



EB-2011-0063

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 Grand
Renewable Wind LP for an Order granting leave to
construct a new transmission line and associated
facilities for the Grand Renewable Energy Park to
be located in Haldimand County.

PROCEDURAL ORDER NO. 1

Grand Renewable Wind, LP (the “Applicant” or “GRW”) has filed an application with the Ontario Energy Board (the “Board”) dated February 28, 2011 under sections 92 and 97 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15, (Schedule B), seeking an Order of the Board to construct transmission facilities and approval of a form of easement agreement. The transmission facilities are required to connect the Grand Renewable Energy Park (the “GREP”), to be located in Haldimand County, to the IESO-controlled grid. GRW is a Limited Partnership owned by two limited partners, Samsung Renewable Energy Inc (“SRE”) and Pattern Grand LP Holdings LP (“Pattern LP”), as well as its general partner, Grand Renewable Wind GP Inc. The Application has been assigned Board File No. EB-2011-0063.

The work involves constructing approximately 19 kilometres of 230 kilovolt (“kV”) transmission line, a collector substation consisting of two step-up transformers (34.5kV:230 kV), two transition stations to accommodate construction of an underground portion of the proposed 230 kV transmission line, and an interconnection station to connect to an existing Hydro One owned N5M 230 kV transmission line (the “Transmission Facilities”).

The GREP will consist of a 153 MW wind power generating facility (the “Wind Project”), and a 100 MW solar photovoltaic generating facility (the “Solar Project”). The GREP covers an area of 7600 hectares of mainly agricultural land which will encompass both the Wind Project and the Solar Project.

The Board issued a Notice of Application dated April 1, 2011 directing GRW to commence service and publication of the Notice. GRW has served and published the Notice as directed by the Board.

Intervention requests were filed with the Board by various parties as outlined below. One application for observer status has been received, and is granted to Ms. Linda S. Link.

On May 18, 2011, the Board sent out a letter to all intervention applicants who filed their requests prior to that date advising each party that:

- The Board’s jurisdiction, as stated in the Notice in this proceeding is limited to the consideration of prices and the reliability and quality of electrical 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;
- Environmental issues with respect to this project are considered through the separate Renewable Energy Approval (“REA”) process;
- The Board will be asking Grand Renewable Wind, LP (“GRW”) to file an update on the status of the REA process, and that the Board will provide information on GRW’s update;
- The Board may seek further information regarding the nature of the proposed intervention in the Board’s process. Specifically, how the expressed interest relates to the matters that fall within the Board’s jurisdiction, and in particular with respect to the price or reliability and quality of electrical service, or, where applicable, the promotion of the use of renewable energy sources in a manner consistent with the policies of the Government of Ontario.

As requested, on May 26, 2011, GRW filed a letter updating the Board on the REA process. On June 7, 2011 the Board sent out a follow up letter to all intervention applicants conveying the information contained in GRW’s May 26 letter and advising the parties to get further updates on the REA progress directly from GRW, and in particular on the scheduling of the second Mandatory Open House.

In the June 7 follow up letter, the Board further reminded the parties that it has no jurisdiction to review what might broadly be described as “environmental” issues which are covered in the REA process. The Board has requested parties still interested in intervening in this proceeding to file a letter describing the nature of their interest and how it fits with the Board’s jurisdiction outlined in its May 18, 2011 letter. In particular the proposed intervenors were asked to describe how its interest relates to matters within the Board’s jurisdiction, as described above.

The Board notes that Hydro One, the Independent System Operator and Six Nations Council have already responded to the Board’s June 7 letter. The Board further notes that in its Decision on a Motion brought by Haldimand County Hydro Inc. the Board provided guidance to Haldimand County Hydro Inc. with respect to the raising of its cited issues in this proceeding. Haldimand County Hydro Inc. need not reconfirm its desire to intervene in this proceeding.

The Board, upon receipt of the noted letters from any of the parties listed in Appendix “A” which is attached to this order, within the deadlines prescribed below will respond with its decision. The Board’s granting of intervenor status to any party will be subject to GRW’s right to object to any of the intervention requests as well as to any cost eligibility requests in accordance with Rule 23.07 of the Board’s Rules of Practice and Procedure and section 4.02 of the Board’s Practice Direction on Cost Awards..

The Board emphasizes that cost eligibility would be considered to the extent that costs relate to matters directly within the scope of this proceeding as stated in the Notice of Application and Written Hearing dated April 1, 2011, under the section titled Board Jurisdiction. The Practice Direction on Cost Awards should be referred to and adhered to in order to make sure all appropriate rules are followed and the correct forms are used when it is time to submit any cost claim.

Procedural Steps

In the Notice of Application and Written Hearing, the Board indicated that it intended to proceed by way of a written hearing unless any party satisfies the Board that there is a good reason for not proceeding by way of a written hearing. Mr. Philip Lee requested an oral proceeding. The Board will determine if an oral hearing is required after the completion of the interrogatory phase.

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

THE BOARD ORDERS THAT:

1. Any party that previously filed intervention requests listed in Appendix "A" and still wishes to intervene in this proceeding shall file a letter with the Board to describe how its interest is within the Board's jurisdiction must do so no later than **Monday, June 27, 2011**.
2. The Applicant's right to object to any of the letters filed with Board must do so by filing a response no later than **Thursday, July 7, 2011**.
3. The Board will issue its Decision and Order on **Tuesday, July 12, 2011**, granting intervention status to those parties whose interests are within its jurisdiction.
4. Intervenors and Board staff who wish information from the Applicant that is in addition to the evidence pre-filed with the Board, and that is relevant to the proceeding, shall request it by written interrogatories filed with the Board and delivered to all parties no later than, **Monday, July 25, 2011**. All interrogatories and responses must include a reference to the section of the application which identifies the specific evidence on which the interrogatory is based.
5. The Applicant shall, no later than **Friday, August 5 2011** file with the Board and deliver to all intervenors, a complete response to each of the interrogatories.

All filings to the Board must quote file number EB-2011-0063, be made through the Board's web portal at www.errr.ontarioenergyboard.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to

submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

Ontario Energy Board
P.O. Box 2319
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Toronto ON M4P 1E4

Attention: Board Secretary

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DATED at Toronto on June 17, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix "A"

To

Procedural Order No.1

Board File No.: EB-2011-0063

DATED: June 17, 2011

Party's Name
Corporation of Haldimand County
Norm Negus
Lee J. Russell and Geraldine Ratcliff
Mr. and Mrs. Quinn Felker
Debi Crewn
Haldimand Federation of Agriculture
JEClarkSmith (Joyce Smith)
Bruce Genery
David Link & Linda Link
Philip Lee
Hendrikus Vos and Jennifer Theresa Gargoura
Nathan Armstrong on behalf of Doug Maxwell