



EB-2010-0023

**APPLICATION BY HYDRO ONE NETWORKS INC. FOR
AUTHORITY TO EXPROPRIATE INTEREST IN CERTAIN LANDS**

NOTICE OF APPLICATION

Background

Hydro One Networks Inc. ("Hydro One") has filed an application (the "Application"), dated February 26, 2010, with the Ontario Energy Board (the 'Board') under section 99 of the *Ontario Energy Board Act 1998*, S.O. 1998, c. 15 (Schedule B) (the 'Act') for authority to expropriate certain interests in lands for the purpose of constructing and operating a new 500 kilovolt double circuit transmission line known as the Bruce to Milton Transmission Reinforcement Project (the "Project") located between the Bruce Power Complex in Kincardine, Ontario and Hydro One's switching station in Milton, Ontario.

The Board has assigned File No. EB-2010-0023 to this application.

Hydro One was granted leave of the Board to construct the Project on September 15, 2008 pursuant to Board Decision EB-2007- 0050. The Project will be constructed immediately adjacent to the existing transmission corridor extending from the Bruce Power Complex on the Lake Huron shore in the Municipality of Kincardine and will proceed in a south by south-east direction to Hydro One's Milton Switching Station located south-east of the interchange of James Snow Parkway and Highway 401 in the Town of Milton. A map showing the location of the approved route for the Project is included in this Notice as Appendix "1".

On November 27, 2009, the Ontario Minister of the Environment granted Notice of Approval to Proceed with the Undertaking in respect of the Project in accordance with section 9 of the Environmental Assessment Act, R.S.O. 1990 c. E-18.

Project Land Requirements

Hydro One requires new permanent easement interests in land for the construction and ongoing operation of the Project. The new permanent easements will range from 53 to 61 metres in width depending on the width of the adjacent existing transmission corridor and in order to accommodate the overhead transmission line and supporting structures. In limited circumstances Hydro One is seeking authority to expropriate the fee simple interest in the owner's full parcel. If you are a landowner, a copy of the property description, survey, and aerial map describing the expropriation sought for your property through this application is attached to this notice.

Following the issuance of Board Decision EB-2007-0050 granting leave to construct the Project, Hydro One notified all directly affected land owners of its intention to present offers to voluntarily acquire land interests required for the Project. There are a total of 355 land owners affected. Of these, as of March 12, 2010, 201¹ have reached voluntary settlements and the transactions have closed. The remaining 154¹ properties are the properties over which approval to expropriate is being sought and are the subject of the Application. Of these 154¹ properties, 52¹ have reached voluntary settlements but are included because the transactions have not yet closed.

Hydro One has advised that the Niagara Escarpment Commission's decision to grant a development permit for the Project is currently under appeal. As a result, 13 properties within the Niagara Escarpment Planning Area have not been included in this Application. Depending on the timing and outcome of this appeal, Hydro One will advise the Board of whether revisions will be made to this Application or if a separate application for expropriation authority in respect of such properties will be necessary.

If the Board is of the opinion that it is in the public interest to do so, it may make an order under subsection 99(5) of the *Act* authorizing Hydro One to expropriate the land. However, **the Board does not have the authority to determine the amount of compensation payable**. If the authority to expropriate is granted and the parties do not agree upon compensation, section 100 of the *Act* requires the compensation to be determined under the *Expropriations Act*.

¹ These numbers are updated from the numbers provided in Hydro One's original application dated February 26, 2010. Hydro One plans to fully update its application to reflect these changes and other changes due to further transaction closings expected over the course of the next month.

How to Participate

If you wish to actively participate in the proceeding, you may request intervenor status. Your request must be made by letter of intervention received no later than **10 days** from the date of receipt of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the proceeding; and if you represent a group, a description of the group and its membership. The Board may choose to hold either a written or an oral hearing. Your letter of intervention should indicate your preference for a written or oral hearing, and the reasons for that preference. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from the applicant and the grounds for your eligibility for costs. Information regarding cost awards can be found in the Board's Practice Direction on Cost Awards available on the Board's website at www.oeb.gov.on.ca . You must provide a copy of your letter of intervention to the Applicant.

Note that if you are an affected landowner and do not request intervenor status, you will be deemed as an intervenor. As an intervenor you have the right to actively participate in the proceeding and will receive copies of relevant documents issued by the Board.

You must file two paper copies and an electronic copy of your intervention request with the Board. If you already have a user ID, please submit the electronic copy of your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. If you do not have a user ID, please visit the "e-Filing Services" page on the Board's website at www.oeb.gov.on.ca and fill out a user ID password request. For instructions on how to submit and naming conventions please refer to the RESS Document Guidelines also found on the "e-Filing Services" webpage. Alternately, the electronic copy of your intervention request may be submitted by e-mail at the address below. Those who do not have internet access are required to submit the electronic copy of their intervention request on a CD or diskette in pdf format.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

How to Contact Us

In responding to this notice please reference Board file number EB-2010-0023. It is also important that you provide your name, postal address, telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Letters of intervention must be sent to the Board by regular mail to the address below. Please remember that you must send a copy of your request for intervention to the applicant at the address listed below.

ADDRESSES**Ontario Energy Board**

P.O. Box 2319
2300 Yonge Street
27th Floor
Toronto, ON M4P 1E4

Attention: Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656
E-mail : boardsec@oeb.gov.on.ca

Applicant

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DATED at Toronto, March 16, 2010
ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

APPENDIX "1"
To Notice of Application

Board File No: EB-2010-0023

Map of Approved Route and the Stations

DATED: March 16, 2010

APPENDIX 1 – MAP OF THE APPROVED ROUTE AND THE STATIONS

