



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. 7

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 to connect the Summerhaven Wind Energy Centre to the IESO-controlled grid and approval of a form of easement. The work involves constructing 9 km of 230 kV overhead transmission line and associated facilities in the County of Haldimand. The Board assigned file number EB-2011-0027 to this proceeding.

Six parties requested and were granted intervenor status in this proceeding.

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 to further investigate issues raised during

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

On April 29, 2011 HCHI also filed a Motion to defer the final decision in this proceeding, and another proceeding involving a leave to construct application for a wind farm (EB-2011-0063) to allow the Board to conduct a generic proceeding to decide issues of general application to the development of transmission lines in municipal rights-of-way.

On May 5, 2011 the Board issued Procedural Order No. 4 that scheduled a technical conference ("TC") for May 16 and May 17, which was later moved to May 17 and May 18 by way of Procedural Order No. 5.

On May 27, 2011 the Board issued Procedural Order No. 6 making provisions for the filing of intervenor evidence on induction impacts and the filing of interrogatories and responses to these interrogatories. The order also allowed for submissions by the parties by June 22, and reply by Summerhaven by June 30.

On May 30, 2011 the Board issued its Decision and Order denying HCHI Motion to defer the Decision in this proceeding until such time that a generic hearing is completed. The Board outlined its reasons for not proceeding with a generic hearing and further indicated that any issues related to the development of the proposed transmission lines by Summerhaven should be addressed within the context of this proceeding, as long as they are relevant and within the Board's jurisdiction to hear and determine.

On June 3, 2011 the Board received a letter from Capital Power requesting that it be allowed a right of reply to Summerhaven's reply should the applicant make any submission on the issue of a common connection point as per the IESO's System Impact Assessment ("SIA") recommendation. On June 10, 2011, Summerhaven submitted to the Board that its position on a common connection point had been fully stated during the TC and that there was therefore no reason to amend the procedural schedule. Capital Power's request for a right of reply was reiterated in a letter filed with the Board on June 17, 2011.

The Board will accommodate Capital Power's request to reply to Summerhaven, in the event that Summerhaven makes a submission on the common connection point issue. The Board will therefore allow for the filing of reply submissions by Capital Power, other intervenors and Board staff.

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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:

Intervenors and Board staff shall file with the Board and provide copies to all parties any submissions in reply to Summerhaven's reply submission insofar as they are limited to matters related to the common connection point as outlined in the SIA report on or before **Tuesday, July 5, 2011**.

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 June 22, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary