

Board Staff Interrogatories in EB-2011-0217

Interrogatory 1: Land Matters – Corridor Line

Preamble: At Ex B/T4/S1/p.1, South Kent Wind LP (SKW) provides a detailed description of the proposed route and the necessary land rights. With respect to the Corridor line, SKW also notes that it intends to acquire the necessary land rights for the western portion of the 'Corridor' from the Canadian Southern Railway Company (CSR) and easements from Chatham-Kent Transmission (CKT) with respect to the eastern portion of the 'Corridor'.

- (a) Please provide a detailed update on the status of these negotiations, whether SKW is confident that the agreements will be executed as noted and a timeline of when the agreements will be executed.
- (b) Are there are there any concerns that SKW is aware of that would suggest to SKW that the execution of the above agreements may be delayed or not executed at all. Please provide a description of such concerns, if any.
- (c) How does SKW expect to proceed if the referenced land rights are not obtained?

Preamble: At Ex A/T3/S1/p3, SKW states: "There are two rail lines within the Corridor. One is abandoned and the other is scheduled for abandonment at the end of July 2011".

- (d) With reference to the above, has the stated railway line abandonment been completed as scheduled? If the subject abandonment has not been completed, please indicate why it has been delayed and when does SKW expect the abandonment to be completed?

Interrogatory 2: Land Matters – Tie Line

Preamble: At Ex B/T4/S1/p.2, SKW states:

From the Corridor Line, the first part of the Tie Line will run for approximately 3.24 km north on seven privately owned properties (farms) to the Safety Village located at 21797 Fargo Road on the south side of Highway 401. From the south end of the Safety Village, the Tie Line will cross west over a railway line onto the municipal right-of-way ("ROW") and will continue north along the ROW for 0.76km, cross Highway 401, and then continue north on a private property for 0.35km. It will then turn approximately 90 degrees west and travel for 0.53km, then turn approximately 90 degrees south and travel for 0.35km, then turn approximately 90 degrees west and travel for 0.9km, crossing Communication Road to another private landowner, and continue for 0.5km to Hydro One's Access Road where the Tie Line will turn one final

time approximately 90 degrees south and travel for 0.26km to the Hydro One SS.

For the portions of the Tie Line that will require easements from private landowners, the form of easement agreement is at Exhibit B, Tab 4, Schedule 6(i). For the portion of the Tie Line that will run along the municipal ROW, the Applicant expects to be in a position to file the form of agreement within the next few weeks. A Placeholder has been created in the pre-filed evidence at Exhibit B, Tab 4, Schedule 6(ii) for this form of agreement”.

Further, at Ex B/T4/S4/p.2, SKW states:

“Ultimately, the proposed route for the Tie Line portion of the Transmission Project was found to be optimal because there are willing private land owners (5 of the 7 south of Highway 401 have indicated a willingness to grant an easement); and (ii) only a maximum of 9 private landowners will be affected”.

- (a) What is the status of the negotiations with each of the 9 private landowners in relation to the Tie line and is SKW still confident that it will be able to acquire the easements from all 9 landowners as noted?
- (b) Please list all landowners that have agreed to grant SKW the necessary easements and those landowners that have not?
- (c) Please identify those landowners that have executed the Easement Agreement.
- (d) What is the status of the negotiations in relation to acquiring the easements for the municipal ROW (referenced at Ex B/T4/S4/p.2)?
- (e) Are there any concerns that SKW is aware of that would suggest to SKW that the execution of the above agreements (i.e. with the 9 private landowners and the municipal ROW) may be delayed or not executed at all. Please provide a description of such concerns, if any.
- (f) Please explain how does SKW intend to proceed if the easement agreements (i.e. with the 9 private landowners and the municipal ROW) are not executed?

Interrogatory 3: SIA/CIA

At Ex A/T3/S1/p.5, SKW states: “We note the location of the Tie Line has been moved approximately 3 km west since the SIA was completed. The Applicant does not believe that this change should impact the conclusions in the SIA, but nevertheless advised the IESO of this development”.

- (a) Please consult with the IESO and confirm if the SIA that has been submitted is adequate or if the IESO intends to re-issue the SIA?

- (b) SKW has filed a final CIA as part of its pre-filed evidence. However, in the evidence, SKW has not indicated if the matter related to the change in route was communicated to Hydro One and whether this change affects the final CIA. Please indicate if Hydro One was notified or has been notified of the change in route? Please consult with Hydro One and confirm if the CIA that has been submitted needs to be re-done as a result of the change in route?

Interrogatory 4: REA

At Ex A/T3/S1/p.3, SKW has provided a brief description of the Renewable Energy Approval process.

Please indicate the steps in the REA process that have already taken place, what steps will occur in the future and a time line for these future steps and when does SKW expect to receive final approval under the REA process.

Interrogatory 5: Project Cost:

At Ex A/T3/S1/p.6, SKW states: "The Transmission Project and the cost of connecting to HONI's Chatham Switching Station will be paid for by the Applicant. Therefore the cost the Transmission Project and the connection to the Chatham Switching Station will have no impact on transmission rates in Ontario".

- (a) What is the approximate cost of the "Transmission Project"? In your response, please provide the approximate costs for each of the components (i.e., the Corridor Line, the Tie Line, Collector Substations and the Metering Station).

Preamble: At Ex B/T4/S1/p.2, SKW states: "...As described by CKT in its electricity transmitter licence application (EB-2010-0351), when construction of the Transmission Project is completed, the Applicant intends to sell the Transmission Project to CKT".

- (b) Please file the evidence that is referenced above in relation to the sale of assets to CKT. In your response please indicate when the sale/transfer will take place, confirm that there will be no impact on transmission rates in Ontario as a result of the sale and provide any commercial agreements between CKT and Pattern that may have been executed in relation to the sale of assets.