

BY EMAIL AND RESS

July 16, 2025

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

Dear Ms. Marconi,

EB-2025-0130 – Hydro One Networks Inc. – Expropriation Application for Phase 2 of the Waasigan Project – Interrogatory Responses

Pursuant to Procedural Order No.1 issued June 24, 2025, Hydro One Networks Inc. ("Hydro One") is providing responses to all interrogatory requests received. Interrogatory requests were only received from Ontario Energy Board ("OEB") Staff and responses have been administratively assigned to Exhibit I of the record of this Application.

To meet the IESO's recommendation for completing and commissioning Phase 2 of the Project by December 2027, Hydro One is trying to expedite this Application as much as possible. Delays in granting the requested expropriation may hinder timely and efficient construction activities on these properties, leading to delays and increased costs for Hydro One. Hydro One is submitting these Interrogatory Responses ahead of the timeline specified in Procedural Order No. 1, to avoid such outcomes. Any effort to move through the remaining stages of the hearing would be greatly appreciated.

Hydro One continues to strive to reach voluntary agreements with affected property owners. Of note, Hydro One has reached a voluntary agreement with one additional landowner, identified as property DR 73, to the total properties Hydro One identified in its correspondence to the Board on June 5, 2025. As a result, Hydro One is no longer seeking expropriation authority over this property. A revised Appendix 4, reflecting this change, is provided as Attachment 1 to Staff Interrogatory #2.

In accordance with OEB filing requirements and policies, components of the interrogatory responses have been filed in confidence given the personal nature of the information disclosed therein. Hydro One confirms that all redacted versions of 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. Furthermore, Hydro One has, pursuant to Rule 10 of the OEB's Rules of Practice and Procedure (the "Rules") and the OEB's Practice Direction on Confidential Filings dated December 17, 2021 (the "Practice Direction"), requested confidential treatment of certain information contained in its response to OEB Staff interrogatory 2.

An electronic copy of these Interrogatory Responses has been submitted using the Board's Regulatory Electronic Submission System.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Flannery", with a long horizontal stroke extending to the right.

Andrew Flannery on behalf of Pasquale Catalano

cc: Gord Nettleton (McCarthy Tétrault)
Monica Caceres (Hydro One Networks Inc.)

OEB STAFF INTERROGATORY - 01

Reference:

Reference 1: EB-2025-0130, Updated Application filed on May 22, 2025, Exhibit A, Tab 1, Schedule 1

Reference 2: EB-2023-0198, Decision and Order, Leave to Construct – Waasigan Project, Schedule B: Standard Conditions of Approval for Electricity Leave to Construct Applications

Interrogatory:

a) Please confirm whether Hydro One has currently fulfilled all conditions of approval listed in Reference 2, including obtaining “all necessary approvals, permits, licences, certificates, agreements and rights required to construct, operate and maintain the project.” If any conditions have not been fulfilled, please explain why, explain how Hydro One plans to fulfill them, and provide an estimate of the date Hydro One expects to fulfill them.

b) In Reference 1, Hydro One noted that the anticipated in-service date for Phase 2 of the Project is expected by December 2027, and Hydro One needs to maximize construction activities (such as line clearing and forestry) during the optimal seasonal periods that include Q3/Q4 2025. Hydro One also noted that approval (of this application) prior to September 2025 aligns with current scheduling of the project activities.

What is Hydro One’s current planned start date for construction of Phase 2 of the Project? Please provide a high-level current schedule of the construction activities for Phase 2 of the Project. If such an estimate is not available, please explain why.

c) Based on information provided in Hydro One’s response to part b) of this question, is there any update to the timing of a decision on this application that Hydro One requires? Please discuss Hydro One’s view regarding how this timing of a decision would impact project activities.

Response:

a) Not confirmed. The following provides the status of each individual condition from the Waasigan Project’s Leave to Construct Decision and Order Conditions of Approval.

Condition 1 Status

Appendix A – List of Approvals Required During the Project Construction Lifecycle, (as attached to this response) provides a status summary of the approvals, permits,

licences, certificates, agreements and rights (collectively herein referred to as 'approvals') for both Phase 1 and Phase 2 of the Waasigan Project. The relief sought in this Application concerns only the necessary and outstanding land rights required to complete Phase 2 of the Waasigan Project as Hydro One is focusing efforts on completing Phase 2 by December 2027 in order to meet the IESO's recommendation as set out in its April 2023 letter.¹

The timing of these approvals being applied for and issued are subject to factors such as seasonality of planned works, construction methodology and potential changes to legislation. The approvals are prioritized based on site-specific work-front construction requirements. Based on past experience, the issuance of submitted applications typically occur within three months. Note that approvals related to post construction activities (e.g. land restoration), can only be considered fulfilled once the Project has been placed in-service. The full Project in-service (i.e. both Phase 1 and Phase 2) is expected in December 2027 and as such construction permits would be expected to be fulfilled by December 2028 to allow time for the completion of restoration works. Any approvals required during the operation and maintenance of the Project will be contemplated and obtained only when specific activities trigger the necessity to obtain those permit(s).

Condition 2 Status

This condition has been satisfied as construction of Phase 2 has commenced. Please refer to part (b) of this response below.

Condition 3 Status

Hydro One is not presently aware of any material changes to the Project that would trigger this condition.

Condition 4 Status

Hydro One intends on satisfying this condition once the Project construction is complete.

Condition 5 Status

Hydro One satisfied this condition on April 18, 2024.²

¹ EB-2023-0198, Waasigan Project – Leave to Construct Application, Exhibit B, Tab 3, Schedule 1, Attachment 8. See also pages 7-8 of this Decision and Order.

² Hydro One's letter to OEB entitled EB-2023-0198 - Hydro One Networks Inc. Leave to Construct Application – Waasigan Project – Notification of the Project Manager, dated April 18, 2024.

- d) Material delivery, camp construction, laydown yard, equipment mobilization, clearing, environmental surveys and other construction activities for Phase 2 started in May 2025 and at locations where all necessary approvals, permits, licenses, certificates and land agreements have been obtained.

Table A, below, represents the high-level schedule for Phase 2 construction activities.

Table A – Waasigan Phase 2 Construction Activity Schedule

Construction Activity	Start	Finish
Clearing	May 2025	Q1 2026
Access Construction	May 2025	Q1 2027
Foundation Construction	Q1 2026	Q1 2027
Assembly and Erection	Q3 2026	Q1 2027
Stringing	Q4 2026	Q3 2027
In Service		December 2027

- e) To the extent that the Board has the ability to do so, Hydro One is requesting the OEB expedite the timing of this Decision in order to meet the IESO's recommendation that Phase 2 of the Project be completed and in-service by December 2027, or sooner, if practical.

Approval prior to September 2025 will facilitate Project construction-enabling activities (such as clearing and construction access) to be performed during the optimal season for those activities. Additionally, approval prior to September 2025 aligns with current scheduling of the Project activities (refer to Table A, above), including necessary filings of registration and expropriation plans to meet the required IESO in-service date for Phase 2 of the Project.

Should the requested expropriation authorization relief be delayed, it may prevent construction activities from proceeding across these properties as currently scheduled and could result in delays and construction cost overrun risks.

Hydro One's efforts to avoid these outcomes are in part why it is submitting these Interrogatory Responses as quickly as possible (i.e. 6 days earlier than the timeline specified in Procedural Order No. 1). Any efficiencies gained by earlier review and consideration of these responses, as contemplated in the Procedural Order #1 ("P.O.1"), would provide greater flexibility and also allow Hydro One to make its Reply Submission in advance of the deadlines set out in P.O.1, again ultimately providing additional construction timing flexibility, should the sought relief be granted.

1 **Appendix A – List of Approvals Required During the Project Construction**
 2 **Lifecycle**

Permit Name	Agency Name	Phase	Permit Status
Research Authorizations and Permits	Ministry of Natural Resources	Both Phases	Planned
Comprehensive Environmental Assessment (EA)	Ministry of the Environment, Conservation and Parks	Both Phases	Approved
Endangered Species Act Permit	Ministry of the Environment, Conservation and Parks	Both Phases	Approved
Section 92 Leave to Construct	Ontario Energy Board	Both Phases	Approved
Overweight/Size Permit and Haul Route Permits	Ministry of Transportation of Ontario	Both Phases	Approved
Overweight/Size Permit and Haul Route Permits	Municipality of Shuniah	Both Phases	Approved
Overweight/Size Permit and Haul Route Permits	Township of Atikokan	Both Phases	Approved
Land Use Permit	Ministry of Natural Resources	Phase 1	Approved
Consent Agreement(s)	Ministry of Natural Resources	Phase 1	Submitted
Section 99 Expropriation	Ontario Energy Board	Phase 1	Approved
Well Decommissioning Record	Ministry of the Environment, Conservation and Parks	Phase 1	Planned
Environmental Activity Sector Registration	Ministry of the Environment, Conservation and Parks	Phase 1	Approved
Environmental Compliance Approval	Ministry of the Environment, Conservation and Parks	Phase 1	Approved
Aeronautical Assessment	Transport Canada	Phase 1	Approved
Land Use Evaluation	NAV Canada	Phase 1	Approved
Building and Land Use Permit	Ministry of Transportation of Ontario	Phase 1	Approved
Building Permit	Municipality of Shuniah	Phase 1	Approved
Building Permit	Township of Atikokan	Phase 1	Approved
ROW Crossing/Encroachment	CP rail	Phase 1	Approved
Tree Removal/Bylaw	Ministry of Natural Resources	Phase 1	Approved
Notice of Project	Ministry of Labour	Phase 1	Approved
Request For Review	Department of Fisheries	Phase 1	Approved
Access Crossing - COM	Multiple	Phase 1	Approved
Aeronautical Obstruction Assessment	Transport Canada	Phase 1	Submitted
Aggregate Approvals - CROWN	Multiple	Phase 1	Planned
Approval to Commence Harvesting	Ministry of Natural Resources	Phase 1	Approved
Authority to Haul Unscaled Trees	Ministry of Natural Resources	Phase 1	Approved
Code of Practice Notification	Department of Fisheries	Phase 1	Approved
License to Harvest Crown Trees (Patent Lands)	Ministry of Natural Resources	Phase 1	Approved

Permit Name	Agency Name	Phase	Permit Status
License to Harvest Forest Resources	Ministry of Natural Resources	Phase 1	Approved
MECP Work Permit/Crown Land	Quetico Provincial Park	Phase 1	Approved
Mining Claim Holder Consents	Ministry of Mines	Phase 1	Approved
MNR Access Roads	Ministry of Natural Resources	Phase 1	Approved
Timber Clearance Letter	Ministry of Natural Resources	Phase 1	Approved
Work Permits - WC	Ministry of Natural Resources	Phase 1	Approved
Access consent (Aggregate Sites)	Ministry of Transportation of Ontario	Phase 1	Approved
Encroachment Permit	Ministry of Transportation of Ontario	Phase 1	Approved
Overhead Crossing - COM	Multiple	Phase 1	Approved
Permission to Use	Ministry of Transportation of Ontario	Phase 1	Approved
Permit to Injure or remove trees	Township of Atikokan	Phase 1	Approved
Reclamation Work Permits	Ministry of Natural Resources	Phase 1	Planned
Road Use Agreement	Multiple	Phase 1	Approved
Scaling Agreement	Ministry of Natural Resources	Phase 1	Approved
Section 28 Development Permit (Access)	Lakehead Region Conservation Authority	Phase 1	Approved
Section 28 Development Permit (Structure)	Lakehead Region Conservation Authority	Phase 1	Approved
Nav Waters Notification	Transport Canada	Phase 1	Partially Approved
Temporary Use and Access Agreement	Infrastructure Ontario	Phase 1	Approved
Work Permit - Bridge or Culvert Installation	Lakehead Region Conservation Authority	Phase 1	Approved
Well Decommissioning Record	Ministry of the Environment, Conservation and Parks	Phase 2	Planned
Environmental Compliance Approval	Ministry of the Environment, Conservation and Parks	Phase 2	Submitted
Section 99 Expropriation	Ontario Energy Board	Phase 2	Submitted
Land Use Permit	Ministry of Natural Resources	Phase 2	Submitted
Aeronautical Assessment	Transport Canada	Phase 2	Approved
Land Use Evaluation	NAV Canada	Phase 2	Approved
Building and Land Use Permit	Ministry of Transportation of Ontario	Phase 2	Submitted
Tree Removal/Bylaw	Ministry of Natural Resources	Phase 2	Approved
Letter of Conformity	Ministry of Municipal Affairs and Housing	Phase 2	Approved
Notice of Project	Ministry of Labour	Phase 2	Approved
Access Crossing	Multiple	Phase 2	Approved
Aeronautical Obstruction Assessment	Transport Canada	Phase 2	Approved

Permit Name	Agency Name	Phase	Permit Status
Aggregate Approvals	Multiple	Phase 2	Approved
Approval to Commence Harvesting	Ministry of Natural Resources	Phase 2	Submitted
Authority to Haul Unscaled Trees	Ministry of Natural Resources	Phase 2	Submitted
Beaver Dam Removal Permit	Ministry of Natural Resources	Phase 2	Planned
Code of Practice Notification	Department of Fisheries	Phase 2	Planned
Forest Resource License	Ministry of Natural Resources	Phase 2	Submitted
Land Acquisition	Private Landowners	Phase 2	Partially Approved
License to Harvest Forest Resources	Ministry of Natural Resources	Phase 2	Submitted
MECP Work Permit/Crown Land	Campus Lake Conservation Reserve	Phase 2	Submitted
MECP Work Permit/Crown Land	Turtle River Provincial Park	Phase 2	Submitted
Mining Claim Holder Consents	Ministry of Mines	Phase 2	Approved
Timber Clearance Letter	Ministry of Natural Resources	Phase 2	Approved
MNRF Work Permit/Crown Land	Campus Lake Conservation Reserve	Phase 2	Submitted
MNRF Work Permit/Crown Land	Turtle River Provincial Park	Phase 2	Submitted
Work Permits - WC	Ministry of Natural Resources	Phase 2	Submitted
Access consent (Aggregate Sites)	Ministry of Transportation of Ontario	Phase 2	Approved
Overhead Crossing - COM	Multiple	Phase 2	Approved
Permit to Injure or remove trees	City of Dryden	Phase 2	Approved
Permit to Injure or remove trees	Town of Atikokan	Phase 2	Approved
Reclamation Work Permits	Ministry of Natural Resources	Phase 2	Planned
Road Use Agreement	Multiple	Phase 2	Approved
Scaling Agreement	Ministry of Natural Resources	Phase 2	Submitted
Nav Waters Notification	Transport Canada	Phase 2	Planned
Temporary Use and Access Agreement	Infrastructure Ontario	Phase 2	Approved

Legend:

- Permit Status referenced as “Planned” means that the permit application is planned to submit in accordance with the timelines of the permit requirements and scheduled construction activities.
- Permit Status referenced as “Submitted” means that the permit application has been formally submitted to respective approval authority for review and approval.
- Permit Status referenced as “Partially Approved” means that the permit covers multiple locations, with approvals granted for some but not all the work-fronts. The permits for the remaining locations are still under review.
- Permit Status referenced as “Approved” means that the permit application has been formally approved by the respective approval authority.

