



**EB-2011-0056**

## **NOTICE OF APPLICATION AND HEARING**

### **ONTARIO POWER GENERATION INC. APPLICATION FOR LEAVE TO CONSTRUCT TRANSMISSION FACILITIES IN THE LOWER MATTAGAMI REGION**

Ontario Power Generation Inc. (the “Applicant” or “OPG”) has filed an application with the Ontario Energy Board, (the “Board”) dated May 12, 2011 under section 92 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B. OPG is an electricity generation company whose principal business is the generation and sale of electricity in Ontario. OPG owns a diversified portfolio of regulated and unregulated electricity generating facilities. In 2009, OPG assets generated approximately 70 per cent of the electricity consumed in Ontario.

OPG filed the application on behalf of its wholly-owned and controlled entities LM Extension Inc. and Lower Mattagami Limited Partnership (“LMLP”). LMLP is a limited partnership of which OPG is the general partner with a 99.9999 per cent interest and LM Extension Inc. is a limited partner with a 0.0001 per cent interest. Legal title to the proposed transmission line will be held by LMLP. All three entities are collectively referred to as OPG.

OPG has applied for an order or orders of the Board granting leave to construct a new double circuit 230 kV transmission line, approximately 3 km in length, in the Lower Mattagami region of Ontario (the “Proposed Line”). The proposed line will extend from Smokey Falls Generating Station (“Smokey Falls GS”) to the Hydro One transmission system (230 kV circuits L20D/L22D) alongside an existing 115 kV transmission corridor. A map showing the location of the Proposed Line is included in this notice.

OPG submitted that the Proposed Line is required to accommodate increased electrical power output from its Smoky Falls GS following completion of the proposed redevelopment of the site.

The Proposed Line is part of a larger project to increase the capacity of four generating stations owned by OPG located along the Lower Mattagami River (the “LMR Project”). The LMR Project is included in the Ontario Government’s Long Term Energy Plan released on November 23, 2010 (the “LTEP”) as a project to meet Ontario’s goal of 9,000 MW of hydroelectric capacity by 2018.

This application pertains only to the Proposed Line and not any other work associated with the overall LMR Project.

OPG’s application states that a portion of the Proposed Line is on Crown land and the remainder is on an existing Water Power Lease for Smokey Falls GS.

The estimated total cost of the Proposed Line is \$6,611,000. The scheduled in-service date is February 1, 2013.

As part of the process for consultation with Aboriginal Peoples, OPG and government agencies identified First Nations and Aboriginal organizations with a potential interest in the LMR Project. OPG states that it extended consultation opportunities to the groups identified and subsequent consultations with Aboriginal organizations took place in the period May 2007 to May 2009.

In addition to the above-noted consultations, OPG states that it has been in ongoing consultations with the Moose Cree First Nation (“MCFN”) on the LMR Project since 2006. This has led OPG and MCFN to sign a Comprehensive Agreement identifying MCFN’s interests associated with the LMR Project. Under the Comprehensive Agreement, MCFN has an opportunity to become an up to 25 per cent interest partner in the LMR Project.

The Board has assigned File No. EB-2011-0056 to this application.

### **Board Jurisdiction**

For any leave to construct application under section 92 of the Act, sub-section 96(2) provides that when determining if a proposed work is in the public interest, the Board’s jurisdiction is limited to consideration of:

- the interests of consumers with respect to prices and the reliability and quality of electricity service, and
- where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

The generation facilities included in the LMR Project are not part of this application, and do not fall within the scope of this proceeding.

### **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 offices (see addresses below).

### **Written Hearing**

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant within **10 days** of the publication or service date of this notice. If you are applying for intervenor status and you are objecting to the Board holding a written hearing, your letter of intervention must include your reasons for why an oral hearing is necessary.

### **How to Participate**

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

#### **1. Become an Intervenor**

Intervenors participate actively in the proceeding (i.e., submit written questions, evidence, and arguments, and cross-examine witnesses at an oral hearing).

A 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. A letter of intervention must include: (a) a description of how you are, or may be, affected by the outcome of this proceeding; (b) if you represent a group, a description of the group and its membership; and (c) whether you intend to seek an award of costs and the grounds for your cost award eligibility.

You must provide a copy of your letter of intervention to the applicant.

Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which means that all filings will be available for viewing at the Board's offices and will be placed on the Board's website.

If you already have a user ID, please submit your intervention request through the Board's web portal at [www.errr.ontarioenergyboard.ca](http://www.errr.ontarioenergyboard.ca). Additionally, two paper copies must be submitted to the address set out below.

If you do not have a user ID, visit the Board's website under e-Filing Services and complete a user ID/password request form. For instructions on how to submit documents and naming conventions please refer to the RESS Document Guidelines found at [www.ontarioenergyboard.ca/OEB/Industry](http://www.ontarioenergyboard.ca/OEB/Industry), e-Filing Services.

The Board also accepts interventions by e-mail, 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 in PDF format, along with two paper copies.

## **2. Become an Observer**

Observers do not participate actively in the proceeding but receive documents issued by the Board in the proceeding. There is no fee for observers to receive documents issued by the Board.

A 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.

All letters requesting observer status will become part of the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the request for observer status on the public record, the Board will remove any personal (i.e., not business) contact information from the request (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the request for observer status will become part of the public record.

Observers may also request documents filed by the applicant and other parties to the proceeding but must request these documents directly from the relevant party. Observers may be required to pay for the costs of reproducing and delivering the material.

Most documents filed in this application will also be available on the Board's website.

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

If you wish to comment on the proceeding without becoming an intervenor, you may submit a letter of comment to the Board Secretary.

All letters of comment sent to the Board will be placed on the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the letter of comment on the public record, the Board will remove any personal (i.e., not business) contact information from the letter of comment (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter of comment will become part of the public record.

A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the applicant and the Hearing Panel.

Your letter of comment 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.

#### **How to Contact Us**

In responding to this Notice, please reference Board file number EB-2011-0056 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.ontarioenergyboard.ca](http://www.ontarioenergyboard.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@ontarioenergyboard.ca](mailto:BoardSec@ontarioenergyboard.ca)

**The Applicant**

**Ontario Power generation Inc.**

H18 G3

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Toronto ON M5G 1X6

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**DATED** at Toronto June 17, 2011

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary

