**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 199 8, S.O. 1998*, c. 15, Sch. B, as amended (the "**OEB Act**")**;**

**AND IN T HE MATTER** of an appli cation by Summerha ven Wind LP for an order under section 92 an d subsection 96(2) of the OEB Act granting leave to construct an electricity tran smission line and related facilities.

**APPLICANT RESPONSE TO**
**ONTARIO ENERGY BOARD STAFF INTERROGATORIES**

# Interrogatory 1: General

**Reference:** Exh. A/ Tab 2/Sch. 1/p. 1/paragraphs 1 and 2

**Preamble:** "NextEra Energy Canada, ULC and NextEra Energy Resources Inc., through their respective wholly –owned subsidiaries, both carry on the business of developing, owning, and operating energy generation facilities".

"…the Applicant is deemed to be a generator pursuant to section 56 of the OEB Act".

**Question 1(i):**

(i) What is the Applicant's experience in constructing and operating a transmission interconnection facility?

**Response:**

(i) The Applicant's parent company, NextEra Energy Resources, LLC is the leading producer of renewable energy from the wind and the sun in North America. NextEra Energy Resources' portfolio includes more than 100 operating projects in 26 U.S. states and 3 Canadian provinces totaling more than 19,000 net megawatts of generating capacity. Approximately 95 percent of NextEra Energy Resources' electricity is derived from clean or renewable sources, including wind, solar, hydro, natural gas and nuclear energy.

NextEra Energy Resources constructs transmission lines to interconnect its generating facilities to the electric grid. NextEra Energy Resources owns various transmission lines across the U.S. and is pursuing additional large scale opportunities to develop, build and operate transmission facilities.

For example, in 2009, the company completed its largest transmission project to date – the 229-mile, 345-kilovolt Texas Clean Energy Express – to help provide the transmission capacity needed to deliver up to 950 megawatts of wind energy from West Texas to the San Antonio area. The project's design, permitting and construction were completed in just 18 months.

**Question 1(ii):**

(ii) Please indicate what corporate organization capabilities exist to complete the applied for Transmission Line project.

**Response:**

(ii) The Applicant's corporate family has extensive transmission experience which will enable the Applicant to interconnect the SWEC to the electric grid in Ontario.

The Applicant's ultimate parent company is NextEra Energy, Inc. NextEra Energy Inc.'s principal subsidiaries are NextEra Energy Resources, Florida Power & Light Company ("FPL") and US Transmission Holdings, LLC, which owns Lone Star LLC, a rate-regulated transmission utility in Texas.

FPL, a rate-regulated utility engaged in the generation, transmission, distribution and sale of electric energy, supplies electric service to a population of nearly nine million throughout much of peninsular Florida. FPL owns and maintains in Florida 66,743 miles of distribution lines and over 6,600 circuit miles of transmission lines between 69kV and 500kV (of which 60% are over 230kV) with a book value exceeding $3 billion (USD).

In 2009, Lone Star was allocated a portion of the transmission projects by the Public Utility commission of Texas (PUCT) under the Competitive renewable Energy Zone (CREZ) program. Lone Star's CREZ project includes constructing and operating approximately 300 miles of 345 kV transmission lines in Texas. Lone Star plans to invest a total of approximately $735 million during the period 2011 through 2013 for construction of the transmission line.

The Applicant will therefore have access to a vast pool of expertise, including in the areas of project management, finance, legal, real estate, engineering, construction and operation.

**Question 1(iii):**

(iii) Please indicate whether the company intends to make use of contractors. Please identify what the capabilities of any contractors are or would be and provide a summary of the experience of each contractor.

**Response:**

(iii) Yes, the Applicant intends to make use of qualified contractors to build the Facility. The Applicant has not yet engaged a contractor but will do so at the appropriate time.

**Question 1(iv):**

(iv) Where applicable, for each of (ii) and (iii), please provide information with respect to:

- Project Management;
- Design;
- Constructio n;
- Operation and Maintenance; and

- Examples of similar projects that have been undertaken.

**Response:**

(iv) Please see response to items (i) – (iii) above.

## Interrogatory #2: Connecting Other Generation

**Preamble:** The line is privately owned and located in areas where other renewable generation facilities could be sited, and that may wish to connect to the line.

**Question 2(i):**

(i) As a privately owned line, does Summerhaven see the possibility of accommodating additional connections?

**Response:**

(i) The Facility is being purpose-built for connecting the SWEC and has not been designed specifically to accommodate additional connections. Although this capability is not currently being contemplated, the Applicant is open to considering this possibility if the need were to arise

**Question 2(ii):**

(ii) On what basis would Summerhaven expect to address such requests and, where appropriate, facilitate such connections?

**Response:**

(ii) These requests would be considered on an individual basis and evaluated based on their impact to the business and operations of the SWEC and/or the Applicant, including any regulatory requirements.

## Interrogatory #3: Status - Permits and Other Applications

**Reference:** (a) Exh. B/Tab 5/Sch. 1/p. 1
(b) Exh. B/Tab 5/Sch. 1/p. 2
(c) Exh. C/Tab 1/Sch. 1/Notice of Proposal under section 81 of the O*ntario Energy Board Act*, 1988

**Preamble:** Reference (a) provides a construction schedule for the transmission facilities, but does not include a list of permits and licences that will be required during the various phases.

Reference (b) also highlights that the "construction of the Facility will be commensurate with the construction of the SWEC".

**Question 3(i):**

(i) Please provide a list of required permits and approvals for completion of the Facility and include the current status and the timeline for obtaining each permit and approval.

**Response:**

(i) The following are the required principal permits and approvals needed for completion of the Facility:

1. Sign-off from Ministry of Natural Resources submitted October 2010, sign-off not yet received, but anticipated by end of April, 2011.

2. Renewable Energy Approval – submitted December 16, 2010. The Application has not been deemed complete due to lack of sign-off from MNR, and the MOE has indicated that they cannot begin processing the REA until they have received sign off from MNR.

3. Final sign-off from the Ministry of Tourism and Culture on archaeological studies. The required archeological field work is expected to continue until the start of construction.

4. OEB Leave to Construct – in process.

5. County building permits – will be submitted closer to construction.

6. Water crossing permits from Conservation authority – have discussed with the Conservation Authority, will be pursued along with other crossing permits required for the SWEC.

**Question 3(ii):**

(ii) Please provide an update on the status of construction of the SWEC.

**Response:**

(ii) The SWEC is progressing with detailed engineering, exercising land options, and performing final surveying to prepare for construction. Depending on when the Applicant receives the required permits, the Applicant is prepared to break ground as early as the third quarter of 2011.

**Question 3(iii):**

(iii) Is the expected in-service date of December 2011/January 2012 for the transmission facilities still valid?

**Response:**

(iii) The Facility is included in the scope of the REA. Therefore, the delays in receiving sign off from the Ministry of Natural Resources will likely extend the construction schedule of the Facility. If permitting timelines take the maximum expected amount of time, it is possible that the Facility will not meet its projected in-service date of December 2011/January 2012.

**Question 3(iv):**

(iv) Please discuss the Applicant's strategy to deal with delays for either the SWEC or the Facility construction. Indicate how this kind of contingency is incorporated into the construction schedule that has been submitted. Does the Applicant foresee any cost consequences for delays? How does the Applicant intend to address such cost consequences?

**Response:**

(iv) In line with the practices of the Applicant's parent and its affiliates, the submitted construction schedule does not contain contingencies for delays. Should there be delays on the part of the Applicant during construction, such cost consequences would be borne by the Applicant.

**Question 3(v):**

(v) Please provide an update on the Notice of Proposal, filed with the Board under Section 81 of the OEB Act, 1998 as set out in Reference (c).

**Response:**

(v) The Applicant will re-submit a Notice of Proposal under section 81 of the OEB Act, if required, at the time it applies for a generator licence pursuant to section 57 of the OEB Act. The Applicant does therefore not expect to receive instructions from the Board Panel on the Notice of Proposal during the course of the current proceedings (EB-2011-0027).

## Interrogatory #4: Switchyard Construction and Cost Responsibility

**Reference:** (a) Exh. B/ Tab 2/ Sch. 1/ page 1
(b) Exh. C/ Tab 1/ Sch. 1/ Page 5
(c) Compliance Bulletin 200606, issued on September 11, 2006 titled "Allocation of Costs to Customer Connections to Transmission System"/copy included as Attachment (I) to this Interrogatory #4
(d) Exh. B/ Tab8/ Sch. 3/Customer Impact Assessment ("CIA")/Introduction

**Preamble:** To connect the SWEC to the Hydro One Networks Inc. transmission system, the Applicant is proposing three different elements [transmission line, substation, and switchyard]. The first two will be built by Summerhaven while the last one will be built by Hydro One.

According to Reference (a), Hydro One will construct and own the switchyard.

Reference (b) mentions that "the Applicant will also own and operate the interconnection facilities (the "Facility") used to connect the SWEC to the IESO-controlled grid…"

Reference (c) requires that apportionment of cost for facilities that are classed as Network, where the proposed cost responsibility is consistent with what is described as minimum connection requirements and it states in part that:

> Section 6.1.2 of the TSC requires that transmitters ensure that new or modified connections to its transmission system do not materially reduce the reliability or performance of its transmission system. This must be a consideration in determining the minimum connection requirements. The minimum connection requirement will generally consist of the following:
>
> a) Connection interface equipment including i) terminating structures, ii) disconnect switches and iii) line or bus connections which may include line taps or bus extensions if required.
> b) Automatic interrupting devices such as breakers or circuit switchers as required by the IESO or the transmitter located at the connection interface (or alternate location as discussed above), their associated structures and disconnect switches. As noted in the discussion above, some apportionment of cost may be necessary if these devices are located in a *network* facility.
> c) Protection and control and associated telecommunication directly related to the minimum connection requirement interrupting devices, and/or the connecting customer's interrupting devices.
> d) Incremental additions to existing special protection systems such as load or generation rejection required to incorporate the connecting customer.
>
> Therefore I expect that transmitters should allocate costs associated with these minimum connection requirements to the connecting customer.

Reference (d) does not include a Connection Cost Recovery Agreement.

**Question 4(i):**

(i) Please clarify whether the Applicant or Hydro One is constructing the switchyard.

**Response:**

(i) Hydro One is constructing the sectionalizing Switchyard for the SWEC connection to Hydro One's N1M 230 kV transmission line.

**Question 4(ii):**

(ii) Please clarify the cost responsibility arrangement for the construction of the switchyard. Please provide the details of the cost responsibility arrangement, in particular with respect to whether the arrangement is consistent with the provisions reproduced in Reference (c) in regard to the "minimum connection requirements".

**Response:**

(ii) Please refer to Hydro One's reply to Board Staff Interrogatory #116 (c) in Hydro One's 2011-2012 Transmission Rates proceeding (EB-2010-0002), which addressed the question of cost responsibility and the applicability of Compliance Bulletin #200606 with respect to in-line circuit breaker switchyards. It is further noted that in-line circuit breaker projects were approved by the Board for rate recovery in its Decision, dated December 23, 2010, in that proceeding.

**Question 4(iii):**

(iii) Please confirm that regardless of the costs contributed by the Applicant towards the construction of the switchyard, Hydro One will be the owner and operator of that switchyard.

**Response:**

(iii) Hydro One will be the owner and operator of the N1M sectionalizing Switchyard.

**Question 4(iv):**

(iv) Please confirm that Hydro One will include in its Connection and Cost Recovery Agreement as referenced in (d), the financial obligations by the Applicant in regard to the switchyard connecting the Applicant's transmission line to Hydro One's N1M 230 kV transmission line.

**Response:**

(iv) Yes, Hydro One confirms that it will do so.

**Interrogatory #5: Preferred Alternative Arrangement - Switchyard**

**Reference:** (a) Exh. B/ Tab 8/ Sch. 2/SIA Report/SIA Findings/p. 7/Recommendations
(b) Exh. B/ Tab 8/ Sch. 2/SIA Report/Section 3.1 Proposed Connection Arrangements/p. 16
(c) Exh. B/ Tab 8/ Sch. 2/SIA Report/Section 6.6/p. 34//paragraph 4 and 5
(d) Exh. B/Tab 6/ Sch. 1/pp.1-2/paragraph 29

**Preamble:** In Reference (a), the SIA stated in part that:

> Considering that another FIT wind project, Port Dover and Nanticoke Wind Farm (PDNW), will be connected to N2M at a point about 1 km away from the connection point of this project, it is strongly recommended that a common switching station be built for both projects instead of two separate stations.

In Reference (b) it is indicated that the common switching station (for the PDNW and this Project), shown in Figure 2, which has been suggested by Hydro One (see Reference (a) above).

In Reference (c), the SIA indicates that with a common switching station, any N-1 condition (meaning a single contingency) involving N1M/N2M would allow the production from the two generating facilities to be evacuated through the three remaining lines, resulting in more secure connections for Summerhaven and PDNW. For any N-2 condition (meaning a double contingency) it would still allow injection from both generating stations. The SIA further stated:

> The full switching station would also allow for future expansions to accommodate system upgrades or new generation connections. In addition, a common switching would likely involve overall cost savings when compared to two separate switching stations.

**Question 5(i):**

(i) Please update the Board on whether this design is being considered by Hydro One in view of the advantages listed in Reference (c).

**Response:**

(i) This design was discussed, but is not being considered at this time. After series of discussions between the Applicant, Hydro One and Capital Power, the Applicant was informed by Hydro One that the potential of a common connection was no longer an option.

**Question 5(ii):**

(ii) Have there been consultations with the IESO regarding this matter?

**Response:**

(ii) Yes. The IESO was involved in the discussions between Hydro One, the Applicant and Capital Power regarding the possibilities of a joint connecting station, including a meeting on September 27th, 2010.

**Question 5(iii)**

(iii) Please update the Board in regard to recommendations (2) and (3) from Reference (a), respectively on, the Wind Farm Management System, and the Under Load Tap Changer (ULTC) step-up transformer that will be installed.

**Response:**

(iii) The turbines in SWEC will be operated in voltage control mode, and the transformer has been specified to include a ULTC. We have discussed the Wind Farm Management System document with the IESO and will provide such document to the IESO prior to energization of the Facility. The IESO has indicated that this is acceptable.

**Question 5(iv):**

(iv) In the event the recommended common switchyard is adopted for the two wind farms (Summerhaven Windfarm and the Port Dover and Nanticoke Windfarm), please provide the proposed steps the Applicant and Hydro One will undertake to facilitate this course and update the status of the Option to Purchase referred to in Reference (d) in regard to the land considered for the point of connection and the switchyard.

**Response:**

(iv) Based on communications from Hydro One, it does not appear that the common switchyard is an option at the present time and therefore the Applicant cannot elaborate on the proposed steps that the Applicant and Hydro One would need to jointly take to facilitate a common switchyard. The Option to Purchase the land considered for the Switchyard has been executed by the landowner and the Applicant has filed a consent application with the County regarding the severance of the parcel.

## Interrogatory #6: Stranded Assets and Decommissioning

**Reference:** Exh. B/ Tab 6/ Sch. 1/p. 1/ Paragraphs 24 and 27

**Preamble:** Useful life of the equipment, and useful life of the SWEC.

**Question 6(i):**

(i) Please acknowledge the Applicant's responsibility for removing transmission and related facilities if the Facility construction does not proceed or is interrupted due to unforeseen events such as the inability to acquire or secure rights over the necessary lands or a force majeure event?