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OEB STAFF INTERROGATORY - 02

Reference:

Reference 1: EB-2025-0130, Updated Application filed on May 22, 2025, Exhibit A, Tab 1, Schedule 1

Reference 2: EB-2025-0130, Hydro One's Letter dated June 5, Exhibit A – Revised Appendix 4 of the Application: Description of Lands and Specific Interests in Lands

Preamble:

At Reference 1, Hydro One stated that it “notified all directly affected landowners impacted by the Project of its intention to present offers to voluntarily acquire required land interests required for the Project.” Hydro One stated that “all voluntary offers presented to landowners were consistent with Hydro One's Waasigan Project Land Acquisition Compensation Principles”.

In the letter noted in Reference 2, Hydro One stated that it had reached voluntary land acquisition agreements with two additional landowners and provided a revised Appendix 4 Table (Description of Lands and Specific Interests in Lands) to reflect the change. Hydro One also noted that it “continues to prioritize voluntary land acquisition”.

Interrogatory:

a) Please provide an update on negotiations with the registered landowners of the subject properties. Hydro One may use the same format as Appendix 4 Table (and insert any necessary columns of information) to reflect the current status of Hydro One's efforts to acquire Phase 2 land rights.

For each of the subject properties listed in the updated Appendix 4 Table (as required above), please provide a complete description of communication and negotiations between Hydro One and the landowners from the start, including a record of communication dates and form (i.e. phone call, personal visit, e-mail), a brief description of the nature and content of the information exchanges with the landowners, outcomes of communication and planned follow-ups.

b) At Reference 1, Hydro One stated that Phase 2 of the Project impacts approximately 78 private properties (and 59 unique landowners) along the route, and as of May 22, 2025, discussions were continuing with the landowners of 12 privately held properties that Hydro One requires permanent easements over – and this number was further reduced to 10 properties based on information provided in Reference 2. The difference between the total 78 impacted private properties and the 10 remaining subject private properties is 68. Please confirm that Hydro One has reached voluntary land acquisition

1 agreements with landowners of the 68 private properties. If not, please provide
2 explanations.

3
4 **Response:**

5 a) Attachment 1 to this response provides an update on negotiations between Hydro One
6 and landowners reflecting the current status of Hydro One's efforts to acquire Project
7 Phase 2 land rights, which is in the same general format as Appendix 4 to this
8 Application.

9
10 Attachment 2 to this response provides the Records of Consultation ("RoC")
11 completed with registered landowners for the properties Hydro One is seeking
12 expropriation relief for, as listed in Attachment 1.

13
14 b) Confirmed. When Hydro One filed its letter to the Board, dated June 5, 2025, the total
15 number of voluntary settlements reached with the landowners was 68 privately held
16 properties.

17
18 As part of this filing Hydro One is notifying the OEB of one additional voluntary
19 settlement, that of Property DR 73, bringing the total voluntary settlements to 69.

APPENDIX 4 - DESCRIPTION OF LANDS OVER WHICH AUTHORITY TO EXPROPRIATE IS BEING REQUESTED

#	Hydro One File No.	Municipality	Property Identification Number	Registered Property Owner Name(s)	Legal Description of Property (per Parcel Register)	General Description of Interest to be Expropriated	Voluntary Settlement Signed (Closing Pending)	Negotiation Update	Name(s) of Other Registered Interest Holder(s) on Title	Type of Interest	Instrument
		Dryden									
1	DR17 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42095-0024 (LT)		PCL 16228 SEC DKF; PT S1/2 LT 6 CON 6 MELGUND AS IN LT12260; S/T LT112664, LT45841; DISTRICT OF KENORA	Permanent Easement (Corridor)	No	Negotiations are ongoing, however a settlement has not yet been reached.		Easement Easement	LT45841 LT112664
2	DR18 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42095-0025 (LT)		PCL 16353 SEC DKF; S1/2 LT 7 CON 6 MELGUND; S/T LT101092, LT45839; DISTRICT OF KENORA	Permanent Easement (Corridor)	No	Negotiations have reached an impasse and a settlement has not been reached.		Easement Easement	LT45839 LT101092
3	DR24 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42093-0185 (LT)		PCL 18406 SEC DKF; PT S PT LT 5 CON 4 SOUTHWORTH AS IN PA13564; S/T LT101742; DISTRICT OF KENORA	Permanent Easement (Corridor)	No	Property owner deceased. Hydro One is working with purported inheritor of property. Despite best efforts, documentation confirming chain of title for the property is outstanding. Settlement pending confirmation of ownership.		Easement	LT101742
4	DR26 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42093-0186 (LT)		PCL 12020 SEC DKF; MINING LOCATION HW405 SOUTHWORTH; N PT LT 6 CON 4 SOUTHWORTH AS IN PA9252; EXCEPT LT32338; S/T LT101417, LT45828; DISTRICT OF KENORA	Permanent Easement (Corridor)	No	Negotiations are ongoing, however a settlement has not yet been reached.		Easement Easement	LT45828 LT101417
5	DR63 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42068-0007 (LT)		PCL 8000 SEC DKF; PT S 1/2 LT 19 CON 8 ZEALAND AS IN PA5931, EXCEPT PT 1 AND 5 KR717; DISTRICT OF KENORA; SUBJECT TO AN EASEMENT IN GROSS OVER PTS 3, 6 & 8 23R2596 AS IN KN41538	Permanent Easement (Corridor)	No	Negotiations are ongoing, however a settlement has not yet been reached.		Easement	KN41538
6	DR64 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42068-0001 (LT)		PCL 7668 SEC DKF; SE 1/4 OF S 1/2 LT 20 CON 8 ZEALAND EXCEPT PT 1 23R6264; DISTRICT OF KENORA; SUBJECT TO AN EASEMENT IN GROSS OVER PTS 2, 7 & 9 23R2596 AS IN KN41538	Permanent Easement (Corridor)	No	Negotiations are ongoing, however a settlement has not yet been reached.		Easement	KN41538
7	DR65 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42068-0005 (LT)		PCL 7686 SEC DKF; SW 1/4 OF S 1/2 LT 20 CON 8 ZEALAND BEING QUARRY CLAIM; DISTRICT OF KENORA; SUBJECT TO AN EASEMENT IN GROSS OVER PTS 1 & 10 23R2596 AS IN KN41538	Permanent Easement (Corridor)	No	Negotiations are ongoing, however a settlement has not yet been reached.		Easement	KN41538
8	DR66 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42068-0002 (LT)		PCL 7671 SEC DKF; SE 1/4 OF S 1/2 LT 21 CON 8 ZEALAND; DISTRICT OF KENORA; SUBJECT TO AN EASEMENT IN GROSS OVER PTS 4 & 5 23R2589 AS IN KN41538	Permanent Easement (Corridor)	No	Negotiations are ongoing, however a settlement has not yet been reached.		Easement	KN41538
9	DR75 in Appendix 5 of Exhibit A-1-1	Unorganized Township - District of Kenora	42069-0173 (LT)		PCL 30891 SEC DKF; S PT BROKEN LT 3 CON 2 WAINWRIGHT PT 4, 5, 6, 7, 9, 10, 12 & 13, 23R4081; S/T LT100389, LT45848; DISTRICT OF KENORA; SUBJECT TO AN EASEMENT IN GROSS AS IN KN58216	Permanent Easement (Corridor)	No	Negotiations are ongoing, however a settlement has not yet been reached.		Easement Easement Charge Assignment of Rent - General	LT45848 LT100389 KN58216 KN98421 KN98422

Summary Information

9	Total Properties Over Which Authority to Expropriate is being Requested
9	No Voluntary Settlements Achieved
0	Voluntary Settlements Signed (Closings Pending)

ATTACHMENT 2– RECORD OF CONSULTATION

1
2
3
4

This attachment, in its entirety, has been filed confidentially with the OEB in accordance with its Practice Direction on Confidential Filings.

OEB STAFF INTERROGATORY - 03

Reference:

Reference 1: EB-2025-0130, Updated Application filed on May 22, 2025, Exhibit A, Tab 1, Schedule 1

Reference 2: EB-2025-0130, Hydro One's Letter dated June 5, Exhibit A – Revised Appendix 4 of the Application: Description of Lands and Specific Interests in Lands

Reference 3: EB-2025-0130, Updated Application filed on May 22, 2025, Appendix 5: Reference Plans

Reference 4: EB-2024-0319, Updated Application filed on December 5, 2024, Appendix 5: Ortho-rectified Aerial Maps and Draft Reference Plans

Preamble:

At Reference 1, Hydro One stated that new permanent easement interests in land are required for the construction and ongoing operation of Phase 2 of the Project. To accommodate the overhead transmission line and supporting structures, new permanent easements will be up to 46 metres in width.

Interrogatory:

- a) For each of the properties identified in Reference 2, please explain the criteria and standards that Hydro One applied to determine the size of the Right-of-Way.
- b) On what basis does Hydro One establish that it seeks the minimum amount of land rights necessary to implement the transmission project?
- c) For each of the properties identified in Reference 2, please provide the aerial maps (similar to how the maps were prepared and provided in Reference 4).

Response:

- a) For all the properties identified in Reference 2 an industry-typical 46m wide Right-of-Way ("ROW") was determined to be necessary and appropriate based on: voltage, local design constraints and consideration of the project-situated terrain and natural features, including the distances between the transmission structures, structure configuration, conductor type and safety requirements. The calculation of the ROW width also complies with the following standards: Canadian Standards Association 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.

- 1 b) Please refer to part (a) above. Hydro One also notes that the Environmental
2 Assessment process undertook an extensive routing assessment to optimize the
3 location of the transmission line, ancillary components and total footprint as to
4 minimize land rights necessary while balancing Indigenous values, socio-economic,
5 technical, natural environment and cost criteria. In doing so, Hydro One has worked
6 with landowners to minimize potential impacts of the Project. In addition, Hydro One
7 has intentionally planned the location of ancillary components (such as roads,
8 helipads, staging areas etc) off private lands wherever possible minimizing overall
9 rights required.
- 10
- 11 c) The Waasigan Phase 1 expropriation application was Hydro One's first expropriation
12 application in almost two decades.¹ Hydro One appreciates the basis for the request
13 however, Hydro One highlights for OEB Staff that since the filing of Hydro One's
14 expropriation relief for Waasigan Phase 1, marked improvements in the efficiency,
15 streamlining, and review of expropriation proceedings has been undertaken by both
16 the OEB and applicants. Notably, since the filing of the Waasigan Phase 1
17 expropriation application, Hydro One has filed two other expropriation applications.² In
18 the current review and litigation of those applications, neither required ortho-rectified
19 aerial mapping to be provided. Similarly, Hydro One provides that there is no defined
20 filing requirement to provide ortho-rectified aerial mapping in the Chapter 4 Filing
21 Requirements that govern the minimum filing requirements for expropriation relief.
22 Hydro One questions the value and need to incur the costs and additional time
23 associated with developing, reviewing and submitting ortho-rectified aerial maps for
24 the relief sought in this application and Hydro One has therefore not provided this type
25 of mapping despite the inconsistency with the Waasigan Phase 1 expropriation
26 application that was filed originally in November 2024.

¹ Hydro One's last expropriation application to proceed to hearing was reviewed under docket EB-2010-0023.

² EB-2024-0142 and EB-2025-0093

OEB STAFF INTERROGATORY - 04

Reference:

Reference 1: EB-2025-0130, Updated Application filed on May 22, 2025, Exhibit A, Tab 1, Schedule 1

Reference 2: Ontario Energy Board Act, s.23

Reference 3: EB-2024-0319, Decision and Order issued on June 10, 2025, Schedule B: Conditions of Approval

Preamble:

Hydro One applied for an order granting it the authorization to expropriate certain rights for certain lands pursuant to section 99 of the OEB Act. Reference 2 permits the OEB, when making an order, to “impose such conditions as it considers proper”.

