

Sent by email: registrar@oeb.ca

February 12, 2026

Attention: Ritchie Murray, Acting Registrar

Ontario Energy Board
2300 Yonge Street, 27th floor
P.O. Box 2319
Toronto, ON
M4P 1E4

Dear Mr. Murray:

**Re: Hydro One Networks Inc.
Leave to Construct and Expropriation Application – Welland–Thorold
Transmission Project - EB-2025-0290**

SUBMISSIONS OF FUTECAN CANADA INC. ON THE ISSUES LIST

The Procedural Order in this matter, dated February 6, 2026, invited intervenors to provide comments to the Ontario Energy Board Act (the “**OEB**”) on the standard Issues Lists for electricity leave to construct and expropriation applications by February 12, 2026. These comments on the Issues List are made on behalf of FuteCAN Canada Inc. (“FuteCAN”). FuteCAN is an affected landowner whose lands, located at 9941 Lundy’s Lane (the “FuteCAN Property”) are proposed to be transected by the transmission line route advanced by Hydro One Networks Inc. (“Hydro One”). The impingement of the proposed route follows a chevron pattern, deeply transecting the FuteCAN lands, rather than running along the roadway allowance. FuteCAN is the owner and operator of the Lundy Manor Wine Cellars (“Lundy Manor”) located at the FuteCAN Property.

FuteCAN submits that the Issues List should be augmented to ensure that the OEB can properly assess whether Hydro One has demonstrated that its proposed routing is the preferred option, as required by sections 92 and 96 of the *Ontario Energy Board Act, 1998* (the “**OEB Act**”).

In particular, FuteCAN seeks clarification that the Issues List expressly encompasses alternative routing options that may better satisfy the public-interest test in section 96(2) of the OEB Act by reducing:

- capital and lifecycle costs,
- construction and land-access risks, and
- risks to reliability and quality of service.

The FuteCAN Issues:

FuteCAN submits that: (1) the portion of the transmission line passing through, or along, the FuteCAN Property ought to be buried to satisfy the public interest test and/or (2) alternative routing along the established road allowance, rather than traveling into and through the FuteCAN Property in a chevron-pattern, better satisfy the public interest tests and ought to be considered

by the OEB and/or that the portion of the transmission line passing through the Futecan Property ought to be buried to satisfy the public interest test (the “**Futecan Issues**”). These alternatives were not considered or studied by HydroOne.

In addition, Futecan seeks, as highlighted in their application for intervenor status, to advocate for the Project's route alignment to follow the "Technical Option" shown in purple on the Futecan Property at page 148 of Hydro One's Application Materials, as this route better satisfies the public-interest test.

Proposed additions to the Issues List

The Futecan Issues can be addressed under several of the issues from the OEB's standard issues list. However, for clarity and certainty, Futecan requests that certain of the issues be expanded and clarified.

Add to Issue 2.0 Prices – Project Alternatives

Futecan submits that the Futecan Issues fall within the scope of “implementing a different transmission solution” that is already included in the wording for Issue 2.1. However, this would be more clear if the wording is expanded. Futecan submits that routing decisions that materially increase land-access risk and expropriation exposure are relevant to:

- the reasonableness of Hydro One's project design; and
- the resulting cost impacts borne by ratepayers.

As a result, Futecan is seeking that Issue 2.1 be clarified as outlined below. Futecan's proposed addition to the Issues List is indicated **in bold, underlined font.**

2.0 Prices: Project Alternatives

2.1 Has the applicant demonstrated that the proposed project is the preferred option to address the need, as opposed to implementing a different transmission solution, a distribution solution, a non-wires solution, or some other solution?

(i) When considering the implementation of different transmission solutions, has the applicant adequately identified, evaluated, and compared alternative routing options for the proposed transmission line, including routes that would avoid or reduce crossings of private lands, and the burial of transmission lines for a portion of the route, and has it demonstrated that the proposed route is the preferred option having regard to:

(a) total capital and lifecycle cost;

(b) constructability and construction risk;

(c) impacts on system reliability and quality of service; and

(d) risks associated with land acquisition, access constraints, and expropriation?

Add to Issue 3.0 Prices: – Project Costs

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Futecan's Issues can also potentially be raised under Issue 3.2. Futecan submits that the Issues List should clarify that routing-related risks are properly reflected in the cost assessment. Futecan's proposed addition to the Issues List is indicated **in bold, underlined font.**

3.0 Prices: Project Cost

3.2 Has the applicant adequately identified and described any risks associated with the proposed project? Is the proposed contingency budget appropriate and consistent with these identified risks?

(i) Are the projected capital and operating costs of the proposed route reasonable, and do they appropriately account for risks and costs associated with land access, property acquisition, and construction constraints, as compared to feasible alternative routing options?

Futecan respectfully seeks the above noted additions and clarifications to the Issues List

Yours truly,

Aird & Berlis LLP



Kristi Ross
Partner