



**Hydro One Networks Inc.**

**Application for approval to expropriate certain lands  
near City of Port Colborne**

**PROCEDURAL ORDER NO. 3  
September 12, 2025**

**BEFORE: Patrick Moran**  
Presiding Commissioner

**Robert Dodds**  
Commissioner

**Shahrzad Rahbar**  
Commissioner

On December 16, 2024, Hydro One Networks Inc. (Hydro One) applied to the Ontario Energy Board (OEB) under section 99 of the *Ontario Energy Board Act, 1998*, (OEB Act), for an order granting approval to expropriate interests in certain lands (the Subject Lands) near the City of Port Colborne. Hydro One stated that the expropriation is needed so that it may continue to operate and maintain existing transmission lines that are located on the Subject Lands (Existing Transmission Lines). The Existing Transmission Lines were placed in their current location in the 1960s and form part of the Independent Electricity System Operator controlled transmission grid.

In Procedural Order No. 2, issued on July 16, 2025, the OEB made provision for a written submission process between Hydro One and Nyon Oil Inc. (Nyon) and 1170367 Ontario Inc. (117) (collectively Nyon and 117). This process concluded on August 22, 2025, when Hydro One submitted its reply submission.

On September 5, 2025, Nyon and 117 filed a letter requesting that the OEB strike certain portions of Hydro One's reply submission on grounds that those portions introduced new theories and arguments that were not set out in Hydro One's argument-in-chief; in the alternative, Nyon and 117 requested that the OEB grant it leave to submit a surreply. Nyon and 117 filed its surreply with its letter as Appendix A.

The OEB notes that Nyon and 117 have already filed their surreply with the OEB. Without making any findings regarding whether Hydro One's reply argument was

improper, the OEB will allow Hydro One to file a reply to Nyon and 117's surreply, should it choose to do so. This reply, if filed, will mark the close of the record in this proceeding.

### THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Any written reply submissions by Hydro One, shall be filed with the OEB and served on all other parties by **September 19, 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-2024-0142** 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, Muhammad Yunus at [Muhammad.Yunus@oeb.ca](mailto:Muhammad.Yunus@oeb.ca) and OEB Counsel, Michael Millar at [Michael.Millar@oeb.ca](mailto:Michael.Millar@oeb.ca).

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

**DATED** at Toronto, **September 12, 2025**

**ONTARIO ENERGY BOARD**

Ritchie Murray  
Acting Registrar