



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.

DECISION AND ORDER GRANTING INTERVENTIONS

Grand Renewable Wind, LP ("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 the underground portion of the proposed 230 kV transmission line, and an interconnection station to connect to an existing Hydro One owned 230 kV transmission line, designated N5M (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. One application for observer status has been received, and is granted to Ms. Linda S. Link. The Board sent out correspondence on June 7 to all parties who expressed an interest in intervening in the proceeding. The purpose of the letter was to provide parties with additional information it received from GRW with respect to the Renewable Energy Approval (“REA”) process which runs concurrently with the Board’s leave to construct approval. The Board’s intention was to clarify the appropriate avenue for parties to bring forward any environmental concerns with the Transmission Facilities. The Board also used the letter to reiterate that its role in considering whether transmission investments are in public interest is limited to matters that fall within its jurisdiction, namely 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.

On June 17, 2011 the Board issued procedural Order No.1 requesting all previous intervention applicants to re-file with the Board no later than Monday, June 27, to clarify how their interests are within the Board’s jurisdiction. Several of the original intervention applicants have since re-filed their requests with the Board.

The Order did not require Hydro One Networks Inc. (“Hydro One”), the Independent Electricity System Operator (the “IESO”), and Six Nations Council to re-file their requests for intervention. All three had provided sufficient information in responding to the June 7 letter from the Board, prior to issuance of the Order. The Board also noted that in its Decision on a Motion brought by Haldimand County Hydro Inc. (“HCHI”), the Board provided guidance to HCHI with respect to the raising of its cited issues in this proceeding. As a result, HCHI was not required to reconfirm its desire to intervene in this proceeding.

The following parties re-filed intervention applications as directed in the Order:

- Haldimand Federation of Agriculture
- Corporation of Haldimand County
- Norm Negus
- Quinn Felker
- Bruce Genery
- Nathan Armstrong on behalf of Doug Maxwell
- Gerladine Ratcliff and Lee Russell [Late Intervention]

In addition to their respective applications for intervention, the Six Nations Council, Nathan Armstrong, Quinn Felker, and the Haldimand Federation of Agriculture also applied for cost eligibility.

In its letter to the Board dated July 7, 2011, GRW has indicated that it has no objection to any of the eleven intervention applications and the four who also applied for eligibility for cost awards listed above. GRW has also made it a point to re-state the scope of the Board's jurisdiction under section 92 applications, and further illustrated the types of issues that may fall within and outside such scope. The Board is not prepared to delineate the issues at this early stage of the proceeding.

The Board grants intervention status to the eleven intervention applicants, namely, HCHI, Hydro One, the IESO, the Six Nations Council, Haldimand Federation of Agriculture, the Corporation of Haldimand County, Norm Negus, Quinn Felker, Bruce Genery, Doug Maxwell and Geraldine Ratcliff & Lee Russell.

The Board also grants cost eligibility to the Six Nations Council, Nathan Armstrong, Quinn Felker and the Haldimand Federation of Agriculture. Attached as Appendix A to this Decision and Order is a list of intervenors in this proceeding, eligible to participate in the round of interrogatories as set out in Procedural Order No.1.

The Board emphasizes that cost eligibility will 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 following information should be used as guidance for what costs an intervenor may or may not recover in a cost award:

- You may be eligible to recover out-of-pocket costs for photocopying or for travel to attend Ontario Energy Board related events if required (please refer to Board letter of June 24, 2011 in Appendix B for additional guidance on Travel and Hospitality related expenses);
- You will not be eligible to receive any costs (out-of-pocket travel costs or otherwise) for events organized by persons other than the Ontario Energy Board;
- You will likely not be eligible to receive any costs associated with your time (e.g., the time you spend preparing interrogatories, submissions, etc.); and
- As per the Practice Direction on Cost Awards, no costs are available in advance –see Sections 10 and 11 where filing for costs normally occurs after conclusion of the proceeding.

The Practice Direction on Cost Awards and related forms are available on the Board's website at www.ontarioenergyboard.ca, and 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.

DATED at Toronto on July 12, 2011

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

**Appendix A
to
DECISION AND ORDER GRANTING INTERVENTIONS
EB-2011-0063**

**Addresses of GRW
Intervenors and Observers**

July 12, 2011

**Grand Renewable Wind LP
EB-2011-0063
APPLICANT & LIST OF INTERVENORS**

July 12, 2011

APPLICANT

Rep. and Address for Service

Grand Renewable Wind LP

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**Samsung Renewable Energy
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APPLICANT & LIST OF INTERVENORS

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July 12, 2011

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INTERVENORS

**Corporation of Haldimand
County**

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**Grand Renewable Wind LP
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APPLICANT & LIST OF INTERVENORS

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July 12, 2011

**Independent Electricity
System Operator**

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Glenn Zacher

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**Independent Participants -
General Public**

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Bruce Genery

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**Grand Renewable Wind LP
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July 12, 2011

**Independent Participants -
General Public**

Lee & Geraldine Russell

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Norm & Valerie Negus

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Quinn Felker

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**Six Nations Council of the
Six nations of the Grand
River**

Lonny Bomberry

Six Nations Council of the Six nations of the Grand
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**Appendix “B”
to
DECISION AND ORDER GRANTING INTERVENTIONS**

**Board Letter, dated June 24, 2011
To GRW and Intervenors in Board Proceedings**

July 12, 2011

**Ontario Energy
Board**

P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416- 481-1967
Facsimile: 416- 440-7656
Toll free: 1-888-632-6273

**Commission de l'Énergie
de l'Ontario**

C.P. 2319
27e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416- 481-1967
Télécopieur: 416- 440-7656
Numéro sans frais: 1-888-632-6273



June 24, 2011

To Applicants and Intervenors in Board proceedings

Re: Practice Direction on Cost Awards

The Ontario Energy Board (the “Board”) wishes to provide further guidance to intervenors and applicants with respect to its Practice Direction on Cost Awards.

The Practice Direction provides for reimbursement in respect of “reasonable” disbursements. The Board wishes to advise intervenors and applicants that, effective in respect of disbursements incurred on or after July 1, 2011, the Board will assess the reasonableness of all disbursements regarding travel, accommodation and meals in accordance with the Travel Meal and Hospitality Directive dated April 1, 2010. The Board will only award reimbursement to intervenors for the amounts allowed under the Directive.

The Directive is posted on the Board’s website and is also accessible through the following link:

<http://www.mgs.gov.on.ca/stdprodconsume/groups/content/@mgs/@home/documents/resourcelist/276507.pdf>

The following is a summary of the Directive:

1. Claimants should choose the most economical option available for travel, accommodations and meals.
2. Claimants must submit itemized receipts with all claims (credit card slips are not sufficient).
3. There is no reimbursement for alcohol.

4. Meal expenses are capped by the amounts in the directive (\$8.75 – breakfast, \$11.25 – lunch, and \$20.00 – dinner). The capped amount includes taxes and tip
5. 5. Itemized costs must be provided in respect of all the individuals (lawyers, case managers, consultants, etc) whose travel, accommodation and meal disbursements are included in the claim for costs.

Further information can be found in the frequently asked questions document located on the Board's website and also accessible through the following link:
http://www.mgs.gov.on.ca/en/Spotlight2/STDPROD_080845.html

Any questions can be directed to Mark Johnston, Manager, Finance at 416 440-7725.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary