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BY E-MAIL

February 24, 2025

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Hydro One Networks, Inc. (Hydro One) – Waasigan Project Expropriation
Application
OEB File No. EB-2024-0319
OEB Staff Interrogatories to Applicant**

In accordance with Procedural Order No. 1, please find attached the OEB staff interrogatories for the above proceeding. The applicant and intervenors have been copied on this filing.

Hydro One's responses to interrogatories are due by March 10, 2025.

Yours truly,

Original signed by

Jeffrey Sauer
Senior Advisor

Hydro One Networks, Inc. (Hydro One)

**Waasigan Project– EXPROPRIATION APPLICATION
EB-2024-0319**

OEB STAFF INTERROGATORIES

Staff-1

Reference 1: EB-2024-0319, Evidence Amended December 5, 2024, Exhibit A, Tab 1, Schedule 1, paragraph 19, page 6

Reference 2: EB-2023-0198, Decision and Order, Leave to Construct – Waasigan Project, Schedule B: Standard Conditions of Approval for Electricity Leave to Construct Applications

Preamble

At Reference 1, Hydro One indicated that it planned to start the construction of the Waasigan Project in March 2025. Hydro One requested the OEB’s decision by early March 2025.

Questions

- a) Please confirm whether Hydro One has fulfilled all conditions of approval listed in Reference 2, including obtaining “all necessary approvals, permits, licences, certificates, agreements and rights required to construct, operate and maintain the project.” If any conditions have not been fulfilled, please explain why, explain how Hydro One plans to fulfill them, and provide an estimate of the date Hydro One expects to fulfill them.
- b) Please provide a current estimate of the planned start date for construction of the Project. If such an estimate is not available, please explain why.
- c) Please explain Hydro One’s view regarding how the timing of a decision for the current case would impact project activities.

Staff-2

Reference 1: EB-2024-0319, Evidence Amended December 5, 2024, Exhibit A, Tab 1, Schedule 1, paragraph 10, page 3

Reference 2: EB-2024-0319, Evidence Amended December 5, 2024, Exhibit A, Tab 1,

Appendix 3: Hydro One's Waasigan Project - Land Acquisition Compensation Principles

Reference 3: Letter from Hydro One to the OEB, dated January 30, 2025, Proof of Delivery

Reference 4: EB-2024-0319, Evidence Amended December 5, 2024, Exhibit A, Tab 1
Appendix 4: Description of Lands and Specific Interests in Lands

Preamble

At Reference 1, Hydro One stated that it "notified all directly affected landowners impacted by the Project of its intention to present offers to voluntarily acquire required Project land interests." Hydro One stated that "all voluntary offers presented to landowners were consistent with Hydro One's Waasigan Project Land Acquisition Compensation Principles" (Reference 2).

In Reference 3, Hydro One stated that it had reached voluntary land acquisition agreements with the owners of four properties listed in its updated application and is "continuing its efforts to negotiate additional voluntary land acquisition agreements with other property owners".

Questions

- a) Please provide an update on negotiations with the registered landowners of the subject properties, using the same format as Reference 4. For each of the affected properties, please also include a complete description of communication and negotiations between Hydro One's land agents and the landowners from the start, including a record of communication dates and form (i.e. phone call, personal visit, e-mail), a brief description of the nature and content of the information exchanges with the landowners, outcomes of communication and planned follow-ups.
- b) Please identify the number of properties required for the Project whose registered owners are not private individuals, such as Crown and government agencies.
- c) Please comment on the form of agreements that Hydro One offered to the registered landowners who are not private individuals, such as Crown and government agencies.
- d) For landowners who have not reached agreement with Hydro One, please confirm what form of agreement has been offered to each one.
- e) Recognizing that the forms of agreement previously approved by the OEB include obligations on the part of Hydro One relating to land restoration post-construction or subsequently to abandonment and decommissioning, what obligations should be applied as conditions of approval, if the OEB approves the requested expropriation?

Staff-3

Reference 1: Letter from Hydro One to the OEB, dated December 19, 2024, Affidavit of Service

Reference 2: Letter from Hydro One to the OEB, dated January 30, 2025, Proof of Delivery

Preamble

At Reference 1, Hydro One advised the OEB that it had been unable to effect service on one interest holder in the property identified as TB106 in Hydro One's updated application. Hydro One advised that it performed a title search, obituary search, property tax roll search, and inquiries with the law firm that prepared the charge. According to Hydro One's letter, the registered owner of the property is deceased, and the property owner's next of kin declines to be involved with the estate or matters related to the subject property.

At Reference 2, Hydro One advised the OEB of two properties, whose owners or interest holders it was unable to effect service upon (identified as TB60 and TB73). At Reference 1, Hydro One did not advise that it had not been able to effect service on the owners or interest holders of these two properties.

Questions

- a) Please explain why the two references identify different properties and confirm which owners or interested parties have not been served as of the date of filing of this response.

Staff-4

Reference 1: EB-2024-0319, Evidence Amended December 5, 2024, Exhibit A, Tab 1, Schedule 1, paragraph 9, page 3

Reference 2: EB-2024-0319, Evidence Amended December 5, 2024, Exhibit A, Tab 1, Appendix 4: Description of Lands and Specific Interests in Lands

Preamble

Hydro One seeks the authority to expropriate Permanent Corridor Easements required for construction and ongoing operation and maintenance of the Waasigan Project. The Right-of-Way width is approximately 46 metres depending on location of structures, terrain, length of span and other external site factors.

Questions

- a) For each of the properties identified in Reference 2, please explain the criteria and standards that Hydro One applied to determine the size of the Right-of-Way.
- b) On what basis does Hydro One establish that it seeks the minimum amount of land rights necessary to implement the transmission project?

Staff-5

Reference 1: EB-2024-0319, Evidence Amended December 5, 2024, Exhibit A, Tab 1, Schedule 1

Reference 2: Ontario Energy Board Act, s.23

Preamble

Hydro One applied for an order granting it the authorization to expropriate certain rights for certain lands pursuant to section 99 of the OEB Act. Reference 2 permits the OEB, when making an order, to “impose such conditions as it considers proper.”

Question

- a) OEB staff has prepared the following draft Conditions of Approval. If Hydro One does not agree to any of the draft conditions of approval noted below, please identify the specific conditions that Hydro One disagrees with and explain why. For conditions in respect of which Hydro One would like to recommend changes, please provide the proposed changes and an explanation of the changes.

**Waasigan Project – Expropriation Application
Section 99 Order Granting Authority to
Expropriate Interests in Certain Lands**

DRAFT CONDITIONS OF APPROVAL

1. Hydro One shall notify the OEB in writing in the event that, after this Decision and Order has been issued, a negotiated settlement is reached and expropriation is no longer necessary. This notice shall be filed with the OEB within ten days of the settlement.
2. Hydro One shall use all reasonable efforts to provide oral and written notice to the landowners a minimum of 48 hours prior to entry onto the land.
3. Reasonable accommodation shall be made in Hydro One's schedule for landowner requests/concerns to ensure that transmission facilities' construction and associated activities do not interfere with landowner operations.
4. Hydro One or its agents will consult with the landowner in advance of entry as to the manner in which existing gates / fences / entryways are to be managed while entering property. In the event the landowner cannot be contacted, Hydro One shall ensure that gates / fences / entryways used by Hydro One personnel or its agents are left as found.
5. The landowners and tenants can be present to observe the transmission facilities' construction and associated activities subject to Hydro One's safety policies and procedures and the Occupational Health and Safety Act.
6. Hydro One shall keep records of the personnel attending and entering on lands, the time in which entry occurred, and the locations entered.
7. Hydro One shall designate one of its employees as project manager who will be responsible for the fulfillment of these conditions, and shall provide the employee's name and contact information to the OEB and to the landowners and tenants, and shall ensure that this information is clearly posted on the construction site. The project manager will be responsible for the fulfilment of the conditions of approval on the site.
8. Hydro One shall furnish the OEB's designated representative with all reasonable assistance for ascertaining whether Hydro One has complied with these conditions of approval.

The OEB's designated representative for the purpose of these Conditions of Approval shall be the OEB's Manager of Generation and Transmission Applications (or the Manager of any OEB successor department that oversees leave to construct applications).