



Reply to the Attention of: Marc Kemerer  
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Our File No.: 297087  
Date: November 28, 2025

## EMAIL

Mr. Ritchie Murray  
Deputy Registrar  
Ontario Energy Board  
Suite 2700, 2300 Yonge Street P.O. Box 2319  
Toronto, ON M4P 1E4

Dear Mr. Murray

**Re: 1000757443 LP – Application for Authority to Expropriate Land Interests**

Please find enclosed the application of 1000757443 LP by its general partner, BFN Transmission GP Holding Company Inc. (the “**Applicant**”), pursuant to section 99(1) of the *Ontario Energy Board Act, 1998* (the “**OEB Act**”) for authority to expropriate land interests in the form of a permanent easement (the “**Application**”). Those interests, and the area of land to be subject to the proposed easement (the “**Expropriation Lands**”), are more particularly described and shown in the plans and descriptions attached to the Application.

Of note, the Expropriation Lands are situated in the traditional territory of the Batchewana First Nation (“**BFN**”).

The Expropriation Lands represent less than a 0.01% of land owned by the landowners who are the subject of this Application. In 2014 Grant Lakes Forest Resources Ltd. and Josephine Forest Resources Ltd., each of which are in turn owned by Shanda Group PTE Ltd. (“**Shanda**”), purchased hundreds of thousands of acres of land (the “**Shanda Lands**”) which include the Expropriation Lands. The Shanda Lands are managed by Facts Ltd. (“**Facts**”).

The Application, if approved, will allow BFN and its partner, Alamos Gold Inc. (“**Alamos**”), to construct and operate a 115 kV transmission line from the Hydro One Hollingsworth Transmission Station in Algoma District to the Island Gold District, comprising the Island Gold Mine and the Magino Gold Mine, both of which are owned and operated by Alamos near Dubreuilville, Ontario (the “**Project**”).

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Shanda has permitted the clearing of the Expropriation Lands and other pre-construction activities in preparation for the construction and operation of the Project. Shanda has also exhibited support for the Project by way of a Letter of Support outlining ongoing support for the Project and an intention to enter into subsequent agreements for the access and usage of the Expropriation Lands. In addition, BFN and Alamos held a groundbreaking ceremony for the Project with Members of Provincial Parliament and local Mayors, in which Shanda's representatives participated.

Unfortunately, despite having engaged in extensive discussions, the Applicant and Shanda have not been able to agree on compensation for the use of the Expropriation Lands. This has necessitated this Application.

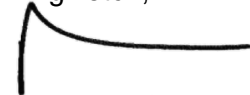
The Project will achieve a number of compelling public interest goals, including supporting BFN's energy and economic diversification strategies, increasing employment in Algoma District, facilitating significant economic development in Ontario, and reducing greenhouse gases, all while minimizing any impact to the Shanda Lands.

Please note that the Applicant and the Project are exempt from the requirement to obtain leave to construct under section 92 of the OEB Act which is addressed in detail in the attached Application.

The Applicant confirms that all documents filed in support of this application do not disclose any personal information under the *Freedom of Information and Protection of Privacy Act*.

In accordance with your request for additional supplemental material for the Application we have included: a map at the start of Appendix B to provide a snapshot of the location and widths of the transmission line, a copy of the December 2024 Class Environmental Assessment undertaken to determine the path of the proposed transmission line (new Appendix D) and a chart setting out the land interests engaged by the Application (new Appendix C).

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Marc Kemerer



ONTARIO ENERGY BOARD

**IN THE MATTER OF** the Ontario Energy Board Act, 1998,

S.O. 1998, c.15, Schedule B (the “OEB Act”)

**AND IN THE MATTER OF** section 99 (1) of the OEB Act

**AND IN THE MATTER OF** an Application by 1000757443 Limited Partnership by its general partner BFN Transmission GP Holding Company Inc., for authority to expropriate an interest in land for the purpose of constructing and operating a 115 kV transmission line from the Hollingsworth Transmission Station in Algoma District, to the Island Gold Mine site near Dubreuilville, Ontario.

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**APPLICATION FOR AUTHORITY TO EXPROPRIATE LAND INTERESTS**

**1000757443 Limited Partnership, by its general partner BFN Transmission GP Holding Company Inc.**

**November 14, 2025**

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## 1. Introduction and Background

The Applicant is a limited partnership established under the laws of Ontario in which BFN Transmission GP Holding Company Inc. ("**BFN Transmission**") and Alamos directly or indirectly hold the limited partnership interests. Alamos is an Ontario corporation with its head office in Toronto, Ontario and operates as a gold producer in Ontario, among other locations. Alamos owns and operates the Island Gold Mine and the Magino Gold Mine (together the "**Mines**"), amongst other facilities. BFN Transmission is an Ontario corporation associated with the Batchewana First Nation ("**BFN**" or the "**Nation**").<sup>1</sup> Further information about the Applicant partnership and its structure are set out at **Appendix A**.

The Applicant requires expropriation authorization from the Ontario Energy Board ("**OEB**") so that it may construct and operate a 45-kilometer 115 kV transmission line, including the access points to it located on the Shanda Lands (below defined), which will extend from a new switching station near the Hydro One Hollingsworth transmission station and will terminate at a new sub-station being constructed at the Island Gold Mine located in Finan Township, in the Algoma District (the "**Expropriation Lands**").

The transmission line and new switching station will be built, owned and operated by the Applicant and are collectively referred to herein as the "**Project**".

The Expropriation Lands are located on lands purchased in 2014 by Grant Lakes Forest Resources Ltd. and Josephine Forest Resources Ltd., both of which are in turn owned by Shanda Group PTE Ltd. ("**Shanda**") (the "**Shanda Lands**") The Shanda Lands are managed by Facts Ltd. ("**Facts**").

The Project is located in close proximity to Wawa, Ontario, where Highway 101 and the Trans Canada Highway intersect. The specific location of the Expropriation Lands is shown, with the widths shown on same, on the mapping included as **Appendix B**.

The spreadsheet attached as **Appendix C** sets out the land interests engaged by the Application.

### Regulatory Framework: Project Exempt from Leave to Construct Requirement

The Applicant is exempt from the requirement to obtain OEB leave to construct under section 92 of the OEB Act by operation of sections 6.2(1)(e) and (e.1) of Ontario Regulation 161/99 (Exemption Regulation) which state:

**6.2 (1)** Subsection 92 (1) of the Act does not apply to,

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<sup>1</sup> Further information about Alamos and BFN can be found at their respective webpages at <https://alamosgold.com/> and at <https://batchewana.ca/>

(e) a person, other than a licensed transmitter or licensed distributor, that constructs, expands or reinforces an electricity transmission line, if the cost of the construction, expansion or reinforcement of the line is to be exclusively paid for by the person;

(e.1) a person that constructs, expands or reinforces an electricity transmission line, if

(i) the construction, expansion or reinforcement of the line is undertaken pursuant to an agreement between the person and one or more customers that specifies that the cost of the construction, expansion or reinforcement is to be exclusively paid for by the customer or customers, and

(ii) none of the customers is a licensed transmitter or licensed distributor;

The Project is being constructed and paid for entirely by the Applicant, through funds contributed equally by the Applicant's owners, BFN and Alamos. Neither BFN nor Alamos is a licensed transmitter or distributor. The Project therefore qualifies for the exemption set out in the above noted provision of the Exemption Regulation.

#### Project Need and Benefits

The Project will represent an important boost to Indigenous economic development and growth in Algoma District. It will provide increased opportunities for investment in the local Indigenous communities through a greater demand for employees and local suppliers. This in turn will contribute greatly to the socioeconomic well-being of these communities.

The Project will also stimulate economic growth throughout the Algoma District for these same reasons and the capital investment will contribute to the growth of the Province's economy and tax revenue.

The Mines are undergoing a significant expansion which will result in the third largest gold mine in Canada. While Algoma Power Inc. ("**API**") currently provides distribution services to the Mines, its systems do not have incremental growth capacity to service the expansion.

The Project will supply approximately 47 MW of incremental electricity demand growth to facilitate the expansion of the Mines. In late 2026, Alamos expects to commission its "Shaft Area Complex" (the "**Complex**"). In order to commission the Complex, the Project must be in service by December 2026.

The Project itself represents a significant investment by BFN and Alamos in the Algoma District, delivering long-term clean grid electricity to the Mines which employ approximately 1,000 people. Critically, it will facilitate unlocking one billion dollars (\$1,000,000,000) of

investment by Alamos for the expansion of the Mines with on-going benefits for the Indigenous and other local communities.

The Project, located on lands which form a part of the traditional territory of BFN, will be:

1. an economic benefit for BFN, employing members of the Nation directly or resulting in a demand for services by companies owned and operated by BFN or its members;
2. a key element of BFN's overall energy strategy, making a significant step toward Indigenous energy leadership. For the past 14 years BFN has been actively involved in Ontario's energy sector through the construction of wind and solar projects. This will be the first transmission project to be developed and owned by BFN and will contribute to BFN's objective of becoming the largest provider of energy in the Algoma District. The Project will build technical and organizational capacity within BFN to manage large-scale energy infrastructure projects. This is an Indigenous success story which also reinforces BFN's role as stewards of the land;
3. a driver for opportunities for further third-party economic development projects in the Algoma District; and
4. an opportunity for improved electricity service and reliability in the future for the Algoma District.

The Project will also result in a significant reduction of the greenhouse gas ("GHG") emissions from the Mines by transitioning from electricity supplied from compressed natural gas generators to the low-emission electricity supplied from the grid. By connecting to the grid, Alamos anticipates a reduction of GHG emissions of approximately 50,000 tonnes of CO<sub>2</sub> per year. This transition is expected to drive a further 29% decrease in GHG emissions per ounce produced. This will represent an emission intensity 70% lower than the industry average.

#### Post-Construction Ownership

After construction, BFN and Alamos will jointly operate the Project. Approximately seven (7) years after the construction of the Project, or earlier, both ownership and operation will revert to BFN. This post construction transfer of Project ownership to BFN will result in BFN providing critical electricity transmission services to two (2) of Ontario's significant mining operations while also strengthening the breadth and scope of BFN's energy infrastructure portfolio.

### Other Permissions Obtained in Support of the Project

The Project was conceived in the Spring of 2022. Construction of necessary improvements for the Project to proceed have already been undertaken, including road upgrades. The installation of new prefabricated bridges has already been vetted by governmental authorities and others, leading to the following permissions:

1. permits/licenses from the Ministry of Natural Resources for land use (bridges and structures located on Crown land) and forestry clearance;
2. permits from the Ministry of Transportation for temporary entrance (off Highway 101) and encroachments during construction of the Project;
3. permission from API and the Agawa Canyon Railroad (“**WATCO**”) to allow for access and crossings of their respective rights of way; and
4. permission has been obtained from WATCO for land access and overhead crossing.

Agreements have been secured with Hydro One for a Connection and Cost Recovery Agreement and with Bell Canada for fibre optic cabling.

Azimuth Environmental Consulting undertook a Class Environmental Assessment (“**Class EA**”) for a Transmission Facility (December 2024) and followed that up with an Environmental Assessment for Minor Transmission Projects, acknowledged by Ministry of Environment, Conservation and Parks in Spring 2025, and the November 2025 (enhanced) Environmental Justification Report (“**EJR**”). This environmental work assessed how potential environmental impacts would be mitigated over the lifespan of the Project and may be appropriately mitigated to levels of insignificance, concluding that the:

1. proposed transmission line will not result in direct or indirect negative impacts to the habitat of species at risk or fish; and
2. location for the transmission line set out in this Application will have the lowest impact of all alternative locations, including by minimizing the opening of lands, as requested by both BFN and Shanda. The EA factors in proximity to existing access opportunities, the terrain, environmental considerations, the avoidance of waterbodies and minimizing the number of structures.

A copy of the Class EA is attached to this Application as **Appendix D**. A copy of the EJR is attached to this Application as **Appendix E**

### Original Licence Agreement and Amendment to Original Agreement

As set out below, agreement was also obtained from Facts Ltd., to clear the proposed transmission line of trees (the “**Clearing**”) through an Access Licence Agreement, a copy

of which is attached as **Appendix F**. Approximately ninety-five percent (95%) of the Clearing has already been completed.

The Access Licence Agreement provided for:

1. access to the lands for purposes of facilitating performance of various studies including environmental impact studies, surveying, excavation of test pits, drilling bore holes for geotechnical assessment and route assessment for contemplated transmission line; and
2. licence fees and other compensation payable to the landowner Grantors.

An Amending Agreement, a copy of which is attached as **Appendix G**, extended the rights of the Applicant under the Access Licence Agreement to permit additional activities on the Shanda Lands including work related to clearing trees, construction of bridges and other crossings, and maintaining and upgrading roadways to support the tree clearing and crossing work (collectively, the “**Pre-Construction Activities**”).

## 2. Project Land Requirements

The Applicant through this Application is seeking a new permanent easement over the Expropriation Lands and some of the access points for the construction and ongoing operation of the Project (the “**Easement**”). The Easement will allow for access to, and operation, repair and maintenance of, the overhead transmission line and supporting structures of the Project.

In accordance with application requirements, Appendix B includes detailed location mapping of the Expropriation Lands and points of access. This mapping represents GPS mapping done for the purpose of identifying the location of the Clearing work, which is the same as the intended location of the transmission line.

