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February 4, 2026

Ritchie Murray
Acting Registrar
Ontario Energy Board
Suite 2700, 2300 Yonge
Street
P.O. Box 2319
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Dear Mr. Murray

Re: EB-2025-0290: Hydro One Networks Inc. Reply to Nyon Oil Inc. and 1170367 Ontario Inc. Letter

We are counsel to Hydro One Networks Inc. (“Hydro One”) and write in response to the letter filed by Nyon Inc. and 1170367 Ontario Inc. (“Nyon”) dated January 30, 2026 (the “Letter”) concerning Hydro One’s opposition to Nyon’s request for intervenor status in EB-2025-0290.

The onus of seeking intervenor status rests with the party seeking this relief. It is incumbent upon Nyon to demonstrate their direct or substantial interest in respect of the relief sought in the present application. Nyon’s Letter does not provide any new evidence or material information that would support granting intervenor status under Rule 22 of the Ontario Energy Board’s Rules of Practice and Procedure, and, in fact, demonstrates why (i) Nyon’s interest are not directly and substantially affected by the relief sought in this application and (ii) that Nyon does not have expertise or evidence that would assist the Board in determining the issues properly before it.

1. Nyon has no direct or substantial interest in the outcome

Nyon has failed to identify any direct or substantial interest in the outcome of this proceeding. Instead, Nyon’s Letter reiterates its assertion, from a separate and unrelated matter EB-2024-0142, that it owns certain transmission facilities. Nyon offers no proof of any ownership of transmission facilities or evidence that it possesses a requisite transmission license from the Board. Nyon’s purported ownership does not give rise to an interest in the specific relief sought in EB-2025-0290, namely leave to construct and authorization to expropriate land interests for the Welland to Thorold transmission facilities (the “Project”). EB-2024-0142 has no relevance to this proceeding and Nyon’s involvement in that unrelated proceeding does nothing to satisfy the onus that it meets the criteria for intervenor status in this proceeding as this Project concerns a new transmission line in a different location that does not affect Nyon’s land.

Rule 22 does not provide for intervention based on a generalized interest in electricity transmission or ownership of land elsewhere in Ontario. Rather, the Board has consistently required a material interest in land or rights directly affected by the relief sought in an application. Nyon does not own, occupy, or otherwise hold an interest in any lands affected by the Project, or any transmission assets impacted by the Project, and its Letter does not advance any basis upon which a non-affected party should be granted intervenor status in this proceeding. Moreover, the Letter underscores in greater detail why Nyon's interests are not directly or substantially impacted by the relief sought in this application. The onus of a party seeking intervenor status has not been met by Nyon.

2. Nyon's Letter Conflates Issues and Mischaracterizes the Scope of EB-2025-0290

Nyon's request to intervene must be assessed against the relief sought in this proceeding. In its own words, Nyon states that it is "exclusively interested in the proposed alterations to the Crowland TS, and the grid, generally."

This underscores the fundamental flaw in Nyon's request. Nyon's claim to ownership of other transmission facilities or general impacts on Ontario's electricity grid, which would impact Nyon are not issues to be addressed in EB-2025-0290. Nyon does not have an OEB transmission licence to own transmission facilities in Ontario nor has Nyon ever applied for a transmission licence. Nyon's alleged and disputed ownership to other transmission facilities are matters which fall outside the scope of the leave to construct and expropriation relief being considered by the Board in this proceeding.

By attempting to frame its purported interest around upstream or system-wide technical issues, Nyon seeks to conflate these distinct proceedings and expand the scope of EB-2025-0290 beyond its proper bounds, which are leave to construct and expropriation authorization concerning a specific proposed transmission project. Granting intervention on this basis would lead to regulatory inefficiency and distract from the matters the Board is required to decide and waste the time and resources of other intervenors with genuine interest in the outcome. It would also result in duplication of submissions and arguments already considered by the Board in EB-2024-0142.

3. Nyon Has Not Demonstrated Any Technical Expertise That Would Assist the Board

Nyon has the onus to demonstrate technical expertise to be granted intervenor status. Nyon originally stated their business interest concerned land development. No connection was provided as to how expertise in land developments may be of technical assistance to the Board as it relates to the relief sought in this proceeding. Further, Nyon's Letter does not identify any additional technical expertise or evidence it proposes to bring to this proceeding. Rather, in Nyon's intervenor request application Nyon states that it intends to rely on "the entirety of the evidence submitted in Application EB-2024-0142," a separate and unrelated proceeding involving different relief and different issues.

Reliance on another proceeding's evidentiary record does not establish expertise for the purposes of Rule 22, and further highlights the extent to which Nyon's request is premised on conflating these two matters. Moreover, in EB-2024-0142, Nyon expressly acknowledged that it has no technical expertise in transmission matters and deferred to Hydro One on technical issues. Nyon cannot now credibly assert technical expertise in this proceeding while ignoring its own prior admissions on the record.

In the Letter, under the heading “Nyon has expertise and can bring evidence,” Nyon does not describe any expertise it possesses. Instead, it lists a series of technical questions, many of which are outside the scope of this proceeding, that it wishes to explore. A desire to ask questions, or the ability to retain consultants, does not satisfy Rule 22’s requirement that an intervenor have expertise or evidence that would assist the Board and that an intervenor contribute meaningfully and responsibly to the proceeding.

4. Conclusion

Hydro One maintains its position that Nyon is not eligible for cost recovery, as Nyon’s Letter provides no additional evidence or justification for a cost award nor established themselves as directly impacted landowners.

In short, Nyon’s January 30, 2026 Letter does not cure the deficiencies in its original request. It confirms that Nyon does not meet the onus required of Rule 22, it has no direct or substantial interest in the relief sought in EB-2025-0290. Nyon’s submissions demonstrate that it seeks to broaden the scope of this proceeding by conflating it with unrelated matters, and does not demonstrate any expertise or evidence that would assist the Board.

For these reasons, Hydro One respectfully maintains its position that Nyon’s request for intervenor status should be denied.

Yours truly,



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