

Decision on Impala Canada's Application to Expropriate Two Parcels of Land in the District of Thunder Bay

On May 21, 2026, the Ontario Energy Board (OEB) issued its [Decision and Order](#) denying Impala Canada Ltd.'s (Impala) request to expropriate easements over two parcels of land over which it has operated a transmission line (Impala Line) for over 30 years.

The Impala Line is a private transmission line that exclusively serves the Lac des Isles Mine, located approximately 130 km northwest of Thunder Bay. The parcels of land are owned by North Star Forestry Ltd., an intervenor in the proceeding. Easements on those parcels of land which are needed to allow the operation and maintenance of the Impala Line were registered in 1999 for an initial term of 25 years subject to renewal.

While expropriation is typically carried out before construction begins, in this case it was sought decades after the infrastructure was built. Impala applied for expropriation to secure long-term legal certainty over its rights to use the parcels of land for the operation of the Impala line.

The OEB determined that Impala is not eligible to apply for expropriation under section 99(1) of the *Ontario Energy Board Act, 1998* (Act). Specifically, the OEB found that Impala failed to demonstrate that it either (a) obtained "leave to construct" the Impala Line under the Act or a predecessor of the Act, or (b) intended to construct, expand or reinforce an electricity transmission line. As a result, the OEB concluded it does not have jurisdiction to hear the application and grant the relief requested by Impala and denied Impala's application on that basis.

ABOUT THE OEB

The OEB is the independent regulator of Ontario's electricity and natural gas sectors. We protect the interests of consumers and enable the delivery of clean, reliable, secure and affordable energy that supports economic growth across the province. This includes ensuring that the people and businesses of Ontario pay rates that are reasonable while allowing for needed investments in an energy system that sustains our economy.

A key part of how we deliver on this mandate is through independent adjudication. When an application comes before us, the OEB applies a rigorous, impartial review that balances our legislated objectives and is free from interference.

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Ce document est aussi disponible en français.

This Backgrounder was prepared by OEB staff to inform Ontario's energy consumers about the OEB's decision and is not for use in legal or regulatory proceedings. It is not part of the OEB's reasons for decision; those may be found in the Decision and Order issued May 21, 2026, which is the official OEB document.