The area of the Easement will be approximately 350 acres, with easement widths for the transmission line corridor ranging between 34, 40 and 60 meters (dictated by span and structure type of the transmission poles), and a length of 45 kilometres; and easement widths for the access routes ranging between 8 and 15 meters. The terrain over which the transmission line will run is rugged and characterized by numerous lakes.

While the attached location mapping is an accurate depiction of the location of the Expropriation Lands and access points, the Applicant is currently conducting a survey in compliance with section 6 of the Ontario *Surveys Act*, and will in the coming weeks provide the OEB with a formal survey which sets out the metes and bounds descriptions of the Expropriation Lands, including the transmission line corridor and access routes, for the purposes of the expropriation plan to be registered on title to the Shanda Lands, if the OEB grants the requested expropriation authorization.

As noted above, BFN claims an underlying interest in the Expropriation Lands based on the historical use and occupation of those lands by BFN. Nonetheless, in the interests of cooperation and good faith, BFN and Alamos have made good faith efforts to negotiate the acquisition by the Applicant of an interest in the Expropriation Lands, first by way of an easement and more recently of a lease.

While the Project requires the Applicant to acquire land rights or approvals from Shanda as well as other landowners, the Applicant is only seeking an OEB order authorizing expropriation in respect of the Shanda Lands. All other interests and approvals have been, or will be, obtained on a negotiated commercial basis directly from the relevant third parties.

Shanda has acknowledged that the proposed land taking is appropriate and will not interfere with access over the Shanda Lands or the use by Shanda of those lands by:

1. entering into the agreement to allow for the Pre-Construction Activities to occur (including the clearing of trees for the 45 kilometre corridor);
2. providing a Letter of Support for the Project, a copy of which is attached as **Appendix H**;
3. noting an intention to enter into subsequent agreements for the access and usage of the Expropriation Lands; and
4. permitting its representatives to participate in the groundbreaking ceremony for the Project.

Any impact to the Shanda Lands would be remote. The Applicant, including through the EA, has taken great care to minimize the proposed land taking for the transmission line.

#### Negotiations with Landowner

As the Expropriation Lands are located within the traditional territory of BFN, it was hoped that Shanda would be responsive to the offers to lease those lands. There were numerous informal meetings and communications with respect to the proposal to lease the Expropriation Lands. Originally the Applicant was optimistic about the prospects of arriving at a deal satisfactory to both sides given the agreement by Shanda to allow the Pre-Construction Activities to proceed to ready the lands for the transmission line and access routes, in addition to its demonstrated support for the Project both in writing and via attendance at the groundbreaking ceremony for the Project.

These negotiations with landowner representatives included numerous in person and on-line meetings, phone calls, emails and written correspondence, the exchange of drafts of the Original License Agreement and Amending Agreement as well as the exchange of

drafts of an easement or lease agreement. The details of such communications, consultations and negotiations are set out in detail in the chart attached as **Appendix H**.

### Notice

As of the date of this filing, no voluntary agreements for permanent easement interests between Shanda and the Applicant have been executed. The Applicant will, as directed by the OEB, provide any other holders of registrable interests, such as API, WATCO, and Hydro One with notice of the Applicant's intention to proceed with the Application and the relief requested through it.

### **3. Description of the Land Interests to be Expropriated**

A description of the lands and specific interests in lands in which the Applicant is seeking authority to expropriate will be included in the survey to be provided to the OEB as part of this Application. The Applicant has conducted a search of title sufficient to identify the current registered property owners, those who hold registrable interests in the lands, and those with any interest in the lands directly affected by this Application.

### **4. Expropriation is in Public Interest**

For the reasons set out above, the requested expropriation authorization is necessary to allow the Applicant to construct and operate the Project. There is no alternative corridor available to the Applicant. Project design and implementation activities, at great cost to the Applicant, have been underway since 2022. Right of way tree clearing activities have been substantially completed on the Expropriation Lands with the consent of Grant Lakes Resources Ltd. and Josephine Forest Resources Ltd., facilitated through Facts.

Crucially, approval of the Application will provide meaningful opportunity for Indigenous participation. On June 12, 2025, the Government of Ontario (the "**Province**") released Energy for Generations, an Integrated Energy Plan ("**IEP**")<sup>2</sup> which provides a 25-year roadmap for powering Ontario's growth and economic development in accordance with the Province's Affordable Energy Future Vision. The IEP highlighted the importance of creating opportunities for meaningful Indigenous participation in energy projects. This Project does just that. It is more than infrastructure. It is a collaboration that supports Indigenous-led economic development. BFN is a co-owner of the Project; this Project is an opportunity for capacity building for BFN's future energy projects. BFN will oversee its long-term operation and retain ownership assuring enduring economic and social benefits for the community. It is in the public interest to support Indigenous partnerships, as stated in the government's IEP.

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<sup>2</sup> Government of Ontario, [Energy for Generations: Ontario's Integrated Plan to Power the Strongest Economy in the G7](#), June 2025.

In addition, and as noted, the public interest will benefit as a result of the significant reduction in GHG as the Mines transition from compressed natural gas generators to a low-emission electricity grid.

Finally, Alamos' Island Gold District employs approximately 1,000 people; it supports 206 Ontario based goods and services companies. It is a main driver of economic growth and prosperity for the residents of Dubreuilville, Wawa, White River and other communities in the Algoma region. The Project is in the public interest in ensuring ongoing employment opportunities and ongoing support of local businesses.

## 5. Requested Relief

Based on the foregoing, the Applicant requests an Order granting the necessary authority to expropriate an easement interest in the Expropriation Lands in the rights in the nature of a permanent easement to allow 1000757443 LP and its General Partners to enter, occupy and re-enter the Expropriation Lands for the purpose of constructing and operating electrical transmission and telecommunications systems and all works ancillary thereto, including but not limited to:

1. lay down, install, construct, erect, maintain, open, inspect, add to, enlarge, alter, repair and keep in good condition, move, remove, replace, reinstall, reconstruct, relocate, supplement and operate and maintain at all times electrical transmission systems and telecommunications systems consisting in both instances of pole structures, steel towers, anchors, guys and braces and all such aboveground or underground lines, wires, cables, telecommunications cables, grounding electrodes, conductors, apparatus, works, accessories, associated material and equipment, and appurtenances pertaining to or required by either such system as in the opinion of 1000757443 LP through its General Partners are necessary or convenient thereto for use as required from time to time for the purpose or a related business venture (individually and/or collectively the "**Works**");
2. to enter on and selectively cut or prune, and to clear and keep clear, and remove all trees, branches, bush and shrubs and other obstructions and materials, and without limitation, to cut and remove all leaning or decayed trees on the Expropriation Lands whose proximity to the Works renders them liable to fall and come in contact with the Works or which may in any way interfere with the safe, efficient or serviceable operation of the Works or the Easement;
3. conduct all engineering surveys;
4. clear and keep clear the Expropriation Lands of all buildings, structures, erections, installations, or other obstructions of any nature whether above or below ground, including removal of any materials and equipment or plants and natural growth, which in the opinion of 1000757443 LP through its General Partners may endanger the Works or any person or property or which may be likely to become a hazard to the Works or to any persons or

property or which do or may in any way interfere with the safe, efficient or serviceable operation of the Works or the Easement;

5. remove and reconstruct the Works; and
6. undertake any and all works ancillary to any of the foregoing.

Considering the current status of the Project and the objective to finalize construction in 2026, it is essential that the process proceeds efficiently.

## **6. Notice**

1. The Applicant requests that a copy of all documents filed with the OEB be served on the Applicant and the Applicant's counsel, as follows:

**(a)** The Applicant:

1000757443 Ontario LP  
c/o BFN Transmission GP Holding Company Inc.  
256 Frontenac Street  
Batchewana First Nation, ON P6A 6Z1

Attention: Jim Tait  
[Jim.tait@Batchewana.ca](mailto:Jim.tait@Batchewana.ca)

**(b)** The Applicant's Counsel:

McMillan LLP  
181 Bay Street, Suite 4400  
Toronto, ON M5J 2T3  
Attention: Marc Kemerer  
marc.kemerer@mcmillan.ca

with a copy to:

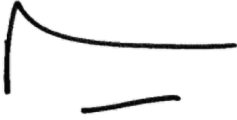
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Attention: Ljuba Djurdjevic  
[ldjurdjevic@mccarthy.ca](mailto:ldjurdjevic@mccarthy.ca)

## 7 Conclusion and Request

For the reasons set out above in this Application the Applicant is seeking an Order from the OEB authorizing the expropriation of the Expropriation Lands and access points to located on the Shanda Lands to allow for the construction and operation of the Project.

All of which is respectfully submitted this 14<sup>th</sup> day of November 2025 on behalf of the Applicant.



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Marc Kemerer

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## **Appendix List**

Appendix A – Applicant Partnership Chart

Appendix B – Mapping

Appendix C – Spread sheet of Legal Interests Engaged

Appendix D - December 2024 Azimuth Class Environmental Assessment

Appendix E - November 2025 Environmental Justification Report

Appendix F – Access Licence Agreement

Appendix G – Amending Agreement

Appendix H – Facts Letter of Support

Appendix I – Chart of Communications Between the Applicant, Facts and Shanda