**Response:**

(i) The Applicant is required under the proposed transmission easement to remove the facilities if the easement is terminated.

**Question 6(ii):**

(ii) Are funds for this purpose set aside, or guaranteed by any means? Please provide details.

**Response:**

(ii) At this time, no funds are set aside for this purpose.

**Question 6(iii):**

(iii) Please confirm that decommissioning costs are the responsibility of the Applicant.

**Response:**

(iii) Confirmed.

**Interrogatory #7: Customer Impact Assessment (CIA)**

**Reference:** (a) Exh. B/Tab 8/Sch. 3/Introduction/last paragraph
(b) Compliance Bulletin 200606, issued on September 11, 2006 entitled "Allocation of Costs for Customer Connections to Transmission System"

**Preamble:** At Reference (a), Hydro One states that:

> *The study does not evaluate the impact of the Summerhaven Wind Energy Centre on the network Protection and Control Facilities. Protection and Control aspects will be reviewed during the preparation of the Connection cost Estimate and will be reflected in the Connection and Cost Recovery Agreement.*

**Question 7(i):**

(i) Please provide an update on the Connection cost Estimate, covering the following:

- capital contribution based on the principles outlined in Reference (b);
- estimates of cost upgrades to the Network facilities related to the protection and control requirements to accommodate this project.

**Response:**

(i) The Connection Cost Estimate is a Class B Estimate that is used to help determine the cost breakdowns in the CCRA. As such, the same principles that apply to cost allocation in the CCRA (including with respect to minimum connection requirements) apply to the CCE. Please see OEB IRR 4(ii). The Applicant received the following cost estimate from Hydro One:

- Summerhaven Station (Network Pool Cost, Security required): estimated to be $20,500,000
- Line Connection and Line Tap Work (Capital Contribution required): estimated to be $4,350,000
- Premium Costs (Capital Contribution required): estimated to be $5,000,000

Hydro One has informed the Applicant that the estimates values above are based on a Class B Estimate quality, which is a rough estimate which generally has a degree of accuracy of plus or minus thirty percent.

**Question 7(ii):**

(ii) Please provide an update on the status of the Connection and Cost Recovery Agreement (CCRA).

**Response:**

(ii) The Applicant and Hydro One are currently in the final stages of negotiating the CCRA. The Applicant anticipates the CCRA will be signed before the end of April, 2011.

**Interrogatory #8: Renewable Energy Approval (REA) Application**

**Reference:** (a) Exh. B/Tab 1/Sch. 1/p. 2/paragraph 6
(b) Exh. B/Tab 5/Sch. 1/p.1/ paragraph 21 and Table
(b) Exh. B/Tab 7/Sch. 2

**Preamble:** In Reference (a), the Applicant indicated that it expects to receive a decision from the Ministry of Environment regarding its REA early in the third quarter of 2011.

In Reference (b), expected receipt of the REA is July 2011.

At Reference (c), a placeholder in the pre-filed evidence has been allocated to the REA documentation

**Question 8(i):**

(i) Please provide an update on developments in regard to the Renewable Energy Approval process, and whether or not the REA approval is still expected in third quarter of 2011. If there is a change please provide the information and reasons for any delays.

**Response:**

(i) The REA was submitted on December 16th, 2010. The MoE indicated that they are unable to continue processing the REA until they get sign-off from the Ministry of Natural Resources (MNR). Draft documents were given to the MNR in October of 2010. The Applicant continues to work with the MNR to achieve their sign-off. The Applicant anticipates that the MNR will sign-off before the end of April, 2011 allowing MOE to continue processing the REA application. Given these delays, the Applicant currently anticipates receiving REA early in the fourth quarter of 2011. The Applicant will work with the relevant agencies to expedite the process where possible.

**Question 8(ii):**

(ii) Have there been any objections to granting REA approval, and if so by which parties?

**Response:**

(ii) The REA application has not yet been posted for public review. Accordingly, no objections have been filed.

