



EB-2011-0394

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 McLean's
Mountain Wind LP for an Order granting leave to construct
a new transmission line and associated facilities.

PROCEDURAL ORDER NO. 5

April 12, 2012

McLean's Mountain Wind LP ("McLean's") filed an application with the Ontario Energy Board (the "Board") dated November 22, 2011 under section 92 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B ("the Act"). McLean is seeking an order of the Board granting leave to construct a transmission line and associated facilities (the "Project") to connect the McLean Mountain Wind Farm to the IESO-controlled Grid. McLean's also seeks an order approving the form of easement agreement provided in the application. The Board assigned File No. EB-2011-0394 to the application.

The Board issued a Notice of Application and Hearing on December 9, 2011. McLean served and published the Notice. The Board issued Procedural Order No. 1 in which it accepted intervenors who had applied at that point, and established dates for dealing with an issue of confidentiality, and for interrogatories and evidence. Subsequently, further requests, including late requests for intervenor status were received. The Board granted these requests in Procedural Order No. 2, and issued revised dates for submissions and replies on the issue of confidentiality and interrogatories.

In accordance with Procedural Order No. 2 Board staff and numerous intervenors submitted interrogatories by March 2, 2012. Subsequent to that date Manitoulin Coalition for Safe Energy Alternatives ("MCSEA") and Manitoulin Nature Club submitted

further interrogatories, the last dated March 13, 2012. McLean's counsel advised Board staff verbally that responses to these would be included in the interrogatory responses, which were due on March 21, 2012.

On March 1, 2012, the Board issued Procedural Order No. 3 providing its decision on the Confidentiality of certain documents, mentioned in Procedural Order No. 1.

On March 20, 2012 McLean's wrote to the Board requesting an extension to April 11, 2012 for interrogatory responses. The Board issued Procedural Order No. 4 allowing for an extension to only March 30 for interrogatory responses, and these were duly received.

On April 9, 2012 MCSEA submitted additional interrogatories described as "questions of clarification" and on April 10, 2012 MCSEA submitted corrections to the questions and separately submitted referenced newspaper clippings. On April 11, 2012 McLean's wrote the Board that it was prepared to provide responses to clarifications that are relevant and within the scope of the proceeding, and that they anticipated delivering these by April 18, 2012.

The Board had indicated in Procedural Order No. 1 that it may reconsider whether an oral hearing needed to be held. There have now been essentially two rounds of interrogatories and clarifications, and the Board now requests submissions on the need for an oral hearing.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. McLean's shall, no later than **Wednesday, April 18, 2012** file with the Board and deliver to all intervenors, complete responses to each of the second set of interrogatories.
2. All parties wishing to do so shall, no later than **Friday April 20, 2012** file with the Board and deliver to all intervenors, their submissions in regard to the need for an oral hearing.

All filings to the Board must quote file number EB-2011-0394, be made through the Board's web portal at www.errr.ontarioenergyboard.ca, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All filings should be directed to the attention of the Board Secretary, and be received no later than 4:45 p.m. on the required date. Parties must also include the Case Manager, Edik Zwarenstein at edik.zwarenstein@ontarioenergyboard.ca and Board Counsel, Michael Millar at michael.mlllar@ontarioenergyboard.ca in all electronic correspondence related to this case.

DATED at Toronto, April 12, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary