

Publisher’s Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. <i>Distribution List</i>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

<p>ENERGY REGULATION IN ONTARIO Glenn Zacher • Patrick G. Duffy (formerly authored by David M. Brown) Release No. 1, December 2025</p>
--

What’s New in this Update:

- This release features legislative updates to Appendix A. Electricity Act, 1998, S.O. 1998, c. 15, Sch. A and Appendix B. Ontario Energy Board Act, 1998, S.O. 1998, c. 15, Sch. B. Additionally, there have been updates to Appendix C. Words and Phrases.

Thomson Reuters®	Customer Support 1-416-609-3800 (Toronto & International) 1-800-387-5164 (Toll Free Canada & U.S.) E-mail CustomerSupport.LegalTaxCanada@TR.com
-------------------------	---

This publisher’s note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

Highlights

- **APPENDIX C—WORDS AND PHRASES—CONNECT THE DOTS—**. . . “connect the dots”, i.e., give reasons or decide a matter on the basis of reasoning the decision maker did not give. . . (*Halton (Regional Municipality) v. Canada (Environment)*, 2024 FC 348, 2024 CarswellNat 561, 62 C.E.L.R. (4th) 307 (F.C.) at para. 129 Brown J.).
- **APPENDIX C—WORDS AND PHRASES—DIAPAUSE STATE—**. . . diapause state, which is a period of suspended development. *The Corporation of the Municipality of Marmora and Lake v. His Majesty the King in Right of Ontario* (2024), 50 M.P.L.R. (6th) 49, 2024 CarswellOnt 5834, 2024 ONSC 2254 (Ont. S.C.J.) at para. 4 Doyle J.
- **APPENDIX C—WORDS AND PHRASES—ENVIRONMENTAL EFFECTS OF THE DESIGNATED PROJECT—**. . . “environmental effects of the designated project” are those likely to be caused by the *Project itself*. . . *Halton (Regional Municipality) v. Canada (Environment)* (2024), 2024 FC 348, 2024 CarswellNat 561, 62 C.E.L.R. (4th) 307 (F.C.) at para. 43 Brown J.
- **APPENDIX C—WORDS AND PHRASES—IRREPARABLE HARM—**At this stage of the *RJR MacDonald* test, the question is whether any of the Applicants have demonstrated that their interests will likely suffer irreparable harm if a stay is denied and the Approval will remain in effect, pending a final decision from the Board on the merits of appeals. As stated in *RJR MacDonald*, “irreparable” harm is harm that either cannot be quantified in monetary terms or cannot be cured, and includes a permanent loss of natural resources, an Applicant being put out of business, or an Applicant suffering permanent market loss or irrevocable damage to its business reputation. *Nickomekl Enhancement Society v. British Columbia (District Director, Environmental Management Act)* (2016), 2 C.E.L.R. (4th) 246, 2016 CarswellBC 1502 (B.C. Environmental App. Bd.) at para. 50 Andison (Chair)).