

**Grant Lake Forest Resources Ltd. and Josephine Forest Resources Ltd. (Grant Lake)
Interrogatories**

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

Application for authority to expropriate certain interests in land

1. Grant Lake.1

References: Application, page PDF4 bottom to PDF5 top, and PDF5 bottom to PDF6 top

Appendix A, Applicant Partnership Chart

Preamble: The Application is styled as being brought by BFN Transmission GP Holding Company Inc. as general partner of the project entity (a limited partnership). BFN Transmission asserts, as an element of the “public interest” supporting OEB authorization to expropriate, the involvement of Batchewana First Nation (BFN) in the project. The Application indicates that the project will serve one customer; Alamos Gold (the other project partner).

The Application further states that the transmission line project is exempt from the requirement to obtain Leave to Construct (LTC), and cites two distinct exemption provisions (paragraphs 6.2(1)(e) and 6.2(1)(e.1) of Ontario Regulation 161/99).

The Application further states that the Project is being paid for by the applicant, through funds contributed equally by BFN and Alamos Gold, and that the project will “*facilitate unlocking one billion dollars (\$1,000,000,000) of investment by Alamos for expansion of the Mines with on-going benefits for Indigenous and other local communities*”.

Questions:

- a. In light of the statement that the transmission line is being constructed and paid for entirely by BFN Transmission, please clarify the relevance of Ontario Regulation 161/99, paragraph 6.2(1)(e.1) which contemplates exemption in the circumstance of payment for the transmission line entirely by one or more customers of the transmission line proponent.
- b. Please clarify whether Alamos Gold is paying for any part of the transmission line, other than through funds contributed to the applicant LP.
- c. Please clarify whether any customers other than Alamos Gold are intended to be served by the project, and if so, who they are expected to be.
- d. With reference to Application Appendix A (*Corporate Structure of the Applicant*):
 - (i) Please confirm that control of BFN Transmission (the LP) rests with Alamos Gold, through its holding of 99% of the units of the LP. If not confirmed, please explain how control of the applicant (LP) is divided as between the GP units in the LP.
 - (ii) Please provide copies of:
 - (A) The limited partnership agreement for 1000757443 LP.

- (B) Any general partnership agreement as between the general partners of the 1000757443 LP.
- (iii) Please provide a summary of the attributes of the following ownership units depicted in Appendix A:
 - (A) The Class A LP Unit.
 - (B) The Class B LP Unit.
 - (C) The GP units in the applicant LP held by each of BFN Transmission GP Holding Company Inc. and 1000757443 Ontario Inc.

1. Grant Lake.2

Reference: Application pages PDF5 to PDF6

Preamble: This part of the Application addresses *Project Need and Benefits*.

Questions:

- a. The evidence references the transmission line project as providing *“an opportunity for improved electricity services and reliability in the future for the Algoma District”*.
 - (i) Please confirm that the proposed transmission project will provide electricity service only to the Alamos Gold mining operations. If not confirmed, please detail the additional electrical service that the project will provide, and to whom it will be provided.
 - (ii) Please explain what electricity services improvement or reliability is expected to be provided by the project beyond the electricity service to the Alamos Gold mine(s).
- b. Please detail the source(s) and approximate quantum of revenues expected by Batchewana First Nation through its ownership position in the proposed transmission line.
- c. Please confirm that there is, or is expected to be, a transmission services agreement between the Applicant and Alamos Gold.
- d. Please provide a copy of that transmission services agreement or any term sheet entered into that anticipates that agreement.
- e. The evidence references the transmission line project as *“a driver for opportunities for further third-party economic development projects in the Algoma District”*. Please explain what further third-party economic development projects are expected to be enabled as a result of the proposed transmission line.
- f. The evidence refers to *“a significant reduction of the greenhouse gas (“GHG”) emissions from the Mines by transitioning from electricity supplied from compressed natural gas generators to the low-emission electricity supplied from the grid”*.

