

IN THE MATTER OF Sections 2 and 3 of  
The Consolidated Hearings Act, 1981

- and -

IN THE MATTER OF Section 12(2) and  
(3) of The Environmental Assessment  
Act, (R.S.O. 1980, c. 140)

IN THE MATTER OF Sections 13, 14,  
15, 17, 29, 39, 40 and 49 of The  
Planning Act (R.S.O. 1980, c.379)

IN THE MATTER OF Sections 6, 7 and  
8 of the Expropriations Act (R.S.O.  
1980, c.148)

- and -

IN THE MATTER OF an undertaking of  
Ontario Hydro consisting of the  
planning of, selection of locations for,  
acquisition of property rights for, and  
the design, construction, operation  
and maintenance of additional bulk  
electricity system facilities in Eastern  
Ontario consisting of switching and  
transformer stations, communications  
and control facilities, transmission  
lines and related facilities

**B E F O R E:**

D.S. Colbourne	)	
Chairman	)	
	)	
B.E. Smith	)	May 28, 29 & 30, 1984
Vice-Chairman	)	and
	)	June 4 & 5, 1984
D.H. McRobb	)	
Member	)	

## O R D E R

UPON A MOTION with respect to the undertaking referred to in Style of Cause having been brought by Ontario Hydro for an order of the Joint Board:

- (a) amending the Notice to the Hearings Registrar dated the 7th day of August, 1981, by removing from the first sentence of the second paragraph of the Notice the words:  
"and to enable Ontario Hydro to deliver from and receive an interconnection with Hydro-Quebec about 2,000 MW of electric power for the mutual benefit of Ontario and Quebec".
- (b) amending the Decision of the joint board dated the 6th day of August, 1982, and the Order of the joint board dated the 24th day of January, 1984, to permit a route stage decision to be made with respect to the facilities proposed for the area between Lennox G.S. and Hawthorne T.S. prior to a decision being made with respect to the location of the facilities proposed for the area between Hawthorne T.S. and St. Lawrence T.S.;
- (c) giving directions to Ontario Hydro with respect to serving Notice of the Route Stage Hearing;
- (d) giving directions with respect to the filing of documents;  
and

- (e) deleting all reference to the Planning Act, as a result of the coming into force of the Planning Act, 1983.

AND UPON THIS MOTION having come on for hearing at the Nepean Sportsplex on May 28, 29 and 30, and on June 4 and 5, 1984;

AND UPON THIS BOARD having heard submissions from other counsel, other parties and interested persons;

WHEREAS THE BOARD having heard uncontradicted evidence with respect to:

- : further expected delays in the joint studies with Hydro Quebec;
- : the lack of upgrading potential in the transmission system;
- : the continuing growth of the critical load of the Ottawa area; and that
- : subsequent to environmental and cost reviews, that M3 remains the preferred plan;

AND WHEREAS THE BOARD having concluded that:

- : the granting of this application will have no prejudice to either the Board's decision dated the 6th day of August, 1982, or to the continuation of the route stage hearings with respect to the western section; and
- : the granting of the deferral, in the Board's Order dated January 24, 1984, of the route stage hearings for the Eastern (Hawthorne T.S. to the St. Lawrence T.S.) section, would not prejudice the route stage hearings for the Western (Lennox G.S. to Hawthorne T.S) section;

**NOW, THEREFORE, THE BOARD ORDERS:**

- 1(a) the deletion from the first sentence of the second paragraph of the Notice to the Hearings Registrar dated the 7th day of August, 1982, the words:

"and to enable Ontario Hydro to deliver and receive from an interconnection with Hydro-Quebec, about 2,000 MW of electric power for the mutual benefit of Ontario and Quebec";

and

- 1(b) the subsequent deletion of the condition in the Board's Order of January 24, 1984, relating to the said interconnection;
2. the deferral of any preliminary or other hearing, other than the general issues relating to all facilities, and the specific locational issues for the facilities proposed between Lennox G.S. and Hawthorne T.S., until at least 30 days after the filing with the Minister of the Environment of an environmental assessment for the specific locational issues for the facilities proposed between Hawthorne T.S. to St. Lawrence T.S.; and,

The Board will proceed to the route stage hearings on the basis of an environmental assessment of the general issues related to all facilities, and to the facilities proposed between Lennox G.S. and Hawthorne T.S., without having met Term and Condition 2 of the Board's decision of August 6, 1982, and the condition in the Order of the joint board dated the 24th day of January 1984.

