

**Ontario Energy
Board**

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**Commission de l'énergie
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BY EMAIL

July 11, 2011

Kristyn Annis
McCarthy Tétrault LLP
Suite 5300, 66 Wellington St. W
Toronto, ON M5K 1E6

**Re: EB-2011-0027: Summerhaven Wind, LP (“Summerhaven”)
Procedural Order No. 8**

The Board is in receipt of your letter dated July 6, 2011 wherein you indicate that Procedural Order No. 8 has the effect of deciding live issues between the parties without Summerhaven having had the opportunity to make submissions on these issues. You go on to request that the Board rescind paragraph 3 of the Procedural Order so that the Board can determine these issues after considering Summerhaven’s submissions.

The Board notes that paragraph 3 of Procedural Order No. 8 relates to reply submissions of parties in relation to Summerhaven’s reply submission on the common connection point issue. The Board has taken the reference to paragraph 3 to be an erroneous reference, which should have been a reference to paragraph 2. If this is not the case, the Board invites Summerhaven to clarify its request.

The Board has determined that it will not amend Procedural Order No. 8 as requested by Summerhaven.

The inclusion in Procedural Order No. 8 of a requirement for Summerhaven to file its proposed final transmission line design to allow Haldimand County Hydro Inc. (“HCHI”)

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to conduct a final induction study by its consultant Kinectrics, does not constitute the adoption by the Board of Board staff's or any other party's submission in this matter.

The Board was mindful of the fact that some parties had identified issues associated with the distribution line upgrade and the induction study. In an effort to have as full a record as possible the Board saw fit to order the production of information related to these issues.

In the interests of moving this matter forward as efficiently as possible, the Board is of the view that having this information on the record for the purposes of coming to a determination in this matter was appropriate. The Board has not, however, made any determination as to the relevance of the information or what weight it might ultimately be given.

To re-iterate, the Board has not come to any conclusions with respect to whether or to what extent Summerhaven may be required to accommodate: (a) HCHI's planned distribution line upgrade; or (b) any issues that may be identified in the induction study. While the Board expects both the final design to be produced by HCHI and the induction study to be performed by Kinectrics in accordance with the Board's Order, Summerhaven is not precluded in any way from making whatever arguments it sees fit with respect to this information as part of its submissions.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary