



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

BY EMAIL AND WEB POSTING

December 15, 2025

To: All Regulated Entities
All Other Interested Stakeholders

Re: **OEB 10-Point Action Plan:
Implementation update – Items 1, 4 and 8
Ontario Energy Board File No. EB-2025-0098**

What You Need to Know

- The Ontario Energy Board (OEB) is introducing a new performance standard and a standard issues list for expropriation proceedings. It is also updating Procedural Order No.1 to provide clearer filing guidance and revising the *Protocol for Adjusting Adjudicative Timelines* to streamline reviews and improve transparency.
- These updates will make reviews more predictable and provide clearer guidance for participants.
- The OEB will publish updated documents, communicate changes to stakeholders, and monitor implementation for consistency and effectiveness.
- Streamlined regulatory processes will reduce delays in energy infrastructure projects, enabling faster, more predictable decisions that help attract investment, create jobs, and support Ontario's economic growth.

The OEB is advancing Items 1, 4 and 8 of its 10-point Action Plan (the Plan), part of its September 2024 Report Back to the Minister on [Intervenors and Regulatory Efficiency](#) (the Report). Both the Plan and Report are aligned with the 2024 Minister's [Letter of Direction](#), which emphasizes regulatory efficiency as a priority for the OEB to enable Ontario's economic growth.

Item 1 – Limiting the scope and number of intervenors in priority facility projects

Performance Standard and Standard Issues List for Expropriation Proceedings

The OEB is committed to ensuring that the scope of regulatory proceedings remains appropriate, particularly for priority facility projects, and to continue exploring ways to accelerate and reduce costs.

To support this, the OEB has introduced a new performance standard and a standard issues list for expropriation proceedings.

Performance standards outline the typical procedural steps for processing a specific type of application and the typical number of calendar days for each step. Actual steps and timelines may vary, depending on factors such as statutory holidays.

The new performance standard for expropriation proceedings was developed based on:

- A review of timelines for electricity and gas expropriation applications,
- An assessment of realistic time requirements for key components, and
- Feedback from stakeholders.

Effective January 1, 2026, the OEB will apply this new standard as the default for applications filed under section 99 of the *Ontario Energy Board Act, 1998*. The performance standard is included in Appendix A and posted on the OEB's [website](#).

The OEB has also developed a standard issues list for expropriation proceedings. This is included in Appendix B and posted on the OEB's [website](#).

The OEB may refine this list as it processes more applications in the future.

Item 4 – Exploring options to minimize duplication in interrogatories***Updates to Procedural Order No. 1***

The OEB has revised Procedural Order No. 1 to provide additional guidance on preparing and filing documents, disclosing the use of artificial intelligence (AI), considerations in awarding costs, and to provide notice of the possibility of limits on the number of interrogatories and length of submissions.

Use of artificial intelligence

The OEB has amended its [Rules of Practice and Procedure](#) to address the use of AI systems in preparing filings. Under Rule 9.03, any party using AI must, at the beginning of the document:

- State that an AI system was used in its preparation.
- Confirm that the accuracy of AI-generated content has been verified by the party or its representative without AI assistance.

Considerations in awarding costs

Consistent with the OEB's [Practice Direction on Cost Awards](#), parties are reminded that, in determining the amount of a cost award, the OEB will consider (among other things) whether the cost eligible party has demonstrated through its participation and documented in its cost claim that it has made reasonable efforts to: (a) combine its intervention with that of one or more similarly interested parties and to co-operate with all other parties, and (b) ensure that its participation was not unduly repetitive and was focused on relevant and material issues.

Limits on interrogatories and submissions

The OEB may impose a limit on the number of interrogatories (or sub-parts of interrogatories) that may be filed by a party or on the length of a submission. If the OEB imposes limits, details will be provided through Procedural Orders as may the consequences for failure to adhere to the limits.

Item 8 – Continuing to Actively Adjudicate***Updates to the Protocol for Adjusting Adjudicative Timelines***

The OEB has updated its [Protocol for Adjusting Adjudicative Timelines](#), which provides a transparent and predictable approach for adjusting schedules during the Holiday Timeout Period and for material delays beyond the OEB's control.

The Holiday Timeout will now generally align with the Ontario Ministry of Education's public school winter break. It will typically span two weeks, beginning the week of Christmas Day and ending the week of New Year's Day. Specific dates for each year will be communicated to industry, typically in April and October. The protocol's appendix now includes past and future Holiday Timeout dates and durations from 2022 to 2036.

Stay Informed

Interested stakeholders are encouraged to visit the *Implementing the OEB's 10-point Action Plan* [Engage with Us](#) page and sign up to receive future updates.

Any questions relating to this letter should be directed to registrar@oeb.ca.

Yours truly,

Ritchie Murray
Acting Registrar



APPENDIX A

Application to Expropriate

Electricity & Natural Gas

PROCEDURAL STEP	Calendar Days Elapsed
Application filed	-14
Letter acknowledging receipt of application	-10
Completeness letter issued	0
Notice/Letter of Direction issued ¹	10
Affidavits of Service received	35
Last day for interventions	40
Procedural Order No. 1 issued	55
Interrogatories issued	65
Applicant's responses to interrogatories received	77
Oral Hearing	91
OEB staff and Intervenor's File submissions	107
Applicant's Reply Submissions Filed	120
Decision and Order issued	180

APPENDIX B

Introduction

The Ontario Energy Board's (OEB) legislative authority with respect to applications seeking approval to expropriate land for a work is set out in section 99 of the *Ontario Energy Board Act, 1998* (OEB Act).

A person that has received leave to construct from the OEB or who is exempt from obtaining leave under section 95 or by regulation, may apply for expropriation where they have been unable to reach an agreement with an affected landowner. The OEB may make an order authorizing the expropriation if it determines that the expropriation is in the public interest. Applicants are expected to make best efforts to negotiate an agreement with landowners before resorting to an expropriation application.

The main issue in an expropriation proceeding is not whether the project itself is in the public interest (as this will already have been determined in the leave to construct decision), but rather whether the specific expropriations requested are in the public interest.

Section 100 of the OEB Act provides that, if the applicant and affected landowners cannot agree on compensation for expropriation, the compensation is determined by the Ontario Land Tribunal under the *Expropriations Act*, R.S.O. 1990, c. E.26.

The standard issues list below is intended to capture the issues that are within the scope of a typical expropriation application under section 99 of the OEB Act.

Section 99 Expropriation Issues List

1. Is the proposed expropriation in the public interest?
2. Has the applicant 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?