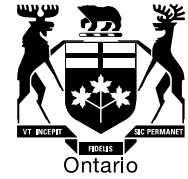


Ontario Energy Board
P.O. Box 2319
27th. Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

Commission de l'Énergie de l'Ontario
C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone; 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL ONLY

August 7, 2009

Board Secretary
Ontario Energy Board
2300 Yonge Street, Ste. 2701
P. O. Box 2319
Toronto ON M4P 1E4

Attn : Ms. Kirsten Walli

**Re: Yellow Falls Power Limited Partnership
Application for Leave to Construct a Transmission Line
Board File No. EB-2009-0120**

Please find attached the Board staff's Interrogatories with respect to the above proceeding. Kindly forward to applicant and all Intervenors in the above case.

Yours truly,

Original Signed By

Nabih Mikhail
Project Advisor, Facilities

c. Sharon Wong, Counsel, Yellow Falls Power Limited Partnership
Mr. Scott Hossie, Yellow Falls Power Limited Partnership
Jason Batise, Wabun Tribal Council

Attachments

Board Staff Interrogatories

Yellow Falls Power Limited Partnership Application for Leave to Construct a Transmission Line

Board Staff Interrogatory No. 1 :

Ref. a) Application/Paragraphs 7 and 8/page 2

Preamble:

In Ref. a) [*Application/Paragraphs 7 and 8/page 2*], the Applicant indicated that due to a change in the location of the proposed site 3 km downstream from the original site (Island Falls) and a change in the nameplate capacity from 20 MW to 16 MW, two studies issued in 2006 will be updated:

- 1) a System Impact Assessment (the "SIA") issued by the Electricity Independent System Operator (the "IESO"); and
- 2) a Customer Impact Assessment (the "CIA"), issued by Hydro One Networks Inc. ("Hydro One").

Question:

Please provide the date when each of the two studies, the SIA and the CIA, will be completed by the IESO and Hydro One respectively, and filed with the Board.

Board Staff Interrogatory No. 2 :

Ref. a) Application/Paragraph 9/page 2

Ref. b) Prefiled Evidence/Tab 12/Request to Elevate Letter of March 13, 2009 from the Wabun Tribal Council

Preamble:

- 1) In Ref. a) [*Application/Paragraph 9/page 2*], the Applicant indicated that it has released the Final Environmental Assessment Report for the Project, which is filed in support of this application;
- 2) In Ref.b) [*Prefiled Evidence/Tab 12/Request to Elevate Letter of March 13, 2009 from the Wabun Tribal Council*], the letter is requesting that the project

be “Bumped –Up” until consultation and accommodation to three First Nation Communities are completed.

Questions:

- (i) Please indicate whether or not the Applicant has received the EA approval from the Ministry of Environment.
- (ii) If the EA approval has not been received, please provide a description of any steps taken to date to resolve issues, in regard to this application, with the Wabun Tribal Council (“WTC”).
- (iii) Has the WTC made the Applicant aware of any specific Aboriginal or treaty rights that may be adversely impacted by the proposed transmission project? If so, please describe the nature of these concerns and provide any documentation of the Applicant’s communications with the WTC on these issues.

Board Staff Interrogatory No. 3 :

Ref. a) Pre-filed Evidence/page 16 of 28/lines 10 -16

Preamble:

In Ref. a) [*Pre-filed Evidence/page 16 of 28/lines 10 -16*], the Applicant stated that: *YFP will obtain tenure for the land needed to construct the CTS, the dam/powerhouse and the service building under a **Waterpower Lease Agreement with the Ministry of Natural Resources (MNR)**. In order to construct the proposed 115 kV transmission line and the CSS, YFP will require **work permits and land use permits from the MNR under the Public Lands Act**. YFP has started discussions with MNR and it is expected that the lease and permits will be obtained following completion of the harmonized environmental assessment under Ontario Regulation 116/01 and the MNR Waterpower Program Guidelines.*

Questions:

- (i) Please provide a summary of the status of the Waterpower Lease Agreement with the Ministry of Natural Resources (MNR)
- (ii) Please provide a summary of the status of:
 - a) the harmonized environmental assessment under Ontario Regulation 116/01 and the MNR Waterpower Program Guidelines; and
 - b) land use permits, dates of application and expected response, which the applicant is seeking to obtain from the Ministry of Natural Resources under the Public Lands Act.

Board Staff Interrogatory No. 4 :

Ref. a) Pre-filed Evidence/ from page 17, line 4 to page 18, line 2

Preamble:

In Reference a), the Applicant outlined four agreements that are in progress:

- 1) YFP need to negotiate a road sharing agreement with Tembec in regard to use and maintenance of Red Pine Road;
- 2) YFP need to obtain all necessary authorizations from TCPL in order for the proposed line to cross an existing natural gas pipeline right-of-way;
- 3) Crossing of the proposed transmission line and the improved access road over a rail line owned by the Ontario Northland Railway Commission and require its authorization;
- 4) Permits for the proposed transmission line to cross Highway 11 require permits which may also include encroachment permit, land use permit and entrance permit.

Question:

Please provide a summary of the status of each of the four main agreements outlined in Ref a) and listed above in the "Preamble" [items (i) to (iv)], indicating where appropriate the dates of the application and expected response.