**Question 8(iii):**

(iii) Please confirm the Applicant's understanding that should the REA decision result in a material alteration to the route of the transmission line as proposed in the Application to the Board, any Board decision and order would be predicated on the original route would therefore no longer be valid.

**Response:**

(iii) The Applicant understands that should the REA decision result in a material alteration to the route of the Transmission Line as proposed in the Application to the Board, any Board decision and order would be predicated on the original route would no longer be valid.

**Question 8(iv):**

(iv) Upon completion of the REA, please file a copy of the REA approval with the Board along with a copy of the REA document/application.

**Response:**

(iv) The Applicant will file a copy of the REA approval with the Board along with a copy of the REA documentation. upon completion of the REA.

**Question 9(i):**

(i) Please confirm that the proposed Facility would meet the requirements of the Canadian Standard Association, for all items listed in paragraph 20 (Reference (a)).

**Response**

(i) Confirmed.

**Question 9(ii)**

(ii) For each of the relevant standards for design and construction of the transmission facilities, including the ones listed in Paragraph 20, please provide in tabular form a comparison of the required vs. planned criteria.

**Response**

(ii) The Applicant has requested that its consultant, Peak Power Engineering, provide these details and the Applicant will provide the information requested to the Board within 4 business days.

**Question 9(iii)**

(iii) Please identify any existing facilities, non electrical facilities, such as water pipes, railway lines etc. in the proposed right-of-way which might affect or be affected by construction of the Facility. Please identify proposed approaches to avoid possible disruption for such facilities

**Response**

(iii) As referenced in Exhibit B-6-1, the Applicant is exploring whether it is possible to place the Transmission Line entirely on private land, which land has already been identified in the Application. For this reason, the Applicant has only performed detailed surveys in the corridor that does not involve County Lands. The surveyor engaged by the Applicant, Callon Dietz, has identified the following crossings:

| Point # | Northing | Easting | Code | Owner |
|---|---|---|---|---|
| 18019 | 4745899 | 578761 | HYDRO XING | Haldimand County Hydro |
| 18020 | 4745192 | 577683 | HYDRO XING | Haldimand County Hydro |
| 18237 | 4747523 | 582103 | BELL XING | Bell |

| | | | | |
|---|---|---|---|---|
| 18238 | 4747525 | 582112 | BELL XING | Bell |
| 18257 | 4745168 | 577651 | BELL XING | Bell |
| 18258 | 4745184 | 577672 | BELL XING | Bell |
| 18403 | 4745007 | 577567 | GASWELL X'G | GlenFred pipelines |
| 18404 | 4745485 | 577610 | GASWELL X'G | GlenFred pipelines |
| 18405 | 4745755 | 578110 | GASWELL X'G | GlenFred pipelines |
| 18462 | 4745185 | 577675 | GAS XING | Union Gas |
| 18463 | 4745894 | 578738 | GAS XING | Union Gas |

**Question 9(iv)**

(iv) Please provide the locations, and for each such location, the length along municipal roadways where the Facility will be sharing the right-of-way with distribution line(s) owned by Haldimand County Hydro. In listing these locations, please indicate for each location, the voltage level of each of the distribution lines and type of configuration e.g., single phase or two-phase distribution line lateral(s), or three phase distribution line.

**Response**

(iv) As referenced in Exhibit B-6-1, the Applicant is exploring whether it is possible to place the Transmission Line entirely on private land, which land has already been identified in the Application. However, the Applicant is aware of the following existing distribution lines on the County Lands: along concession road 5, Haldimand County Hydro has one single-phase circuit at an operating voltage of 4.8 kV. Along concession road 4, Haldimand County Hydro has one single-phase circuit at an operating voltage of 4.8 kV.

**Question 9(v)**

(v) For each location identified in (iv) above, please provide the configuration proposed to accommodate both the transmission line and the distribution feeder(s) involved.

**Response**

(v) As referenced in Exhibit B-6-1, the Applicant is exploring whether it is possible to place the Transmission Line entirely on private land which has already been identified in the

Application. For this reason, detailed engineering on the configuration of joint use poles has not been completed.

**Question 9(vi)**

(vi) Please provide the design features proposed to alleviate and minimize any identified risks to the distribution customers attributed to sharing the right-of-way with distribution feeders.

**Response**

(vi) Please refer to the Applicant's response to OEB IR 9(v). However should joint-use be required, because the Facility will be designed to meet all applicable codes, risks to distribution customers attributable to the Facility will be minimized.

**Question 9(vii)**

(vii) Please provide details on proposed construction procedures for the new line in relation to continuing operation of the existing distribution facilities in the locations identified where the transmission line may be sharing the right-of-way, as identified in the question (iv) above.

**Response**

(vii) Please refer to the Applicant's response to OEB IR 9(v). Although detailed engineering has not been completed, the Applicant's experience is that there are various approaches to this type of construction ranging from installing new poles and stringing new conductors prior to switching distribution service over to the new conductors; to simply moving the existing conductors to the new poles. These approaches have varying impacts on the service to distribution customers. If joint-use is required, the Applicant would work with HCHI to minimize service disruption where possible.

**Interrogatory #10: Land Matters**

**Reference:** (a) Exh. B/ Tab 4/ Sch. 1/p. 1/ paragraph 15
(b) Exh. B/Tab 6/Sch. 1/p.4/paragraph 38
(c) Exh. B/ Tab 6/ Sch. 1/p. 1/paragraph 24
(d) Exh. B/ Tab 6/ Sch. 1/p. 1/paragraph 27
(e) Exh. B/ Tab 6/ Sch. 1/p.1/paragraph 23
(f) Exh. B/ Tab 6/ Sch. 1/pp.2-3/paragraph 31, Table
(g) Intervention Request dated March 12, 2011 by Glenfred Gaswells Ltd

**Preamble** (1): In Reference (a), it is stated in part that:

*It is possible that certain sections of the Transmission Line will be constructed within County road right-of-way, and the remaining sections will be built on easements acquired from private land owners*.

In Reference (b), it is stated in part that:

*The Applicant has consulted with the County and Haldimand County Hydro (the "LDC" which is wholly owned by the County)…...In a letter to the Applicant dated December 8, 2010, the LDC indicated that it is, generally speaking,*

In Reference (c), it is stated in part that:

*…the Applicant is exploring whether it is possible and more economically efficient to place the Transmission Line entirely on private lands, thereby circumventing the County Lands..*

**Question 10(i):**

(i) In regard to References (a) and (b) as reproduced in the Preamble (1) above, please provide an update in regard to the negotiations with:

- The County of Haldimand; and
- Haldimand County Hydro.

**Response:**

(i) The Applicant has met, and continues to meet with Haldimand County to discuss the Facility and other issues related to the SWEC. As discussed elsewhere, the Applicant is striving to, at the County's request, use privately owned lands for the the Transmission Line. For this reason, the Applicant has not re-engaged on the use of ROWs for transmission circuits. Since filing the Application, the Applicant has met with Haldimand County Hydro (HCH) to discuss various issues related to

the Facility and SWEC. As with Haldimand County, the Applicant has not re-engaged on the use of the ROW for transmission circuits.

**Question 10(ii):**

(ii) Please provide the status of alternative plans to consider placing the entire Transmission Line on private lands as noted by the Applicant in Reference (c).

**Response:**

(ii) The Applicant has met with all affected landowners and has executed transmission easements with 5 of 14 required landowners. Negotiations with the remaining landowners are ongoing and are expected to be completed by end of May 2012.

**Question 10(iii)**

(iii) Please provide an update to the status of negotiations in regard to the Option Agreement between the Applicant with the two landowners referred to in Reference (d).

**Response:**

(iii) The Applicant is not pursuing Option Agreements with these landowners because the Applicant is seeking a Transmission Easement with these landowners.

**Question 10(iv):**

(iv) For each of the fourteen properties listed in Reference (f), please provide an updated table and indicate the type of interest in land being sought for each of these. Please indicate the status of negotiations and settlements of these easements.

**Response:**

| Registered Property Owner Name(s) | Legal Description of Land | Interest Sought | Status of Negotiations/ Settlement |
|---|---|---|---|
| [redacted] | PT LT 9-10 CON 4 WALPOLE PT 1 & 2 18R578 & PT 1 18R732; S/T HC274190; HALDIMAND COUNTY | Transmission Easement | Signed |

| Registered Property Owner Name(s) | Legal Description of Land | Interest Sought | Status of Negotiations/ Settlement |
|---|---|---|---|
| [redacted] | PT LT 10 CON 4 WALPOLE AS IN HC168106, PT 1 18R1650; HALDIMAND COUNTY | Transmission Easement | In discussions |
| [redacted] | PT LT 11 CON 5 WALPOLE AS IN HC147858; HALDIMAND COUNTY | Transmission Easement | In discussions |
| [redacted] | PT LT 12 CON 5 WALPOLE AS IN HC274910; HALDIMAND COUNTY | Transmission Easement | In discussions |
| [redacted] | N1/2 LOT 11 CON 4 WALPOLE; HALDIMAND COUNTY Tran | smission Easement | Signed |
| [redacted] | S 1/2 LT 13 CON 5 WALPOLE EXCEPT PT 5, HC78086; HALDIMAND COUNTY | Transmission Easement | In discussions |
| [redacted] | SW 1/4 LT 14 CON 5 WALPOLE EXCEPT PT 1, 18R1720; S/T INTEREST IN HC137908; HALDIMAND COUNTY | Transmission Easement | In discussions |
| [redacted] | SE 1/4 LT 14 CON 5 WALPOLE; HALDIMAND COUNTY Tran | smission Easement | Signed |
| [redacted] | S 1/2 LT 15 CON 5 WALPOLE S/T INTEREST IN HC208204; HALDIMAND COUNTY | Transmission Easement | In discussions |
| [redacted] | LT 16 CON 5 WALPOLE; SW 1/4 LT 17 CON 5 WALPOLE; PT LT 15 CON 5 WALPOLE AS IN HC116672; HALDIMAND COUNTY | Transmission Easement | Signed |
| [redacted] | PT LOT 17-18 CON 5 WALPOLE AS IN HC126370 & HC131932; HALDIMAND CTY | Transmission Easement | In discussions |
| [redacted] | PT LT 19-20 CON 5 WALPOLE PT 1 18R6107, PT 1 18R5813; HALDIMAND COUNTY | Transmission Easement | In discussions |
| [redacted] | NW 1/4 LT 15 CON 5 WALPOLE; HALDIMAND | Transmission Easement | Signed |

| Registered Property Owner Name(s) | Legal Description of Land | Interest Sought | Status of Negotiations/ Settlement |
|---|---|---|---|
| | COUNTY | | |
| [redacted] | LT 10 CON 5 WALPOLE E OF EXPROP PL HC69756 & EXCEPT HC255555 & HC86881 & EXCEPT PT 1 18R6580; HALDIMAND COUNTY | Overhang Easement | In discussions |

**Question 10(v):**

(v) In regard to the application for intervention by Glenfred Gaswells Ltd. [see Reference (g)], please provide an update on the status of discussions.

**Response:**

(v) The Applicant has not had discussions with Glenfred Wells in response to their Intervention Request. The Applicant has not opposed Glenfred Wells' Intervention Request, nor were any interrogatories served by Glenfred Wells to support their request for an oral hearing. An oral hearing is not required to address the concerns expressed by Glenfred Wells. The Applicant's affiliates have extensive experience crossing pipelines with transmission facilities, and owning pipelines that are crossed by transmission facilities. The Applicant will require crossing agreements with other gas pipeline operators such as Union Gas, who have not raised similar concerns. Obtaining such agreements is a standard part of the Applicant's development process and Glenfred will be engaged through this process as it progresses.