

Cassels

BY EMAIL AND RESS

February 5, 2026

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Ritchie Murray
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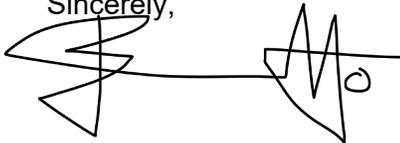
Dear Ritchie Murray,

**RE: Impala Canada Ltd. – Expropriation Application for the Impala Canada Ltd. Transmission Line, OEB File Number: EB-2025-0286
Impala Canada Ltd. Responses to Ontario Energy Board Staff Interrogatories**

In accordance with Procedural Order 1, please find enclosed Impala Canada Ltd.'s ("Impala") responses to interrogatories filed by Ontario Energy Board ("OEB") staff in the above-noted proceeding.

An electronic copy of Impala's responses has been filed through the Ontario Energy Board's Regulatory Electronic Submission System.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Barretto', with a horizontal line extending to the right.

Jeremy Barretto
Partner
Encl.

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 Impala Canada Ltd.
for authority to expropriate land for the purpose of operating a
transmission line to Impala Canada Ltd.’s mine.

IMPALA CANADA LTD. RESPONSES TO OEB STAFF INTERROGATORIES

FEBRUARY 5, 2026

OEB Staff Interrogatories
Impala Canada Ltd.
EB-2025-0286
February 5, 2026

Staff - 1

Ref: Section A, Page 3, Paragraph 3
Section C (i), Page 4, Paragraph 8-9
Appendix 5

Preamble: Impala states at paragraph 3 that it has operated the transmission line on the respective parcels of land for 29 years. Impala further states at paragraphs 8 and 9 that the line was constructed in 1996 by PowerTel Utilities Contractors Limited as a contractor for North American Palladium Ltd. and Lac Des Iles Mines Ltd. and that much of the documentation related to the construction of the line has not been located due to changes in ownership. Impala notes that a FIPPA request has been submitted on July 2, 2025, to obtain more information.

Question:

- (a) When did Impala assume ownership of the transmission line?
- (b) The application states that Impala owns and operates the Impala Line. The existing easements in Appendix 5 to the application provides North American Palladium Limited and Lac Des Iles Mines Ltd. (the transferees) with the right to, amongst other things, erect, maintain and operate the Impala Line. Does Impala have any rights under the existing easements? If so, when did it obtain those rights?
- (c) What is the ownership history of the transmission line since construction?
- (d) Has there ever been a time when the transmission line was operated or maintained by anyone other than Impala?
- (e) To the extent known by Impala, what if any approvals were obtained for the construction of the transmission line in 1996?
- (f) What is the current status of the FIPPA request that was submitted on July 2, 2025? Please provide any updates that have been received.

Responses:

- (a) On December 13, 2019, Impala Canada Ltd. ("**Impala**") was created by amalgamation of 11638050 Canada Inc., North American Palladium Ltd. ("**NAP**"), and Lac Des Iles Mines Ltd. ("**LDIM**") under s. 192 of the *Canada Business Corporations Act*, RSC 1985, c C-44. Through this amalgamation, Impala inherited all of NAP and LDIM's rights and obligations, including ownership of the transmission line.
- (b) See response to Staff-1(a). Impala obtained rights under the Transfers of Easement when it was created by amalgamation.
- (c) Based on the Letter Agreement between NAP and Abitibi-Price Inc. and the agreement between PowerTel and NAP to build the line, it is Impala's understanding that the

transmission line was owned by NAP from the time it was built until the amalgamation described in Staff-1(a). Since this amalgamation, Impala has owned the transmission line.

- (d) See response to Staff-1(c).
- (e) To the extent known to Impala, all approvals required at the time of construction were obtained for the transmission line. In or around September 1997, the Ministry of Natural Resources issued SPR727, a land use permit for a powerline right of way covering lands between Dog Lake and Lac des Iles. The Ministry of Natural Resources also issued work permits for forestry and construction of a powerline (TB0045 and TB0634) and two licenses to harvest Crown forest resources (A03457 and A03277).
- (f) On November 19, 2025, the Ministry of Natural Resources granted full access to some of the records sought and partial access to other records.

The records released to Impala contain information on the approvals referenced in Staff-1(e).

The FIPPA documents also contain public notices and communications between the Ministry of Natural Resources, PowerTel, NAP, and LDIM, which indicate that there were initially multiple routes proposed for the transmission line. The existing route was selected to minimize environmental impacts. Significant efforts were made to avoid unnecessary passage through Silver Falls Provincial Park, which abuts North Star Block 1. The northern portion of the Impala Line was specifically re-routed onto Block 3 at the suggestion of the Ministry of Natural Resources to avoid the Dog River Conservation Area and access the approved crossing location along the Dog River.

Staff - 2

Ref: Section C (ii), Page 5, Paragraph 13-15, 20-22
Section G, Page 11, Paragraphs 40-41
Intervenor Evidence, Page 7, Paragraph 11
Intervenor Evidence, Exhibit F

Preamble: Impala has stated that its proposal to the landowner is for a renewal of the Easements in perpetuity as opposed to a temporary renewal of the Easements. Additionally, Impala states that it remains “open to engaging in discussions for a reasonable agreement for an indefinite easement.” Impala also states that a shorter easement is not in the public interest as Impala requires power to the LDI Mine for an indefinite period.

Impala has stated that it is in the process of determining the future of the LDI Mine and has made initial plans for cessation of commercial production of the mine. Despite the closure, Impala notes that “even once closure has begun, electricity service to the LDI Mine will be required to operate environmental and safety features.” Currently, the Impala Line serves these needs.

In an article provided in North Star’s evidence, Impala has announced a planned closure of the mine in 2027.

Questions:

- (a) Impala has publicly stated that it plans to close the mine in the summer of 2027. Has this timeline been updated? Does Impala plan to continue operating the mine beyond this date?
- (b) How long after closure of the mine would electricity be required to maintain and support post-closure activities? Has Impala considered the possibility of a temporary easement that would expire after this time?
- (c) Are there alternate sources of power available to support closure operations other than the Impala Line?

Responses:

- (a) The public statement referred to by North Star relates to ceasing commercial production, not permanent closure and reclamation. At this time, no final decision has been made as to whether commercial production will cease, and if so, whether this cessation of commercial production would be temporary or permanent.

As reflected in North Star’s evidence, the long-term future of the LDI Mine remains uncertain because it is dependent on global palladium prices. The Implats Annual Integrated Report for the year ended 30 June 2025, attached to the affidavit of Daniel Hudnut as Appendix K, highlights this connection between palladium prices and the life of the LDI Mine at p. 111:

“In response to sustained pressure from lower [platinum group metal] prices, Impala Canada has repositioned and restructured its operations to prioritise high-value ore sources. This strategic shift aims to reduce operating costs and optimise cash flow, albeit within a shortened life-of-mine framework. Commercial operations are expected to cease in May 2026.”

Likewise, shortly after the release of this Report, Impala extended the forecasted life of the LDI Mine because of increases in palladium prices. The November 2025 CBC article referred to in the affidavit of Daniel Hudnut (at para. 24, with the CBC article attached as Exhibit F) contains the following quote from an Impala representative:

“The recent increase to the palladium price enables Impala Canada to make the investments required in tailings facilities, underground development, equipment, etc., to continue operating until June 2027.”

The LDI Mine is Canada’s only pure palladium mine, and there are currently 60 million tonnes of palladium in the ground. Impala is working with both the federal and provincial governments to protect this resource.

- (b) See response to Staff-2(a). Ceasing commercial production is not the same as full reclamation. Until a decision is made regarding permanent closure and full reclamation, post-operational activities will continue indefinitely to ensure compliance with environmental regulations. Indefinite power supply is required in the public interest to sustain post-operational environmental and safety activities, which cannot be realized with a temporary easement.
- (c) As indicated in the response to Staff-2(a), no final decisions have been made regarding closure of the LDI Mine. However, in a closure situation, there are no feasible alternatives to the Impala Line. An in-depth evaluation of alternate power sources has not been conducted, but in the near term, the only option would be diesel generation. Diesel is not a commercially or technically reasonable alternative, nor is it in the public interest.

The existing generators at the LDI Mine are designed as a backup power source for environmental and safety systems in the event of loss of power from the grid. These existing generators have not been designed to support environmental or safety systems on an ongoing or permanent basis.

Even if Impala were to expand on-site generation, reliance on diesel would result in a significant increase in emissions and traffic on public highways. Further, it lacks redundancy. A transition to diesel would limit the ability of the LDI Mine to continue production and support the provincial and federal critical mineral strategy. The Impala Line is currently built and operational, and an unnecessary transition to diesel generation would be counter to Ontario’s efforts to build out transmission and reduce diesel reliance in northern infrastructure.

Staff - 3

Ref: Section G, Page 12, Paragraph 43

Preamble: Impala states that, “The Impala Line also has the potential to serve other development in the Thunder Bay District, including mining, renewable energy and hydroelectric power, as well as potentially connecting currently off grid Indigenous communities. Removing an existing power line with the ability to serve current and future customers is not in the public interest.”

Questions:

- (a) Is the Impala Line available to be used by entities other than Impala?
- (b) Have any other entities made enquiries to Impala about using the Impala Line?

Responses:

- (a) Impala’s understanding is that the capacity of the transmission line is greater than the LDI Mine’s required load. The transmission line is available to be used by other entities depending on the load requirements and provided that such use would not interfere with operations at the LDI Mine.
- (b) Yes. Enquiries have been made by proponents in the communication and generation industries. These communications are subject to non-disclosure agreements.