- (i) Does Alamos Gold expect to reduce its energy costs by switching from on-site compressed natural gas generation to grid supplied electricity?
- (ii) Please provide Alamos Gold's best estimate of annual energy cost reductions arising from its proposed grid connection.
- (iii) Please indicate Alamos Gold's best estimate of the economic value to it of the expected GHG reductions.
- (iv) Does Alamos Gold expect that lower emission gold extraction will support future sales and associated revenues? Does Alamos have an estimate of the economic value of such future sales revenues?

1. Grant Lake.3

References: Application Transmittal Letter dated November 28, 2025, page 1.

Application page PDF9, top.

Appendix D(2), *Mine Connector Merchant Transmission Line Class EA*, pages 5-7.

Preamble: BFN Transmission in its Application has emphasized that the easement interests sought in this Application are for lands situated within the traditional territory of the Batchewana First Nation (BFN). The Application further states that BFN "*claims an underlying interest in the Expropriation Lands based on the historical use and occupation of those lands*", but have "[n]onetheless, in the interests of cooperation and good faith" made efforts to negotiate acquisition by the Applicant of an interest in the subject lands.

Grant Lake understands that there are a number of First Nations who claim an historical connection with the lands in respect of which BFN Transmission seeks an easement interest.

BFN Transmission has indicated engagement in consultation with other affected indigenous parties, pursuant to a delegation of consultation responsibilities by the Minister of Energy by letter dated October 24, 2024.

Questions:

- a. Please file the referenced letter of delegation from the Minister of Energy dated October 24, 2024.
- b. Does that Applicant acknowledge that First Nations other than the Batchewana First Nation claim an historical connection with the lands in respect of which BFN Transmission seeks an easement interest?
- c. The Application refers (see page PDF10, top) to a "*communications, consultations and negotiations*" chart attached as Appendix H, but that chart does not appear to have been filed in Appendix H. There is a "*Batchewana First Nation – Mine Connector Project Record of Consultation*" included at pages PDF51-52 of Appendix D(2) (the *Azimuth Environmental Justification Report*) of the Application.

- (i) Please confirm that the latter is the most up to date and comprehensive consultations log, and if not please file and up to date and comprehensive version.
 - (ii) To the extent not reflected in the documentation provided in response to part c.(i), please indicate any material concerns raised by other affected indigenous interests and how they have been resolved.
- d. Please indicate the current status of, and expected completion timing for, discharge of the delegated duty to consult.
- e. Please clarify whether BFN Transmission, the Applicant, relies on BFN's claims of underlying interest in the subject lands in support of its request for the OEB to grant authority to expropriate.

1. Grant Lake.4

References: Application Transmittal Letter dated November 28, 2025, page 2.

Application pages PDF7 and PDF8.

Preamble: The Application states that the landowners (Grant Lake) have permitted the clearing of, and preconstruction activities on, the lands in respect of which authority to expropriate is sought. The Application states that approximately 95% of the clearing on the Grant Lake lands has been completed as is stated to be provided for in the Access Licence Agreement. The Application further refers to an Amending Agreement and extended rights thereunder for pre-construction activities.

Questions:

- a. BFN Transmission has filed (Appendix D(1)) a Class Environmental Assessment *Notice of Completion of Environmental Screening Report* dated December 20, 2024.
- (i) Please file the corresponding *Notice of Commencement*.
 - (ii) Please file a list of all parties to whom each of the *Notice of Commencement* and *Notice of Completion* was delivered.
 - (iii) Please provide details of any further steps taken to provide public notice of commencement of environmental screening for the proposed transmission line.
- b. Was there an on-the-ground review/assessment of each potential route prior to any tree clearing or other pre-construction work? If so, when and by whom?
- c. Please provide a table which lists each of the pre-construction activities that have taken place on the lands to date, and include for each activity;
- (i) when it took place;
 - (ii) a brief description of the activity; and
 - (iii) the contractual provision relied on by BFN Transmission in support of such activity.

- d. Please provide copies of all notices provided to Grant Lake in respect of each item of pre-construction activity listed in the table provided in response to part c.
- e. Please provide copies of all correspondence (other than has filed in response to part d.) between the parties related to tree clearing and other pre-construction activities.
- f. Please detail all disputes between the parties related to tree clearing or other pre-construction activities and the resolution of such disputes, including payments by or on behalf of BFN Transmission to Grant Lake in respect of such resolutions.

1. Grant Lake.5

References: Application Transmittal Letter dated November 28, 2025, page 2, paragraph 1.

Application page PDF9, enumerated item 2 and Appendix H.

Preamble: BFN Transmission refers to the letter provided by Shanda and included as Appendix H to the Application as indicative of Shanda's "*ongoing support for the project*".

Questions:

- a. Please confirm that the letter included as Appendix H to the Application was requested by the project proponents in order to support discussions between the project proponents and Algoma Power towards completion of the required crossing agreements for the existing Algoma Power distribution facilities.
- b. It appears from the Affidavit of Service of Jocelyn Lee herein dated December 16, 2025, that Algoma Power was not served with the Application. Please either confirm this omission or file a corrected Affidavit of Service.

1. Grant Lake.6

References: Transmittal Letter dated November 28, 2025, page 2.

Application page PDF9, first paragraph.

Appendix I, *Timeline of Land Access Agreements, Negotiations, and Related Communications*.

Preamble: BFN Transmission refers to "*extensive discussions*" with the landowner, and "*good faith efforts to negotiate the acquisition by the Applicant of an interest*" in the Shanda (Grant Lake) lands, but a lack of agreement on compensation for the lands for which expropriation authority is sought.

Questions:

- a. Is compensation the only outstanding issue between the parties regarding access to the required lands?

- b. If the answer to part (a) is no, please list other outstanding issues between the parties.
- c. Please file all written communications between the parties, including transcripts of all video conferences held between the parties.
- d. Please specify which of the communications listed in Appendix I included discussion regarding compensation, and for each such communication;
 - (i) if the communication was written or reduced to writing (including through transcripts of video conferences), provide a copy; or
 - (ii) if the communication was oral only, provide a summary of the discussion had including who was involved.
- e. Please list any additional communications related to compensation and not provided in the representative listing included in Appendix I, and for each;
 - (i) if the communication was written or reduced to writing (including through transcripts of video conferences), provide a copy; or
 - (ii) if the communication was oral only, provide a summary of the discussion had.

2. Grant Lake.7

References: Transmittal Letter dated November 28, 2025, page 2, 3rd paragraph.

Application page PDF5, 2nd last full paragraph and page PDF7, enumerated item 2.

Preamble: BFN Transmission refers to the *“less than 0.01% of land owned by the landowners”* that the proposed expropriation would involve.

The evidence also refers to the current electrical service to the Alamos mines by Algoma Power Inc.

The evidence further indicates that the project has been proposed in such a way as to minimize any impact to the Shanda lands.

Questions:

- a. Please file one map which includes, and indicates:
 - (i) The Shanda lands.
 - (ii) Other lands in which BFN Transmission has acquired, or proposes to acquire, an interest in support of the transmission project, and for each of those other lands who owns the land.
 - (iii) The Alamos Gold facilities to be served by the proposed transmission line and any other Alamos Gold facilities currently being served by Algoma Power distribution.
 - (iv) The intended Hydro One Transmission tap point for the proposed transmission line.

- (v) The Algoma Power distribution line crossing the Shanda Lands and serving the existing Alamos Gold facilities.
 - (vi) All other utility or other corridors already existing (and in each case what they are).
 - (vii) The proposed route for the transmission line and the 3 alternative routes considered.
- b. Does BFN Transmission's proposed route parallel the existing Algoma Power distribution lines for its entire length? If not:
- (i) Why not?
 - (ii) For what percentage of its length will the proposed line parallel the existing Algoma Power distribution lines?
 - (iii) Please explain how impact to the Shanda lands is minimized despite the proposed route not following the existing Algoma Power right of way.
 - (iv) Does BFN Transmission forecast that it will reduce its project capital costs by following its preferred route instead of the existing Algoma distribution line right of way? If so, by how much?

2. Grant Lake.8

References: Application, page PDF4, second paragraph; Application, pages PDF7 and PDF9.

Preamble: The Application seeks expropriation authorization only in respect of Shanda lands, and lists further land rights requirements in respect of other parties at pages PDF7 and PDF9.

Questions:

- a. Please indicate what percentage of the project route is on the Shanda land.
- b. Please indicate whether any of the other landowners or land rights holders from whom access is required are private landowners who are not regulated utilities, and if so, how many and from how many of those land rights have to date been acquired.
- c. For other land rights acquired please file the form of agreement entered into with the landowner.

2. Grant Lake.9

Reference: Application, page PDF5.

Preamble: The Application explains that the Alamos Gold mines are currently provided with electricity service by Algoma Power Inc. (Algoma), but that the Algoma distribution system does not have sufficient capacity to serve Alamos Gold's planned expansion. The BFN Transmission project will supply an incremental 47 MW of electricity supply capacity in support of the Alamos Gold expansion.

Questions:

- a. Did Alamos Gold or BFN Transmission inquire of Algoma what would be required to increase the current electricity distribution capacity to the level needed to support the Alamos Gold mine expansion?
 - (i) If so, what was Algoma's response, and what would the anticipated cost of such an alternative be?
 - (ii) If not, why not?
- b. Please provide the forecast capital cost for the proposed BFN Transmission project.
- c. Please provide the forecast capital cost for each of the 3 alternatives considered by BFN Transmission.

2. Grant Lake.10

Reference: Appendix D(2), pages 13 and 4.

Preamble: The Azimuth *Environmental Justification Report* indicates that the alternative routes for the transmission line were evaluated against 16 screening criteria applicable for Class EA Transmission Facilities (2024).

Questions:

- a. Are these 16 screening criteria the same as those listed at page 4 of the Azimuth report?
- b. Did Azimuth consider the second criteria – “*significant effects on persons or property*” – in respect of the landowners and current land users in particular? If so, please explain how and what Azimuth concluded.
- c. Did Azimuth consider the fourth criteria - “*pre-empt the use, or potential use, of a significant natural resource for any purpose*” – in respect of the Shanda lands? If so, please explain how and what Azimuth concluded.
- d. Did Azimuth consider the thirteenth criteria – “*result in undesired or inappropriate access to previously inaccessible areas*” - in respect of the Shanda lands? If so, please explain how and what Azimuth concluded.
- e. Please explain the nature of the pre-project accessibility along the portion of the preferred route that branches off from the existing Algoma Power electricity distribution corridor right of way and runs north-east from North of Hawk Junction (see Application Appendix E, PDF pages 76 and 77); i.e. what access to this portion of the route existed previous to commencement of work on the transmission line, the degree to which such access was in regular use, and for what purpose(s).
- f. Did Azimuth have any discussion with the owners of the Shanda lands in completing its work? If so, please indicate when, what was discussed, and how the discussion was considered by Azimuth in its work and resulting recommendations.

- g. Appendix A of the Azimuth *Environmental Justification Report* is the *Transmission Line Class EA Report*. However, it is not filed as part of Exhibit E.
- (i) Is this Appendix A the same document as has been filed as Appendix D(2) entitled *Class EA For a Transmission Facility*?
 - (ii) The document filed as Appendix D(2) includes a header that reads "*Internal Team Review – not for distribution*". Is this the final version of this report? If not, please file the final version, with all appendices and/or attachments.
 - (iii) The following items are referred to in Appendix D(2) but not filed therewith. Please either include them in any filing in response to part f.(ii) of this question, indicate with precise PDF page numbers where on the record these materials have been filed, or file them in response to this part of this question:
 - (A) Figures 1 (see Appendix E, PDF pages 42-44, which may be this figure)
 - (B) Figure 2
 - (C) Table 9: Summary of Alternative Solution Rankings (see Appendix E, PDF pages 89 and 90 which might be this table)
 - (D) Appendix F: Right of Way Selection Trade off Study-Appendix B Table (see Appendix E, PDF pages 10 and 11 which might be this table)
 - (E) Appendix G: MNR Information Request

3. Grant Lake.11

Reference: Application, pages PDF11 and PDF12, and page PDF13.

