



EB-2007-0691

NOTICE OF WRITTEN HEARING

KRUGER ENERGY INC.

NOTICE OF PROPOSAL UNDER SECTION 81

On July 17, 2007, Kruger Energy Inc. ("KEI") filed a notice of proposal with the Ontario Energy Board (the "Board") under section 81 of *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Schedule B) (the "Act"). Under section 81 of the Act, a generator or an affiliate of a generator cannot, among other things, acquire an interest in a transmission or distribution system in Ontario or construct a transmission or distribution system in Ontario unless it has first given notice of its proposal to do so to the Board and the Board has not issued a notice of review or has approved the proposal under section 82 of the Act.

On September 13, 2007, the Board issued its notice of review of KEI's notice of proposal under section 81 of the Act. In accordance with section 82 of the Act, the Board is now proceeding to review the proposal. The Board intends to conduct this review through a written hearing.

The notice of proposal relates to KEI's proposal to construct and operate a 100 MVA substation in the Municipality of Chatham-Kent. The proposed facility, which would be located near the Bloomfield Business Park, would be connected to the 230 kV transmission lines between the Chatham Transformer Station and the Lauzon Transformer Station. The Board has assigned the notice of proposal file number EB-2007-0691.

How to see KEI's Notice of Proposal and Preliminary Submissions

Copies of the notice of proposal and the preliminary submissions filed in relation to KEI's notice of proposal will be available for public inspection at the Board's office and at KEI's office (addresses below).

How to Participate in the Hearing

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

1. You may send the Board a letter of comment. Your letter should include any request to make an oral presentation to the Board, and must be received by the Board no later than 30 days from the publication date of this notice of written hearing, or, if you have been served this notice of written hearing personally, no later than 30 days from the date of service.
2. You may request observer status in order to receive documents issued by the Board in the proceeding. Your request must be made by letter received by the Board no later than 10 days from the publication date of this notice of written hearing, or, if you have been served this notice of written hearing personally, no later than 10 days from the date of service.
3. You may request intervenor status if you wish to actively participate in the proceeding. Your request must be made by letter of intervention received no later than 10 days from the publication date of this notice of written hearing, or, if you have been served this notice of written hearing personally, no later than 10 days from the date of service. Your letter of intervention must include a description of how you are, or may be, affected by the proceeding; and if you represent a group, a description of the group and its membership. As stated

above, the Board intends to proceed by way of written hearing. The Board will not hold a written hearing if a party satisfies the Board that there is a good reason for holding an oral hearing. If you object to the Board holding a written hearing, your letter of intervention must include reasons why an oral hearing is necessary.

The Board may order costs in this proceeding. You must indicate in your letter of intervention whether you expect to seek costs from KEI and the grounds for your eligibility for costs. You must provide a copy of your letter of intervention to KEI.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

How to Contact Us

In responding to this notice of written hearing please reference Board file number EB-2007-0691. 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.

For your convenience, the Board accepts letters of comment by either post or e-mail. Our e-mail address is Boardsec@oeb.gov.on.ca Please include the file number in the subject line of your e-mail.

Letters of intervention must be sent to the Board by regular mail to the address below. Please remember that you must send a copy of your request for intervention to KEI at the address listed below.

IMPORTANT

IF YOU DO NOT FILE AN OBJECTION TO A WRITTEN HEARING OR IF YOU DO NOT REQUEST TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THIS PROCEEDING.

Addresses

The Board:

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 26th Floor
Toronto, ON
M4P 1E4
Attention: Kirsten Walli
Board Secretary

Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

The Applicant:

Kruger Energy Inc.
3285 Chemin Bedford
Montreal, QC
H3S 1G5
Attention: Guy Paquette
Email: gpaquette@kruger.com
Phone: 514-343-3247
Fax: 514-343-3124

Counsel for KEI:

Borden Ladner Gervais LLP
Scotia Plaza
40 King Street West
Toronto, ON
M5H 3Y4
Attention: Andrew Smith
Email: ansmith@blgcanada.com
Phone: 416-367-6734
Fax: 416-682-2836

DATED at Toronto, September 25, 2007

ONTARIO ENERGY BOARD

Original signed by

Peter H. O'Dell
Assistant Board Secretary