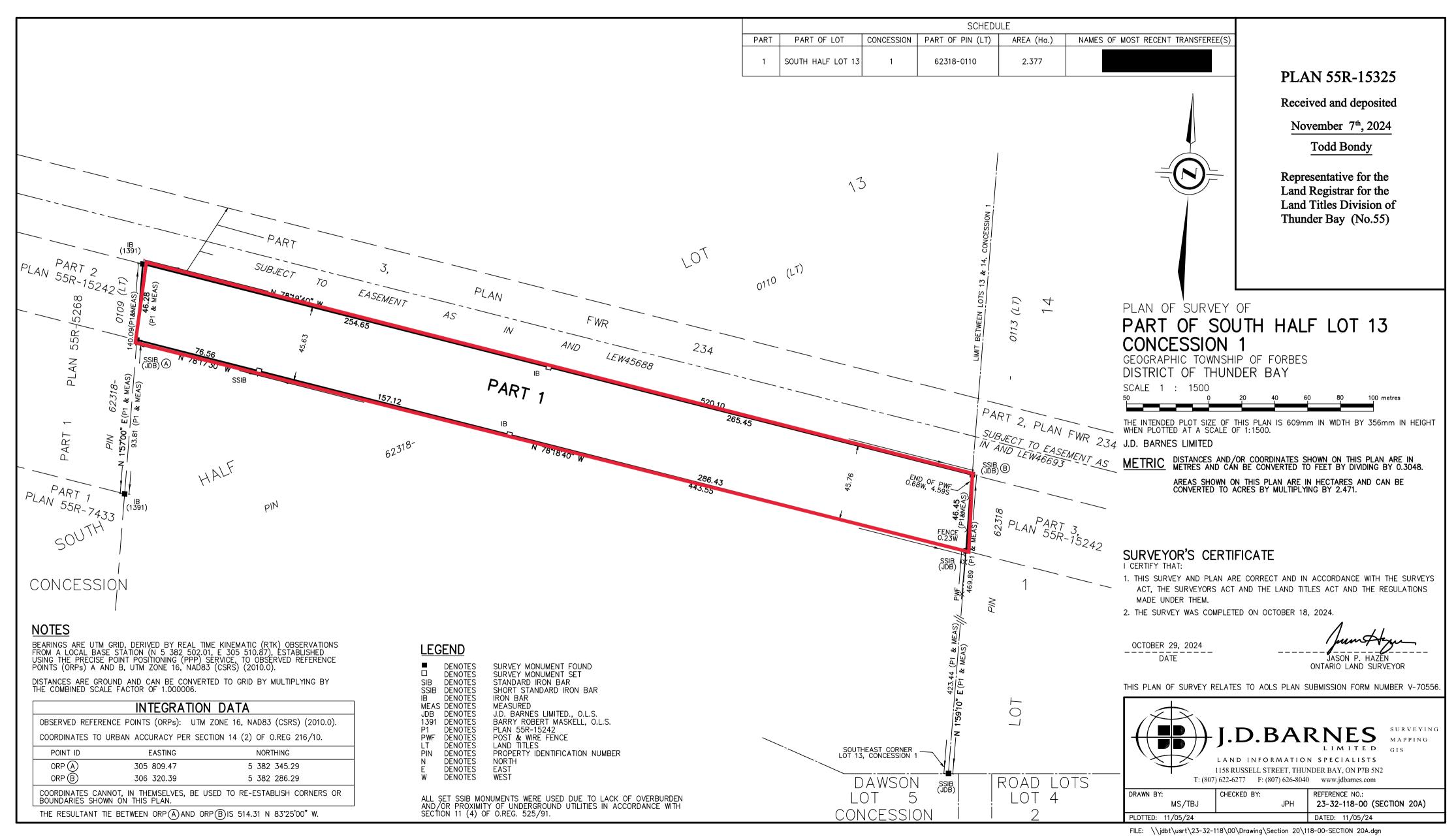


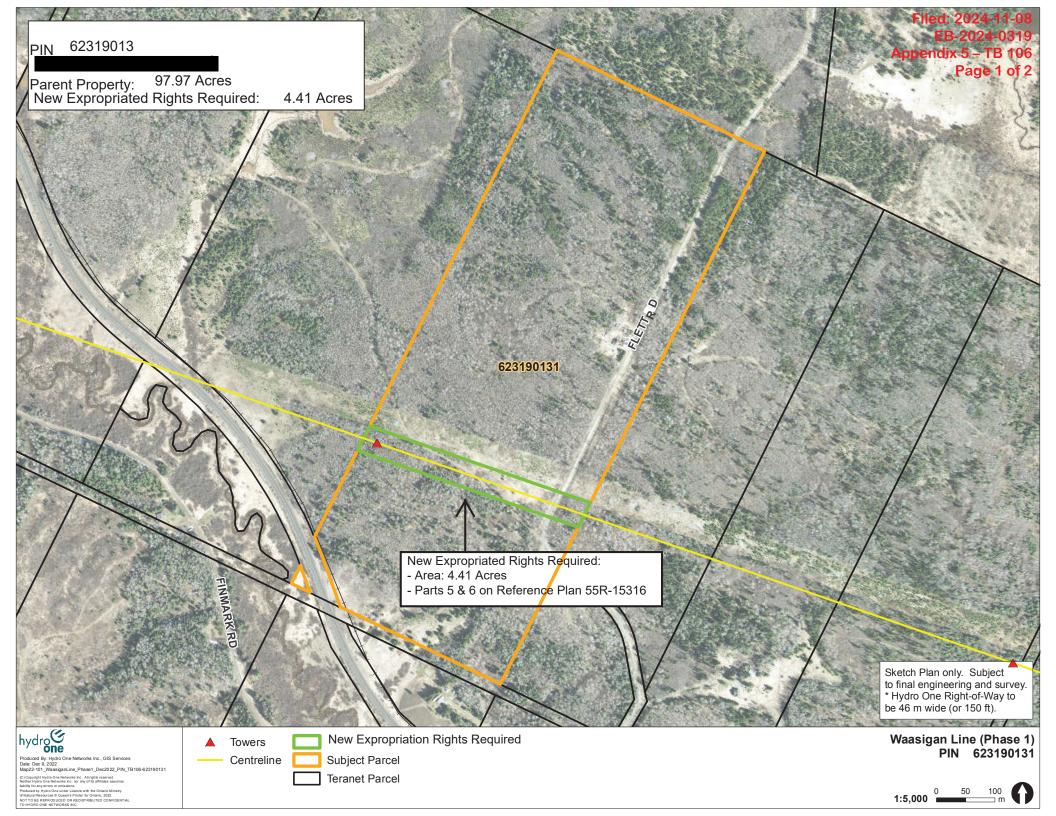


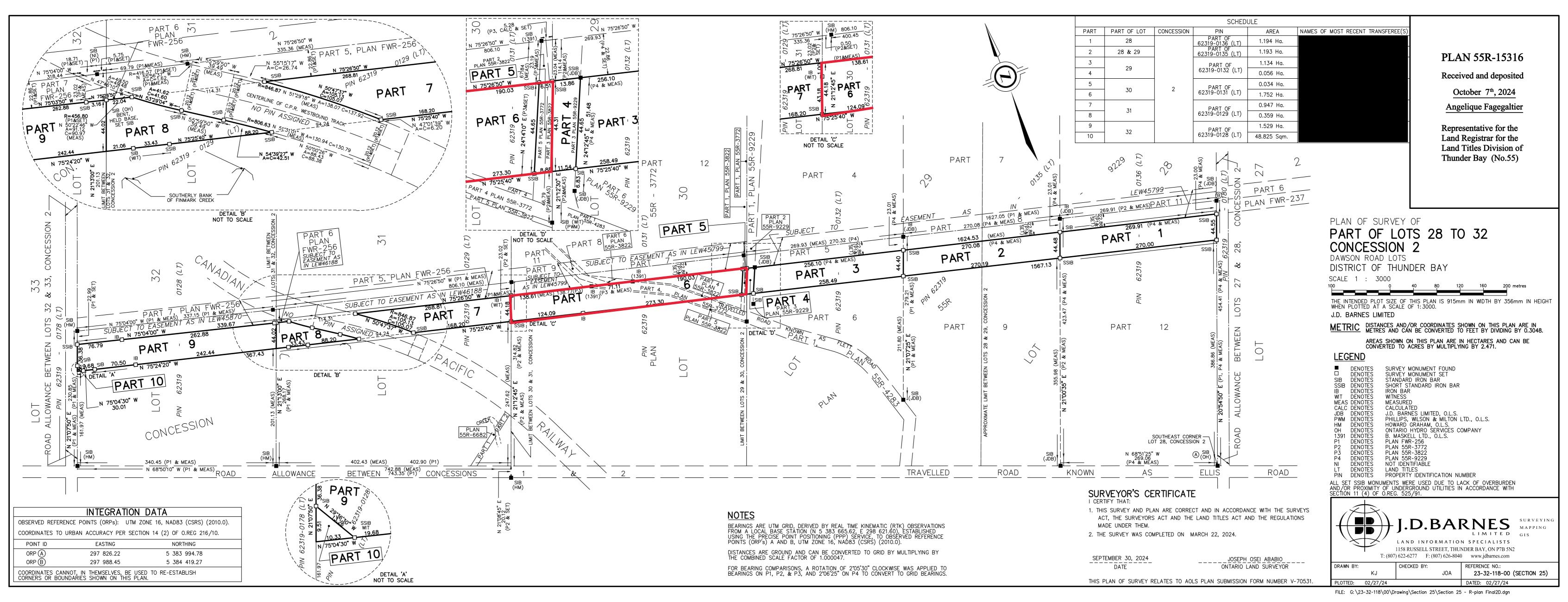


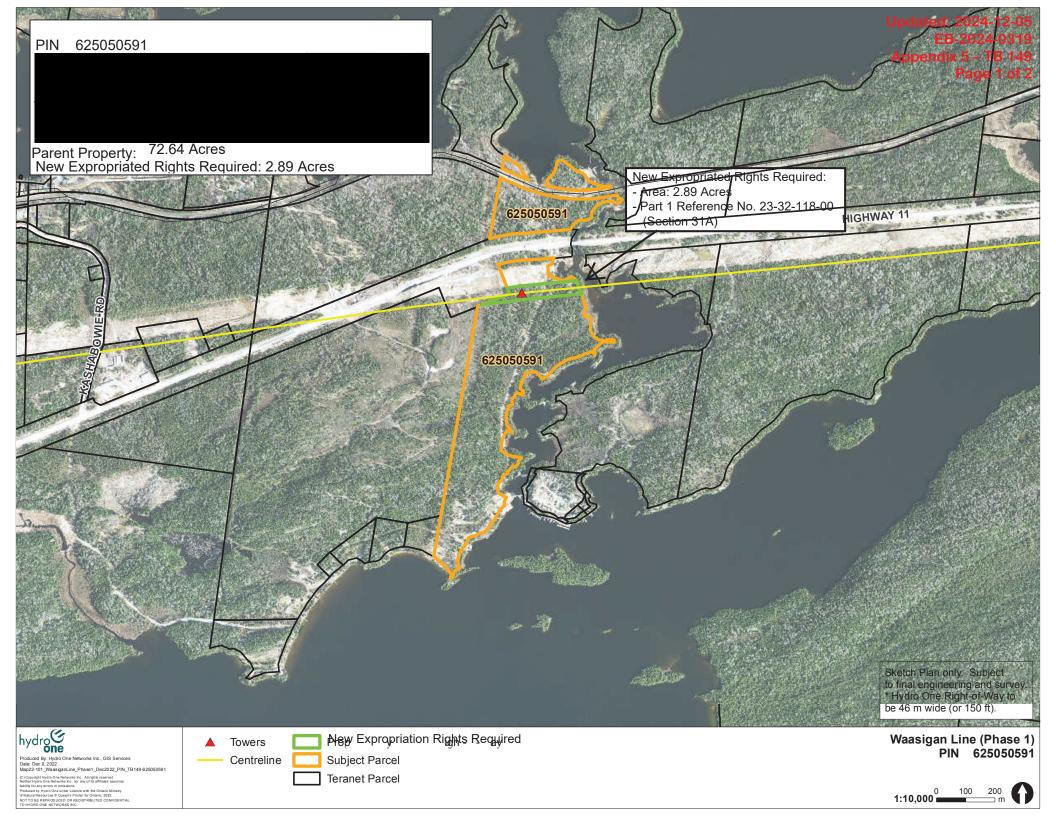


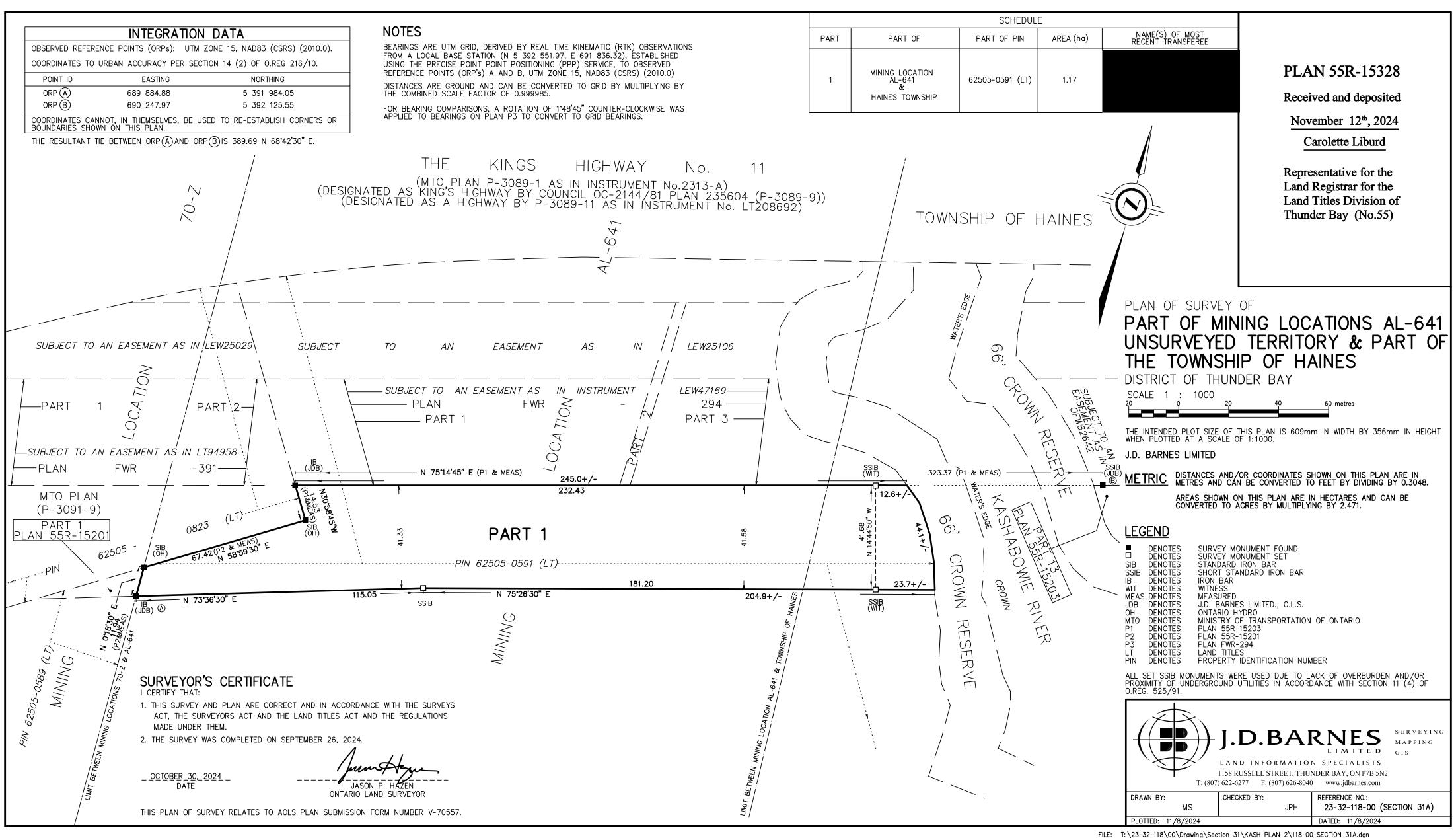


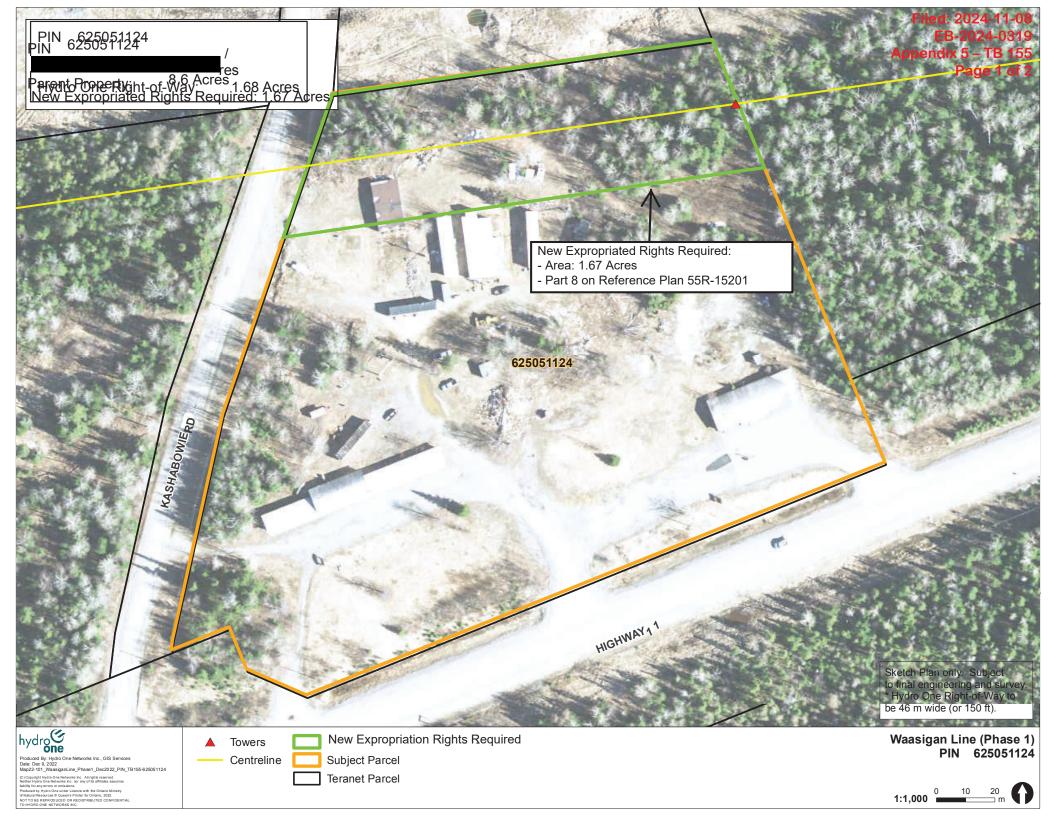


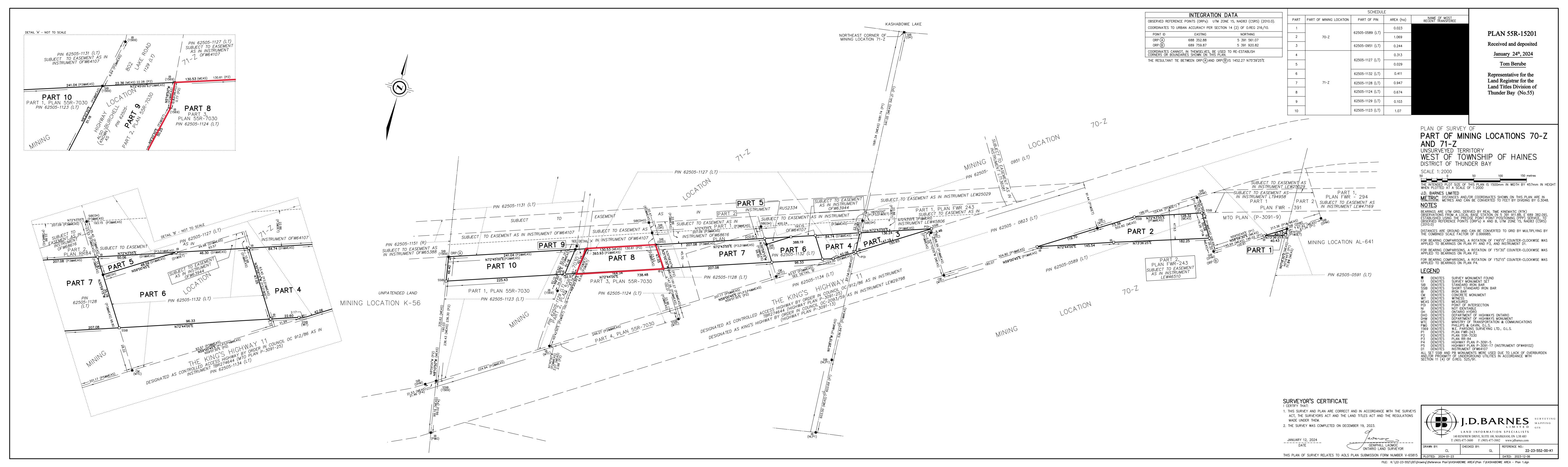












SCHEDULE B

DECISION AND ORDER

CONDITIONS OF APPROVAL

HYDRO ONE NETWORKS, INC.

EB-2024-0319

JUNE 10, 2025

Hydro One Networks, Inc. Waasigan Project – Expropriation Application Conditions

- 1. Hydro One shall notify the OEB in writing in the event that, after this Decision and Order has been issued, a negotiated settlement is reached and expropriation is no longer necessary. This notice shall be filed with the OEB within ten days of the settlement.
- 2. Hydro One shall use all reasonable efforts to provide oral and written notice to the landowners a minimum of 48 hours prior to the initial entry onto the land.
- Hydro One will reasonably attempt to accommodate landowner or tenant property
 operations when Project construction activities take place, subject to the Project's
 health, safety and security policies and procedures and the Occupational Health and
 Safety Act.
- 4. Hydro One or its agents will consult with the landowner in advance of entry as to the manner in which existing gates / fences / entryways are to be managed while entering property. In the event the landowner cannot be contacted, Hydro One shall ensure that gates / fences / entryways used by Hydro One personnel or its agents are left as found.
- 5. Upon providing Hydro One with reasonable prior notice, the landowner(s) and tenant(s) can be present to observe the transmission facilities' construction and associated activities subject to the Project's health, safety and security policies and procedures and the Occupational Health and Safety Act.
- 6. No later than June 27, 2025, Hydro One shall file a summary of the general record keeping requirements it will implement for all project lands, ensuring that the requirements are consistent for land interests acquired through both voluntary agreements and expropriation, excluding any special record keeping requirements that may have been agreed to in an individual agreement.
- 7. Hydro One shall designate one of its employees as project manager who will be responsible for the fulfillment of these conditions, and shall provide the employee's name and contact information to the OEB and to the landowners and tenants, and shall ensure that this information is clearly posted on Hydro One's construction site office. The project manager will be responsible for the fulfilment of the conditions of approval on the site.

8. Hydro One shall furnish the OEB's designated representative with all reasonable assistance for ascertaining whether Hydro One has complied with these conditions of approval.