Appendix E, page PDF7.

Preamble: BFN Transmission has set out a detailed description of the nature of the land rights that it seeks to expropriate. The OEB does not generally specify the specific nature of the land rights to be obtained except as part of review and approval of the entire agreement proposed by the Applicant, which agreement has not been filed by BFN Transmission.

At the conclusion of its Application, however, BFN Transmission requests "*an Order from the OEB authorizing the expropriation of the Expropriation Lands and access points to [sic] located on the Shanda Lands to allow for the construction and operation of the Project*".

Questions:

- (a) Please provide a copy of the precise Order that BFN Transmission is requesting in this Application.
- (b) Please explain what is meant by "*a related business venture*" at the end of paragraph numbered 1. at page PDF11 of the Application.

- (c) At page 2 of the Azimuth *Environmental Justification Report* filed as Appendix E to the Application, Azimuth states:

A proponent who receives approval for a project planned in accordance with a Class EA (provided the project is eligible to follow that process) does not need to obtain separate approval under the EAA.

Please confirm that BFN Transmission is not relying on the OEB's findings in this proceeding as an "approval" as that term is referred to in the foregoing statement.

3. Grant Lake.12

Reference: Application, page PDF10, top.

Preamble: The evidence refers to drafts of an easement or lease agreement. The Application is for a form of permanent easement.

Questions:

- a. Please clarify what form of land rights the Applicant is seeking through this Application.
- b. Please file the most recent version of the agreement that the Applicant has proposed to enter into with Grant Lake.
- c. Given that BFN Transmission has not sought approval from the OEB for the form of agreement to be entered into between the parties, how will the interests of Grant Lake (Shanda) as landowner be protected in the face of a forced (i.e. without consent) expropriation?

3. Grant Lake.13

Reference: Application page PDF5, last full paragraph.

Preamble: The evidence states that the transmission line must be in service by December 2026.

- a. Is the Applicant still planning for the transmission line to be in service by December 2026?
- b. Does the Applicant have a plan in the event that is not possible? Please explain the alternative plan.
- c. Please provide an updated development, construction and commissioning schedule for a December 2026 in service date.

3. Grant Lake.14

References: Appendices B and C.

Preamble: Grant Lake's lands agent has reviewed the maps filed by BFN Transmission in detail, and is concerned that there are a large number of inconsistencies and inaccuracies in these drawings, and a lack of clarity as between which particular rights are being sought on a temporary basis and which particular rights are being sought on a permanent basis. Given the large number of questions identified, it would be inefficient to seek clarification/reconciliation/required corrections through this interrogatory process.

In lieu of a large number of additional and highly detailed interrogatories in respect of the many drawings and drawing notations filed with the Application, Grant Lake proposes a process whereby, following a determination on the record as it is developed in this proceeding of the issues set out in the OEB approved issues list, and should authority to expropriate be granted by the OEB, the parties:

- (A) Work together to attempt to agree a set of legal descriptions and supporting drawings describing the necessary land rights to be subject to any authority to expropriate granted by the OEB.
- (B) File with the OEB the agreed set of legal descriptions and supporting drawings.
- (C) Should there be any remaining disagreements regarding such legal descriptions or supporting drawings, seek particular determinations in that respect from the OEB as part of the issuance of a final order in this process.

Question:

Will BFN Transmission accept the approach set out in the preamble to this question, as an efficient alternative to an additional set of many highly detailed interrogatories?