



**EB-2010-0253**

## **NOTICE OF APPLICATION AND HEARING**

### **APPLICATION FOR DETERMINATION OF LOCATION OF DISTRIBUTION FACILITIES WITHIN CERTAIN ROAD ALLOWANCES OWNED BY THE MUNICIPALITY OF GREY HIGHLANDS**

Plateau Wind Inc. ("Plateau" or the "Applicant") has filed an application dated July 30, 2010 with the Ontario Energy Board (the "Board") under subsection 41(9) of the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A, as amended (the "*Electricity Act*") for an order or orders of the Board establishing the location of Plateau's proposed distribution facilities within road allowances owned by the Municipality of Grey Highlands ("Grey Highlands").

Plateau is in the business of developing wind energy generation projects and the associated distribution facilities in Ontario. Plateau is the corporate entity created to hold and operate the generation and distribution assets of the Plateau Wind Energy Project in Grey County and Dufferin County, Ontario.

Plateau plans to develop the Plateau Wind Energy Project which will involve eighteen GE 1.5 megawatt ("MW") wind turbine generators, together having a nominal nameplate capacity of 27 MW. Twelve of the wind turbine generators are relevant to this Application, eleven of which will be located in Grey Highlands and one of which will be located in Melancthon Township (together, the "Turbines"). In total, the Turbines will have a nominal nameplate capacity of 18 MW.

Plateau plans to construct 44 kV overhead and underground electrical power distribution facilities (the "Distribution Facilities") within Grey Highlands to transport the electricity generated from the Turbines to the existing local distribution system of Hydro One Networks Inc. ("HONI") and ultimately to the IESO-controlled grid.

Plateau has chosen to locate certain power lines, poles and other facilities associated with the Distribution System within road allowances owned by Grey Highlands as indicated in the location map appended to this Notice. In its Application, Plateau submitted that under section 41(9) of the Electricity Act, Plateau and Grey Highlands are only required to agree to the location of the Distribution Facilities in the road allowance in question, which location shall be determined by the Board in the event of a disagreement.

Plateau submitted that Plateau and Grey Highlands have not been able to reach an agreement with respect to the location of the Distribution Facilities and has therefore requested that the Board issue an order or orders, pursuant to section 41(9) of the *Electricity Act*, determining the location of Plateau's Distribution Facilities within certain road allowances of Grey Highlands.

The Board has assigned File No. EB-2010-0253 to this application.

### **How to See Plateau's Pre-filed Evidence**

Copies of the Application and Pre-Filed Evidence will be available for public inspection at the Board's offices and at Plateau's offices (see addresses below).

### **How to Participate**

You may participate in this proceeding in one of three ways:

#### **1. Send a Letter with your Comments to the Board**

Your letter with comments will be provided to the Board members deciding the application and will be part of the public record for the application. If you wish to make an oral presentation to the Board, your letter should include this request. Your letter must be received by the Board no later than **30 days** from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

## **2. Become an Observer**

Observers do not actively participate in the proceeding but monitor the progress of the proceeding by receiving documents issued by the Board. You may request observer status in order to receive documents issued by the Board in this proceeding. If you become an observer, you need to contact Plateau and others in order to receive documents that they file in this proceeding and they may charge you for this. Most documents filed in this application will also be available on the Board's website. Your request for observer status must be made in writing and be received by the Board no later than **10 days** from the publication or service date of this notice. The Board accepts observer request letters by post or e-mail at the addresses below; however, two paper copies are also required. You must also provide a copy of your letter to Plateau.

## **3. Become an Intervenor**

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenors are eligible to receive evidence and other material submitted by participants in the hearing. Likewise, intervenors will be expected to send copies of any material they file to all parties to the hearing. Your request for intervenor status must be made by letter of intervention and be received by the Board no later than **10 days** from the publication or service date of this notice. Your letter of intervention must include a description of how you are, or may be, affected by the outcome of this proceeding; and if you represent a group, a description of the group and its membership. The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from Plateau and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to Plateau. The Board may choose to proceed with this application by way of a written or an oral hearing. Your letter of intervention should indicate your preference for a written or oral hearing, and the reason for that preference.

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](http://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](http://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 in pdf format.

### **How to Contact Us**

In responding to this Notice, please include Board file number EB-2010-0253 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and 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.

### **Need More Information?**

Further information on how to participate may be obtained by visiting the Board's website at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca) or by calling our Consumer Relations Centre at 1-877-632-2727.

### **IMPORTANT**

**IF YOU DO NOT REQUEST TO PARTICIPATE IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THESE PROCEEDINGS.**

**ADDRESSES**

**Ontario Energy Board**

2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Attn: Ms. Kirsten Walli  
Board Secretary

Tel: 1-888-632-6273 (toll free)

Fax: 416-440-7656

E-mail: [BoardSec@oeb.gov.on.ca](mailto:BoardSec@oeb.gov.on.ca)

**The Applicant**

**Plateau Wind Inc.**

105 Commerce Valley Drive West  
Suite 410

Markham, ON L3T 7W3

Attention: Mr. David Timm

Telephone: 416-502-0993 ext. 234

Fax:

E-mail: [dtimm@iprcanada.com](mailto:dtimm@iprcanada.com)

**The Applicant's Counsel**

**Torys LLP**

79 Wellington Street West  
Suite 3000

Toronto, ON M5K 1N2

Attention: Mr. Charles Keizer

Telephone: 416-865-7512

Fax: 416-865-7380

Email: [ckeizer@torys.com](mailto:ckeizer@torys.com)

**DATED** at Toronto August 19, 2010

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

