



Ms. Kristen Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
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Toronto, ON M4P 1E4
E mail: OEB" <BoardSec@ontarioenergyboard.ca>,

Dear Ms. Walli, Board Secretary, and Members of the Board; (Ms. Walli, kindly circulate)

**RE: Application for Leave to Construct EB 2011-6394
McLean's Mountain Wind Limited Partnership**

Thank you sincerely to the Board for allowing me this late opportunity to add a few interrogatories on behalf of NA-PAW and Toronto Wind Action. Needless to say, this issue is of extreme importance to us and the citizens of Ontario.

Firstly, allow me to express that the process of merely discussing "transmission lines" when the ultimate exercise is to place industrial wind turbines at Manitoulin, is a bit like asking people to buy a car without discussing the actual vehicle in which they may drive for 20 years, say, and only allowing discussion of the roadway. We have had the same discussion with various turbine projects in Ontario, and in one narrow instance the possibility of speaking of "turbines" in Lake Ontario was not allowed during the question period for placement of the anemometer. However, during the prelude and "consultations" the developer was fully given the opportunity to talk about "green power", turbines and jobs, turbines and health, turbines and CO2, etc. The good people of Scarborough were obliged in one instance at Scarborough Council to talk about "flower pots" rather than mention the word "turbine." Despite this handicap, an offshore turbine moratorium was achieved at that meeting for the Scarborough Council. The applicant has referenced wind turbines repeatedly in this report to the Board, and hence I will take, with your permission, the liberty of cross pollinating the questions with the full import of the intent of this request for transmission.

Interrogatories for the specifics of this application:

Exhibit C, Tab 3 Sch. 1.

Under Project Summary: Rationale, the applicant suggests that they will be the licensed owner and operator of a 60 MW wind farm and the question arises whether the electricity transmission line is “in the public interest.” It alludes to following the “policies of the Government of Ontario, the promotion of the use of renewable energy sources.” However, [these government policies](#) (see referenced recent article from the UK) are now highly in dispute, and we must now defer to the first premise of the “best public interest.” The fact is that as the article mentions, to the nearest percentage, there is ZERO power being produced by more than 100,000 turbines world wide. What then would be the purpose behind this contribution to massive energy sprawl? This is indeed one of our questions to MMWP.

Questions:

What is the FIT allowance granted to MMWP for power through these lines? How does this escalated power price to consumers agree with the recent Auditor General’s report asking for fiscal restraint and a curtailment of “renewables” as they have in the last eight years drained the province coffers, and put incredible strain on jobs, prime agricultural and recreational lands, the environment, and the general economy? The rationale goes on to state: “Under this “public interest test” the Board must consider if the proposed transmission line is in the interests of consumers with respect to prices and the reliability of electricity service...” Again, we request that MMWP supply detailed accounting as to how they propose to prove to the Board and the people of Ontario that this public interest test will be met, given the tremendous pressure of 300,000 job losses in Ontario in the last eight years, much of which is directly due to the misguided renewables policies that have driven companies to bankruptcy or to other jurisdictions where energy prices are more favourable? NA-PAW respectfully suggests that the Board recognize that the high cost of these unnecessary transmission lines (as Ontario currently DUMPS excess power to New York and has some of the highest provincial power costs in Canada) and attendant useless power production, and address this inconsistency with the applicants.

Secondary question re rationale:

What is the cost of the construction of this transmission line, Little Current, and Townships of Howland and Bidwell, Goat Island, to Espanola JCT? It is assumed that the cost will eventually be borne out of escalated FIT paid to the developer and out of the pockets of Ontarians, further driving the local and general economies downward. Has MMWP clearly articulated the *long term effects of this development of transmission in ten years for the people of Ontario?*

Third question re rationale:

The key of “public interest test” given to the Board should bear the test of comparing to other historic public interest tests say in the UK where transmission of renewables has produced economic chaos and the reached conclusions that world wide with plus or minus 100,000 turbines, and thousands of miles of transmission and hundreds of substations, that the net percentage to the nearest number of power produced is zero. Has MMWP transacted to obtain international experience in transmission, its benefits to society, to economic development? Detailed response would be appreciated. As the world approaches a turbine and transmission “crisis” *has MMWP in the “public interest test” conducted a chart of the net result that can be expected from its proposal?*

Exhibit G, Tab 1, Sch. 3

Land Matters: Form of Agreements

Question: Were the lessors advised that legal counsel might be independently consulted due to the apparent advantage to the developer, Northland Power, MMWP, in that health considerations from stray voltage, electrical pollution, may result and that livestock may be harmed, and that the lessor’s rights are in this lease highly compromised? Was independent legal counsel obtained from lessors?

Question Two: Were the lessors advised again independently about the nature of the secretive aspects of the contract, and that the confidentiality extends to employees, agents? Does NP and MMWP consider these “gag orders” and hence morally compromised business arrangements? How do they justify these heavily loaded documents in favour of the developer, but not sensitive to any regularly acceptable business and collaborative business agenda?

Question Three: Are these business arrangements in favour of the people of Ontario? Have these leases met the legal standard for full disclosure of the issues?

Exhibit H, Tab 1, Sch. 2

Community and Stakeholder Consultation Report

NA-PAW and Toronto Wind Action have been privy to the incredible public outcry re the possibility of transmission and wind facilities at this location of Natural and Scientific Interest, and as well having historic cultural values to many settlers and FN peoples. This section does not, in our view, reflect the serious and querulous nature of the consultations. Would MMWP please provide more detail as to why they feel these are adequate consultations and increased proof that the community members are cooperative?