3. Notice of the Route Stage hearing shall be given by two mailings and one newspaper publication, as follows:

(a) the first mailing of the Notice, which shall include notice of the Route Stage Preliminary Hearing (scheduled to be held at 10:00 a.m. on Tuesday, November 20, 1984, at the Nepean Sportsplex, Nepean, Ontario) shall be given during the month of August, 1984 in accordance with Form 1, attached hereto, and forming part of this Order;

(b) the second mailing of the Notice, which shall include notice of the Route Stage Preliminary Hearing (scheduled to be held at 10:00 a.m. on Tuesday, November 20, 1984, at the Nepean Sportsplex, Nepean, Ontario) shall be given during the month of October, 1984 in accordance with Form 2, attached hereto, and forming part of this Order;

At least thirty days shall be allowed between the date of the second mailing of the Notice and the date of commencement of the Route Stage Preliminary Hearing. However, the Preliminary Hearing shall not commence sooner than ten days after publication of the Review of the Environmental Assessment;

(c) newspaper publication, in accordance with Form 3, attached hereto, and forming part of this Order, shall be given at least twenty-one days prior to the date of commencement of the Route Stage Preliminary Hearing.

4. Ontario Hydro shall explain the procedure for the two mailings of its notice in a covering letter, or in a suitable publication, and such covering letter shall be in the form set out in Form 4, attached hereto, and forming part of this Order.
5. The said Notice shall be given by mailing by prepaid first class mail to those persons set out in Forms 5(A), 5(B) and 5(C) attached hereto, and forming part of this this Order, and every diligent effort shall be made by Ontario Hydro to redirect mail and to effect service.
6. The said newspaper notice referred to in Clause 3(c) herein shall be published in the newspapers listed in Form 6, attached hereto, and forming part of this Order.
7. The Environmental Assessment, the Review under the Environmental Assessment Act prepared by Ministries and Agencies of the Province of Ontario and other relevant documents under the control of Ontario Hydro and intended to be submitted in support of this undertaking, shall be made available for public inspection as soon as is practicable at the locations as set out in Form 7, attached hereto, and forming part of this Order.
8. Repositories for Transcripts, Exhibits and other Hearing Record documents shall be made available at the four locations set out in Form 8, attached hereto, and forming part of this Order.

9. Since the Planning Act, 1983, has been given Royal Assent, and Section 61 of that Act states that Ontario Hydro is not affected by the Act, except in certain situations, and since land use planning evidence may be relevant to the acceptance of the environmental assessment and to the approval to proceed with the undertaking under the Environmental Assessment Act, the Style of Cause shall be amended by deleting all references to the Planning Act.
10. UPON COUNSEL FOR the Hydro Consumers' Association and the No Towers Federation having requested costs relating to the hearing of this motion, since the funding situation of these two agencies had not altered since the plan stage hearing or, indeed, the motion held on the 13th day of December, 1983;

AND UPON THIS BOARD having been requested by other counsel to consider the joint board's Order dated December 16, 1981, relating to the Southwestern Ontario Plan Stage hearing, and specifically to the joint board's criteria for the award of costs enunciated in its Reasons for Order of the same date;

AND UPON THE JOINT BOARD HAVING GIVEN CONSIDERATION to those criteria and the simple fact of the hearing of two separate motions relating to the interconnections;

NOW, THEREFORE, THE JOINT BOARD ORDERS that Ontario Hydro shall pay the costs of counsel for the Hydro Consumers' Association and the No Towers Federation relating to the

hearing of this motion, in an amount to be determined by the Board, and based on an invoice to be submitted for the said costs;

11. AND THE JOINT BOARD FURTHER ORDERS that Ontario Hydro shall

(a) be responsible for arranging hearing accommodation for the Preliminary and any subsequent hearings relating to this matter; and

(b) pay the costs of reporting of this motion.

---

D.S. Colbourne  
Chairman

---

B.E. Smith  
Vice-Chairman

---

D.H. McRobb  
Member

DATED at TORONTO this 29TH day of JUNE, 1984