



EB-2009-0290

NOTICE OF APPLICATION AND HEARING

APPLICATION FOR LEAVE TO CONSTRUCT

TRANSMISSION FACILITIES FOR

TALBOT WINDFARM LP

Talbot Windfarm LP (the “Applicant” or “Talbot”) has filed an application with the Ontario Energy Board, (the “Board”) dated July 20, 2009 under section 92 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B. The Applicant has applied for an order of the Board granting leave to construct transmission facilities to connect the Talbot Windfarm, to be located in the Municipality of Chatham-Kent, to the Ontario grid. Talbot is a Limited Partnership and wholly owned subsidiary of Renewable Energy Systems Canada Inc. (“RESCI”)

RESCI entered into a Renewable Energy Supply III Contract with the Ontario Power Authority (dated January 14, 2009) in respect of the sale of electricity from the windfarm. The work which is the subject of this application involves constructing a 230 kilovolt (“kV”) three phase transmission circuit of 10.3 km length and associated facilities to connect the windfarm to existing Hydro One Transmission line WL44C or WL45C. Associated facilities include a substation at the windfarm end, and a switching station at the transmission grid end. The construction of the windfarm is not a part of this application.

A map showing the location of the proposed facilities is included with this Notice.

The Applicant advises that the land rights required to accommodate the proposed transmission facilities have largely been acquired. Talbot will construct, own and operate the facilities. The scheduled in-service date is November 2010.

The Board has assigned File No. EB-2009-0290 to this application.

How to see the Applicant's Pre-filed Evidence

Copies of the application and the pre-filed evidence in support of the application will be available for public inspection at the Board's offices and at the Applicant's head office (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 the applicant 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 either 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 the Applicant.

3. Become an Intervenor

You may ask to become an intervenor if you wish to actively participate in the proceeding. Intervenor status is 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 the applicant and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to the applicant. The Board may choose to proceed with this application by way of written or oral hearing.

The Board will hold a written hearing unless a party satisfies the Board that there is good reason for holding an oral hearing. Your letter of intervention should indicate your preference for a written or oral hearing, and the reason for that preference.

If you already have a user ID, please submit your intervention request through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. If you do not have a user ID, please visit the Board's website under e-Filing and fill out a user ID password request. For instructions on how to submit and naming conventions, please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. The Board also accepts interventions by email, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD or diskette in PDF format, along with two paper copies.

How to Contact Us

In responding to this Notice, please include Board file number EB-2009-0290 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 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.

FURTHER, IF THE APPLICATION FOR LEAVE TO CONSTRUCT IS GRANTED, TALBOT WINDFARM LP MAY SUBSEQUENTLY APPLY FOR THE RIGHT TO EXPROPRIATE IF NECESSARY.

ADDRESSES (for viewing of the Applicant's submission)

Ontario Energy Board

P.O. Box 2319, 27th Floor
2300 Yonge Street
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

Talbot Windfarm LP

**c/o Renewable Energy Systems
Canada Inc.**

300 Léo-Pariseau, Suite 2516
Montreal QC H2X 4B3

Attn: Mr. Peter Clibbon

Tel: 514-525-2113 ext 224
Fax: 514-524-9669
E-mail: peter.clibbon@res-americas.com

Counsel:

Ms. Helen T. Newland
Fraser Milner Casgrain LLP
#3900
1 First Canadian Place
100 King Street West
Toronto ON M5X 1B2

Tel: 416-863-4471
Fax: 416-863-4592
E-mail: helen.newland@fmc-law.com

DATED at Toronto August 06, 2009

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary