



**BFN Transmission GP Holding Company Inc., on behalf
of 1000757443 Ontario LP**

**Application for authority to expropriate certain
interests in land**

**PROCEDURAL ORDER NO. 1
January 19, 2026**

On November 17, 2025, BFN Transmission GP Holding Company Inc., on behalf of 1000757443 Ontario LP, (the Applicant) applied to the Ontario Energy Board (OEB) under section 99 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) (OEB Act), for an order granting authority to expropriate certain land interests in the form of a permanent easement. The Applicant states that the expropriation is needed to facilitate the construction of a new 45-kilometer 115 kV transmission line 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 Project)

The application will be heard by commissioners: David Sword (presiding), Robert Dodds, and Shahrzad Rahbar.

On November 28, 2025, the Applicant filed a revised application.

The OEB issued a Notice of Hearing on December 5, 2025.¹ In accordance with the OEB's Letter of Direction, the Applicant served the Notice on affected property owners, registered interest holders, or their legal representatives.

Grant Lake Forest Resources Ltd. and Josephine Forest Resources Ltd. (Grant Lake) applied for intervenor status. No objection was received from the Applicant. No other party applied for intervenor status.

Regulatory Framework

Section 99 of the OEB Act states:

¹ EB-2025-0093 Notice of Hearing

99 (1) The following persons may apply to the Board for authority to expropriate land for a work:

1. Any person who has leave under this Part or a predecessor of this Part.
2. Any person who intends to construct, expand or reinforce an electricity transmission line or an electricity distribution line or make an interconnection and who is exempted under this Act from the requirement to obtain leave.

The Applicant has noted that they are exempt from the requirement to obtain leave to construct under section 92 of the OEB Act by operation of section 6.2(1)(e) and (e.1) of Ontario Regulation 161/99 as the Project is being constructed and paid for entirely by the Applicant and the Applicant is not a licenced transmitter.²

If at the conclusion of the hearing the OEB is of the opinion that the expropriation of the land is in the public interest, it may make an order authorizing the applicant to expropriate the interests in land.

The OEB does not determine any compensation owed for an expropriation. Section 100 of the OEB Act provides that, if the applicant and affected landowners cannot agree on compensation for an expropriation, the compensation is determined by the Ontario Land Tribunal under the *Expropriations Act*.

Intervention Request

In its intervention request, Grant Lake stated it is the registered owner of the parcels of land from which the Applicant seeks to expropriate the easements.

Grant Lake is approved as an intervenor and is eligible to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#). The list of parties in this proceeding is attached as Schedule A to this Procedural Order.

In making its decision on cost awards, the OEB will consider whether Grant Lake made reasonable efforts to ensure that its participation in the proceeding was focused on material issues. Grant Lake should be aware that the OEB will not generally allow the recovery of costs for the attendance of more than one representative of any party unless a compelling reason is provided when cost claims are filed.

Being eligible to apply for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of OEB order at the end of a hearing.

² [Ontario Regulation 161/99, Definitions and Exemptions](#)

Issues List

The OEB has established a [standard issues list for expropriation applications](#), which is at Schedule B. The standard issues list is intended to ensure that the OEB's review is focused and aligned with its mandate.

Parties are invited to provide any comments regarding the Issues List to the OEB by January 26, 2026.

The OEB will determine the final Issues List prior to the filing of interrogatories.

Grant Lake's Request to File Evidence

In its intervention request, Grant Lake indicated that it may seek to file evidence after the initial responses to interrogatories from the Applicant are received.

The OEB will consider Grant Lake's request to file evidence that is relevant to this proceeding at a later stage. Grant Lake should take note of the final Issues List prior to finalizing and filing their evidence to ensure its relevance.

Interrogatories

At this time, provision is being made for written interrogatories. Parties should not engage in detailed exploration of items that do not appear to be material. In making its decision on cost awards, the OEB will consider whether intervenors made reasonable efforts to ensure that their participation in the hearing was focused on material issues.

Parties should consult sections 26 and 27 of the OEB's [Rules of Practice and Procedure](#) regarding required naming and numbering conventions and other matters related to interrogatories.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. The Applicant and Grant Lake shall provide comments on the standard Issues List to the OEB by **January 26, 2026**.
2. OEB staff and Grant Lake shall request any relevant information and documentation from the Applicant that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on all parties by **February 12, 2026**.

3. The Applicant shall file with the OEB complete written responses to all interrogatories and serve them on all parties by **February 26, 2026**.

Direction for preparing materials

- 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](#).
- Filings should clearly state the filing date and the sender's name, postal address, telephone number and e-mail address.
- Other than for applications or as otherwise required or directed by the OEB, parties are not required to submit a cover letter for materials that are self-evident (e.g., interrogatories, submissions) unless the cover letter includes a request or additional information not included in the materials themselves.
- Parties are strongly encouraged to use bookmarks in their filings to aid in navigation.
- Parties should not append to their evidence entire OEB documents (e.g., decisions, policy documents, guidelines). Rather, parties should provide citations to the documents and a clear and concise summary of the relevant part(s) of the document. Parties are encouraged to use hyperlinks for complete, permanent, and publicly available versions of the documents, when possible.
- Parties should refrain from quoting material from documents unless it is essential to support their interrogatories or arguments.
- Parties are not required to provide a summary of the procedural history of a proceeding but may refer to that history where and to the extent needed for context to orient an issue or discussion.
- Parties must: (a) disclose where generative artificial intelligence was used to generate content included in a filing and (b) confirm that the accuracy of the portion of the filing generated by generative artificial intelligence has been verified by the party or its representative without the assistance of generative artificial intelligence.

How to file documents with the OEB

- Parties are required to quote file number (i.e., **EB-2025-0314**) for all materials filed and submit them in **searchable/unrestricted PDF format** (i.e., no printing or copying restrictions) with a digital signature through the [OEB's online filing portal](#).

- Parties should 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 for assistance.
- Cost claims are filed through the OEB's online filing portal. Parties are encouraged to visit the [File documents online page](#) of the OEB's website for more information. Parties that are eligible for a cost award and that do not currently have an account in the cost claim portal should create an account as soon as their cost award eligibility has been confirmed by the OEB. All parties shall download a copy of their submitted cost claim for the purposes of service on the party(ies) paying cost awards as per the [Practice Direction on Cost Awards](#).
- All communications should be directed to the attention of the Registrar and be received by **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 and OEB Counsel, Michael Millar, at Michael.Millar@oeb.ca.

Email: registrar@oeb.ca

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

DATED at Toronto, **January 19, 2026**

ONTARIO ENERGY BOARD

By delegation, before: Ritchie Murray

Ritchie Murray
Acting Registrar

**SCHEDULE A
TO
PROCEDURAL ORDER No. 1
EB-2025-0314
INTERVENOR AND PARTICIPANT LIST
JANUARY 19, 2025**

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

EB-2025-0314

APPLICANT & LIST OF INTERVENORS

January 19, 2026

APPLICANT

Rep. and Contact Information for Service

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

EB-2025-0314

APPLICANT & LIST OF INTERVENORS

January 19, 2026

INTERVENORS

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**SCHEDULE B
PROCEDURAL ORDER NO. 1
EB-2025-0314
ISSUES LIST
JANUARY 19, 2026**

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?