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November 22, 2011

**Delivered by Courier and RESS**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
26th Floor, Box 2319  
Toronto, ON M4P 1E4

Dear Ms. Walli

**Re:       Application for Leave to Construct And Notice under Section 81 of the  
          *Ontario Energy Board Act, 1998* – McLean's Mountain Wind Limited  
          Partnership**

We are counsel to McLean's Mountain Wind Limited Partnership (the "Applicant"). Please find accompanying this letter two (2) paper copies of each of the following documents:

1. an application for Leave to Construct (the "Application"), pursuant to section 91 and subsection 96(2) of the *Ontario Energy Board Act, 1998* (the "OEB Act"); and
2. a Notice of Proposal under section 81 of the OEB Act.

The Applicant requests that the following documents forming part of its Application be held in confidence by the Board pursuant to Rule 10.01 of the Board's *Rules of Practice and Procedure* (the "Rules") and the Board's *Practice Direction on Confidential Filings* (the "Practice Direction"):

- (a) Exhibit E, Tab 1, Schedule 2 - Single Line Drawing of Proposed Electrical Connection
- (b) Exhibit E, Tab 1, Schedule 3 - Electrical Drawings of Transmission Facilities
- (c) Exhibit E, Tab 1, Schedule 4 - Design Specifications and Operational Data: Submarine Cable
- (d) Exhibit E, Tab 1, Schedule 5 - Overhead Transmission Line Design and Stringing Charts
- (e) Exhibit G, Tab 1, Schedule 2 - Table of Lands Required for Transmission Facilities

Items (a) through (d) above consist of electrical drawings, design specifications and operational data in relation to transmission facilities the Applicant is proposing to construct. These documents have been prepared by the Applicant's consultants EPTCON Ltd. ("EPTCON") and contain proprietary and technical material that is consistently treated in a confidential manner. Disclosure of these documents could result in prejudice to both the Applicant and EPTCON's

competitive position in their respective businesses since it would enable competitors to ascertain the technical information and details of the transmission facilities contemplated by the Applicant in its Application to the Board. The above mentioned impacts are among the factors the Board considers in Appendix A of its Practice Direction when determining requests for Confidentiality.

Item (e) contains personal information relating to third party individuals and contractual arrangements made between the Applicant and these individuals with respect to the land acquisition process in relation to the Application. The contractual arrangements between the Applicant and third parties are not publicly available information. Disclosure of this information would conflict with Section 17(1) of the *Freedom of Information and Protection of Privacy Act* (Ontario), since it would prejudice the competitive position of the Applicant and could potentially interfere with the contractual arrangements or other negotiations between the Applicant and other third party landowners.

Where possible, the above mentioned confidential material has been printed on coloured paper, as required under section 5.1.4(b) of the Practice Directions, and is being delivered simultaneously with the application in an envelope marked "confidential".

Please do not hesitate to contact me should you have any questions or require further information.

Yours very truly,

**BORDEN LADNER GERVAIS LLP**

Per:

*Original Signed by James C. Sidlofsky*

James C. Sidlofsky

Encls.

copy to:

Gordon Potts, McLean's Mountain Wind Limited Partnership  
Art Jacko, Mnidoo Mnising Power Limited Partnership