



EB-2011-0027

IN THE MATTER OF the *Ontario Energy Board Act*
1998, S.O.1998, c.15, (Schedule B);

AND IN THE MATTER OF an Application by
Summerhaven Wind LP for an Order granting leave to
construct a new transmission line and associated
facilities for the Summerhaven Wind Energy Centre.

PROCEDURAL ORDER NO. 5

On January 27, 2011, Summerhaven Wind LP ("Summerhaven" or the "Applicant") filed an application (the "Application") under Sections 92 and 97 of the *Ontario Energy Board Act, 1998* (the "Act") seeking leave to construct transmission facilities and approval of a form of easement to connect the Summerhaven Wind Energy Centre to the IESO-controlled grid. The work involves constructing 9 km 230 kV of overhead transmission line and associated facilities in the County of Haldimand. The Board assigned file number EB-2011-0027 to this proceeding.

Five parties requested and were granted intervenor status in this proceeding. One party filed a late intervention request on May 9, 2011 as outlined below.

On March 28, 2011, the Board issued Procedural Order No.2 establishing the schedule for interrogatories. Responses were received as specified in the Order.

On April 28, 2011 the Board issued Procedural Order No. 3 setting out dates for all parties to the proceeding who wish to make a submission that is relevant to the hearing to do so, and for the Applicant to respond to any such submissions. In that Order the Board also confirmed that it will proceed by way of a written hearing.

On April 29, 2011 the Board received a letter from Haldimand County Hydro Inc. ("HCHI") requesting a delay from the schedule for submissions in Procedural Order No.

3 so that HCHI may ask follow up questions and further investigate the issues raised during the interrogatory process.

On April 29, 2011 HCHI also filed a Motion to defer the final decision in this proceeding, as well as defer the final decision in another proceeding (file number EB-2011-0063) by Grand Renewable Wind LP seeking leave of the Board to construct transmission facilities in Haldimand County. The Motion requests, among other things, that the Board defer any final decision in EB-2011-0027 and EB-2011-0063 until the Board has conducted a generic proceeding to decide issues of general applicability to the development of transmission lines in municipal rights-of-way ("ROW").

On May 4, 2011 the Applicant responded to HCHI's April 29, 2011 letter objecting to HCHI's request.

On May 5, 2010, the Board issued Procedural Order No. 4 responding to HCHI's April 29 request by scheduling a technical conference for May 16 and May 17.

On May 9, 2011, the Board received a letter from the Applicant requesting that the dates for the technical conference be moved to May 17, 2011 and, if necessary continuing on May 18, 2011. The Applicant indicated that the change of dates is required to accommodate travel requirements for members of its staff. The Board is granting the Applicant's request.

On May 9, 2011, the Board received a late intervention request in this proceeding from Hydro One Networks Inc. ("Hydro One"). The Board grants Hydro One intervenor status subject to Hydro One accepting the record as it stands and the right of the Applicant to object to the late intervention application.

An updated list of all intervenors is attached as Appendix A to this order.

The Board considers it necessary to make provision for the following procedural matters related to the Application. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. The schedule for the Technical Conference set out in Procedural Order No. 4 is amended.

- 3 -

2. A technical conference will be held at the Board's Offices 2300 Yonge Street, Toronto on the 25th floor in the West Hearing Room commencing **Tuesday, May 17, 2011** at 9:30 a.m. and, if necessary, continuing on **Wednesday, May 18, 2011** at 9:30 a.m.

All filings to the Board must quote file number EB-2011-0027. You must file two paper copies and an electronic copy through the OEB Web Portal at www.errr.ontarioenergyboard.ca. If you do not have a user ID, please visit the "e-Filing Services" page on the Board's website at www.ontarioenergyboard.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 the documents may be submitted by e-mail to the Board Secretary at BoardSec@ontarioenergyboard.ca. Those who do not have internet access are required to submit the electronic copy on a CD. All electronic filings are to be in searchable/unprotected PDF format. Parties must also include the Case Manager, Nabih Mikhail at nabih.mikhail@ontarioenergyboard.ca and Board Counsel, Kristi Sebalj at kristi.sebalj@ontarioenergyboard.ca on all electronic correspondence related to this case.

DATED at Toronto May 11, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix A

To

Procedural Order No.5

Addresses of Applicant and Intervenors

Board File No.: EB-2011-0027

DATED: May 11, 2011

**Summerhaven Wind, LP
EB-2011-0027**

APPLICANT & LIST OF INTERVENORS

May 11, 2011

APPLICANT

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**Summerhaven Wind, LP
EB-2011-0027**

APPLICANT & LIST OF INTERVENORS

- 2 -

May 11, 2011

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**Summerhaven Wind, LP
EB-2011-0027**

APPLICANT & LIST OF INTERVENORS

- 3 -

May 11, 2011

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Summerhaven Wind, LP
EB-2011-0027

APPLICANT & LIST OF INTERVENORS

- 4 -

May 11, 2011

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