



EB-2011-0420

NOTICE OF APPLICATION AND WRITTEN HEARING
APPLICATION FOR LEAVE TO CONSTRUCT
TRANSMISSION FACILITIES FOR
WHITE RIVER HYDRO LP AND PIC MOBERT FIRST NATION

White River Hydro, LP and Pic Mobert First Nation (the “Applicants”) have filed an application with the Ontario Energy Board (the “Board”) dated December 6, 2011 under sections 92 and 96(2) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B. The Applicants have applied for an order of the Board granting leave to construct approximately 23.5 kilometres of 115 kilovolt (“kV”) electricity transmission line and related facilities (the “Transmission Facilities”) to connect two hydroelectric generating sites to the provincial transmission system near the community of Pic Mobert and the Town of White River.

The Applicants formed a joint venture to develop two hydroelectric projects and the Transmission Facilities, collectively known as the Gitchi Animki Hydroelectric Project (the “GAEP”). The Transmission Facilities comprise the transmission line, two switchyards located adjacent to the two hydroelectric generating facilities of the GAEP, and an Interconnection Station.

The two hydroelectric generating facilities, located on the White River, are comprised of the lower Gitchi Animki Niizh facility (the “Niizh Facility”) which will be a 10 MW generating facility, and the upper Gitchi Animki Bezhig facility (the “Bezhig Facility”) which will be a 8.9 MW generating facility.

A map is included in this Notice showing the location of the first 10 MW hydroelectric project at the lower Gitchi Animki Niizh facility, the second 8.9 MW hydroelectric project at upper Gitchi Animki Bezhig facility, and the route of the proposed 23.5 kilometre 115

kV transmission line. A Switching Station would connect the proposed 115 kV transmission line to an existing M2W 115 kV circuit owned by Hydro One Networks Inc.

Power purchase agreements with the Ontario Power Authority were awarded under the Feed-in-tariff Program in April 2010 to the Applicants as joint venture partners.

The Transmission Facilities will be located on Crown lands with the exception of a crossing over the Canadian Pacific Rail-owned railway corridor. The Applicants will enter into a lease agreement with the Crown for the transmission line that will traverse Crown lands. The Applicants will also enter into a Crown easement for the portion of transmission line that falls within the Forest Service Road right of way. A crossing permit application will be submitted to CP Rail for crossing over the railway corridor.

Metalcorp Limited ("Metalcorp") is the holder of mining claims on certain portions of the Crown lands north of the White River. The applicants and Metalcorp have entered into an agreement in which Metalcorp agreed to the disposition of surface rights over certain mining claims it holds.

The Board has assigned **File No. EB-2011-0420** to this application.

Board Jurisdiction

For any leave to construct application under section 92 of the Act, section 96(2) of the Act provides that when determining if a proposed work is in the public interest, the Board's jurisdiction is limited to consideration of:

- the interests of consumers with respect to prices and the reliability and quality of electricity service, and
- where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

The generation facilities are not part of this application, and do not fall within the scope of this proceeding.

How to see the Application

Copies of the application and the pre-filed evidence in support of the application will be available for public inspection at the Board's offices, at the at the head office of Regional Power Inc. which is parent company of White River Hydro LP, and at Pic Mobert First Nation.

Written Hearing

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant within **10 days** of the publication or service date of this notice.

How to Participate

You may participate in this proceeding by requesting either intervenor or observer status, or by submitting a letter of comment:

1. **Intervenors** participate actively in the proceeding (i.e., submit written questions, evidence, and arguments, and cross-examine witnesses at an oral hearing). You may request intervenor status by sending a letter of intervention to the Board and copying the Counsel of the Applicants no later than **10 days** from the publication or service date of this notice. The letter of intervention must include:
 - a. A description of how you are, or may be, affected by the outcome of this proceeding;
 - b. If you represent a group, a description of the group and its membership; and
 - c. Whether you intend to seek an award of costs and the grounds for your cost award eligibility.
2. **Observers** do not participate actively in the proceeding but receive documents issued by the Board in the proceeding. (There is no fee for observers to receive documents issued by the Board.) You may request observer status by sending a request to the Board no later than **10 days** from the publication or service date of this notice.
3. **Letters of Comment** are to be sent to the Board no later than **30 days** from the publication or service date of this notice. All letters of comment will be placed on the public record, subject to the privacy terms for personal information stated below.

This means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

YOUR PERSONAL INFORMATION IS TREATED DIFFERENTLY DEPENDING ON HOW YOU CHOOSE TO PARTICIPATE IN THE HEARING:

- **Intervenors** - everything you file with the Board, including your name and contact information, will be placed on the public record (i.e., the public file and the Board's website).
- **Letters of comment or observers** - the Board removes any personal (i.e., not business) contact information from the letter of comment or the request for observer status (i.e., address, fax number, phone number, and e-mail address of the individual), however, your name and the content of the letter of comment or of the request for observer status will become part of the public record.

Filing Information for Intervenors

If you already have a user ID, please submit your intervention request through the Board's web portal at <https://www.errr.ontarioenergyboard.ca>. Additionally, two paper copies must be submitted to the address set out below.

If you do not have a user ID, visit the Board's website under e-Filing Services and complete a user ID/password request form. For instructions on how to submit documents and naming conventions please refer to the RESS Document Guidelines found at <http://www.ontarioenergyboard.ca/OEB/Industry>, e-Filing Services.

The Board also accepts interventions by e-mail, at the address below. Additionally, two paper copies must be submitted to the address set out below. Those who do not have internet access are required to submit their intervention request on a CD in PDF format, along with two paper copies.

How to Contact Us

In responding to this Notice, please reference Board file number EB-2011-0420 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the

Board Secretary at the address below, and be received **no later than 4:45 p.m.** on the required date.

Need more information?

For more information on how to participate please click on “Get Involved” under the “OEB and You” menu on the Consumer page of the Board’s website, or call the Board at 1-888-632-6273 (toll free).

IMPORTANT

IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING WRITTEN SUBMISSIONS IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

Addresses:

The Board:

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings:

<https://www.errr.ontarioenergyboard.ca/>

E-mail: boardsec@ontarioenergyboard.ca
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DATED at Toronto, January 24, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