The FN consultations as described, and as referenced by MCSEA, do not appear to be legally binding or adequate, most consultations requiring many years, and the provision of education on the downside of such a project, reflect on Treaty Rights such as Water, Beaver Hunting, Fishing, Trapping Rights. Would MMWP please provide a timeline as to when they would be conducting these consultations? Any industrial activity affecting the wetlands, would necessarily affect these FN rights. Is any further

discussion planned with Chief Shining Turtle, who says in the report on Consultation, *“The Chiefs of the Manito Minissing are against the Northland Power project because of the failure of the Government of Ontario to consult with the First Nations about this project as required by the Supreme Court of Canada. This legal requirement has been ignored and continues to be ignored.”* Has this issue been fully resolved for this band? Does MMWP understand fully the need to consult that is complex, cultural, arduous and sensitive to the Elders and traditional people as well as the Chiefs? In a letter from Chief Craig Abatossaway of the A-O-K Peoples, he clearly outlines his view that this project is unsuitable. To proceed with this transmission outlay would continue to create dissension for generations to come.

There does not appear to be any mention of the UN Convention for the Protection of the Disabled and Children, and MMWP does not appear to have consulted with these persons as to the possible effect on their development and health. These are international laws that many signatory countries have adopted and which are legally binding. ***Does MMWP intend to conduct these studies shortly?***

Exhibit H, Tab 1, Sch.2

(The following notes and questions relate directly and indirectly to the entire package of transmission and turbines, as MMWP appears to have included these for the purpose of augmenting their position for transmission with the Board)

Property Values:

Misleading documentation: Ms. Dale Godfrey, Realtor of Record, is in direct opposition to internationally recognized and accepted levels of property depreciation.

Noise Levels and Health:

Statements appear misleading in the pages referring to Noise Levels, MOE Guidelines (as various MOE representatives have admitted they cannot measure and mitigate noise levels) and 36 families have been forced to vacate homes and farms. Over 130 people have reported serious health effects and these are effects are completely in sync with [international reports due to substations, transmission and turbines.](#)

Statements appear misleading re Health Effects of Noise: Dr Arlene King and Dr Colby, reimbursed by the industry and government to produce favourable reports, are quoted, but not the accepted and respected independent world authorities on noise, electrical pollution, infrasound, vibration, shadow flicker. *(Dr Robert McMurtry, Dr Sarah Laurie, Carmen Krogh, Rick James, Dr Henrik Moeller, Dr Nina Pierpont, Dr Arline Bronzoft, Christopher Hanning, John Harrison, Bill Palmer and countless others.)*

Local Economic Benefits:

It is well known that job losses accrue from these developments, not gains. Spain has lost 2.2 net jobs in other sectors for every so called “green job,” and Italy has lost 5.4. Jobs are temporary, and usually consist of the same groups of developer reliable people moved from site to site.

Will the developer please provide a baseline of INDEPENDENT international reporting on health, noise, lost jobs, and property values? (Turbines AND transmission issues)

Exhibit H, Tab 1, Sch. 3

Maps reflecting turbine placements, transmission lines, substations, woodlots, wetlands, ANSIs, First Nations Reserves etc.

Question: Were up to date maps created to reflect the complex ecology of this area that would adequately be aids to project design? Where are such maps? Why is the developer so near an ANSI? Where are the reports on the sensitivity to those scientific interests? Where is the permit from MNR to approximate or push so near to an ANSI? Where are the reports on these efforts to protect? Which Canadian or international scientists were consulted?

Question: Where are the ecological studies on the aquatic disruptions, spawning, bird nesting and migratory routes? Where are the biologists' reports?

Question: Where are RECENT wetlands maps? Some maps here do not appear congruent with each other.

Question: Where is a list and study of endangered species plant, animal bird, bat, and specific and detailed plans to mitigate harm?

CONCLUSION:

While NA-PAW recognizes that it may not be the purview in particular of the OEB to convey or deny permitting based on environmental issues, those issues ultimately relate to the economic stability and vibrancy of geography as well, hence our inclusion. This commentary also obviously relates to the "best interest test" referred to in the "Rationale."

We also feel that the OEB would be knowledgeable about the changing political climate where green "fantasies" are being questioned. Tomorrow, March 7th, 2012, Leader of the Opposition, Tim Hudak, will be leading the house question period on the topic of affordable energy, and introducing a **Private Member's Bill – *The Affordable Energy & Restoration of Local Decision Making Act***. You must certainly know how much opposition there is in Ontario to wind and transmission lines; this opposition is worldwide, and countries such as India and Spain have or are about to eliminate subsidies for wind power, in a sensible reach for energy efficiency.

Thank you sincerely for your interest in our interrogatories, and your kind permission to present these. We feel that the questions that are naturally occurring from this application are of such a serious and far-reaching scope that the very questions, some of which are rhetorical, from all parties, and especially from MCSEA, are in themselves a statement arguing for the protection of the energy, economic, and environmental health not only of Manitoulin, but of Ontario. In the presence of the numerous bodies of evidence available worldwide on the problems with transmission, substations, and energy sprawl, and

their particularly negative impact that would be imposed on this delicate and iconic landscape, we respectfully ask that you deny the application for transmission permission under the OEB Act, 1998.

Yours truly,

Sherri Lange

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