Interrogatory:

- a) As required in condition #6 of the Conditions of Approval that were established in the Waasigan Phase 1 Expropriation proceeding (EB-2024-0319) (Reference 3), Hydro One filed a summary of general record keeping requirements for project lands on June 27, 2025. Please provide a summary of general record keeping requirements for the Waasigan Phase 2 project lands. If this cannot be provided, please explain why.
- b) OEB staff proposes to adopt the same Conditions of Approval that were established by the OEB in the Decision and Order for the Waasigan Phase 1 Expropriation application (EB-2024-0319). Please note that condition #6 is only applicable when the summary of general record keeping requirements has not been provided in Hydro One’s response to part a) of this question. Therefore, OEB staff has prepared the following draft Conditions of Approval. If Hydro One does not agree to any of the draft conditions of approval noted below, please identify the specific conditions that Hydro One disagrees with and explain why. For conditions in respect of which Hydro One would like to recommend changes, please provide the proposed changes and explanation of the changes.

**Phase 2 of Waasigan Project – Expropriation
Application
Section 99 Order Granting
Authority to Expropriate Interests
in Certain Lands**

**DRAFT CONDITIONS OF
APPROVAL**

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.
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.
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 [14 days after the issuance of this Decision and Order], 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. [Note: This condition is to be deleted when Hydro One provides the summary of general record keeping requirements for project lands in its response to part a) of this interrogatory.]

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

7
8 8. Hydro One shall furnish the OEB's designated representative with all reasonable
9 assistance for ascertaining whether Hydro One has complied with these conditions of
10 approval.

11
12 **Response:**

13 a) The general record keeping practices for the Waasigan Phase 2 lands are the same
14 as those referred to by OEB Staff in this interrogatory that Hydro One provided in EB-
15 2024-0319.

16
17 b) Draft Conditions 3, 4, 5, 7, and 8 proposed by OEB Staff are acceptable to Hydro One.
18 Hydro One proposes minor changes to OEB Staff's Draft Conditions 1, and 2,
19 furthermore Hydro One disagrees with Draft Condition 6 for the following reasons as
20 noted below.

21
22 Hydro One proposes a minor change to Draft Condition #1 with respect to the timing
23 of the notification to the OEB regarding voluntary negotiated settlements after the
24 issuance of a Decision and Order in this proceeding. Hydro One suggests that the
25 notification to the OEB be made only after the rights sought to deliver the Project have
26 been officially registered to avoid any potential impediment to the registration of the
27 right that would otherwise necessitate exercising expropriation authorization. For this
28 reason, Hydro One proposes Draft Condition #1 be rewritten to avoid this potential risk
29 and administrative burden as follows:

30
31 **Draft Condition 1:** Hydro One shall notify the OEB in writing in the event that, after
32 this Decision and Order has been issued, a negotiated settlement is reached and
33 expropriation is no longer necessary. This notice shall be filed with the OEB within
34 ten days of the **sought land rights being registered on title**.

35
36 Hydro One proposes a minor change to Draft Condition #2 as follows to accommodate
37 landowner preferences for communicating to allow for either oral and/or written notice.

1 **Draft Condition #2:** Hydro One shall use all reasonable efforts to provide oral
2 and or written notice to the landowners a minimum of 48 hours prior to the initial
3 entry onto the land.
4
5 Hydro One proposes removal of Draft Condition #6. As defined by OEB Staff in subpart
6 a) of this interrogatory, this issue was addressed in EB-2024-0319 whereby Hydro One
7 provided a summary of its general record keeping practices for new transmission
8 infrastructure projects. As noted in part a), the same practices are proposed to be adopted
9 for this phase of the Project.