



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

DECISION AND ORDER ON COST AWARDS

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

August 7, 2025

OVERVIEW

On November 8, 2024, Hydro One Networks Inc. (Hydro One) applied to the OEB under section 99 of the *Ontario Energy Board Act, 1998* (OEB Act) for an order granting authority to expropriate interests in 31 parcels of land to construct a 190-kilometer 230 kV transmission line in northwestern Ontario (Waasigan Project). In its reply submission, dated April 11, 2025, Hydro One stated that it had reached voluntary agreements regarding 18 of the parcels.¹

On January 29, 2025 the OEB issued Procedural Order No. 1. Kurt Krause was granted intervenor status and cost eligibility.

On June 10, 2025, the OEB issued a Decision and Order which, among other things, outlined the process for cost awards. Kurt Krause was required to file his cost claim by June 24, 2025.

Mr. Krause submitted his cost claim to the OEB on June 25, 2025.² Mr. Krause submitted a revised cost claim on July 15, 2025.³

Hydro One did not object to Kurt Krause's cost claim.

Findings

The OEB has reviewed the claim to ensure compliance with its [Practice Direction on Cost Awards](#).

Mr. Krause was granted intervenor status with cost eligibility in this proceeding and has submitted a cost claim based on the tariff the OEB uses for cost claims made by intervenors who retain the services of lawyers and consultants to support their participation in a proceeding. In this proceeding, Mr. Krause represented his own interests as a property owner. His property was one of several properties that Hydro One sought approval to expropriate permanent easements for its transmission line project.

Hydro One stated in its reply submission that it had reached an agreement pending closing regarding Mr. Krause's property.⁴ The OEB's Decision authorized expropriation of those properties for which agreements had not yet closed, including Mr. Krause's, but only in the event those agreements failed to close.

¹ [Hydro One's Reply Submission](#) April 11, 2025, paragraph 4.

² [Kurt Krause's Cost Claim](#), June 25, 2025.

³ [Kurt Krause's Revised Cost Claim](#), July 15, 2025.

⁴ [Hydro One's Reply Submission](#) April 11, 2025, paragraph 5.

Hydro One subsequently advised it was no longer seeking to expropriate an easement over his property.⁵ In its Vary Order issued on August 5, 2025, the OEB removed Mr. Krause's property from the expropriation order.

Leave to construct the Waasigan Project was granted in an earlier proceeding in which Mr. Krause also participated as an intervenor with cost eligibility.⁶ While Mr. Krause did not submit a cost claim in that proceeding, the OEB awarded an honorarium of \$2,000.00 to Mr. Krause for his contribution to the proceeding.⁷

The OEB is of the view that the tariff used for costs incurred to retain professional representation is not appropriate in the case of a self-represented individual intervenor. However, the OEB does appreciate Mr. Krause's contribution to this proceeding and the successful outcome of his negotiation with Hydro One and awards him an honorarium of \$2,000.00.

THE ONTARIO ENERGY BOARD ORDERS THAT:

- Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Hydro One shall immediately pay Kurt Krause \$2000.00.

DATED at Toronto August 7, 2025

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar

⁵ [Hydro One's Letter](#) June 18, 2025.

⁶ EB-2023-0198 [Procedural Order No. 1](#) p. 3, November 10, 2023.

⁷ EB-2023-0198 [Decision and Order on Cost Awards](#) p. 3, June 11, 2024.