

THOMSON ROGERS

LAWYERS

David N. Germain
416-868-3162
dgermain@thomsonrogers.com

SENT BY EMAIL

August 29, 2012

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, Suite 2700
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

**EB-2012-0181 – Application for Service Area Amendment by Orangeville Hydro Limited – Evidence of the Township of East Luther Grand Valley
Our File No. 050956**

We are the Solicitors for the Township of East Luther Grand Valley (“Township”), which is an intervenor in this matter.

We were retained and instructed by the Township in this matter today. While we understand that the date for Intervenor evidence set out in the Board’s Procedural Order No. 3 is August 28, 2012, we trust that no party will be prejudiced by the delivery of the evidence herein today and that, given our recent retainer by the Township, that the Board will permit the same.

Township Evidence

The Township supports the application by Orangeville Hydro Limited (“OHL”) to amend its service area to include a proposed subdivision to be developed in the urban area of the Township by Thomasfield Homes Development Inc. (“Thomasfield”). There are two particular reasons why the Township takes this position:

1. OHL currently services the urban area of the Township. This urban area is coextensive with the area serviced by municipal drinking water by the Township (as opposed to the rural area of the Township, serviced by Hydro One where drinking water is provided by private wells). OHL currently administers the billing for municipal drinking water on behalf of the Township. The proposed Thomasfield subdivision will be situated within the Township's urban area and, as such, will be serviced by municipal drinking water. Should OHL be permitted to service the Thomasfield subdivision, the current arrangement could continue. Should OHL's application be refused, the Township would be forced to put in place its own system to bill residents of the Thomasfield subdivision for municipal drinking water. This would represent an additional cost to taxpayers in the Township as well as an unnecessary and inefficient use of municipal resources.
2. The Township has a municipal standard for the installation of electrical distribution lines. This standard is set out in the attached extract from the Township's Policy and Procedure Manual. Compliance with this standard is a municipal requirement for all urban development in the Township. We understand that OHL is agreeable to the servicing of the Thomasfield subdivision in accordance with the Township's standard, whereas Hydro One is not. This document has previously been provided in correspondence from counsel for Thomasfield.

We trust that the foregoing is satisfactory.

Yours very truly,



David N. Germain

DNG/dng

cc: Jane Wilson, Township of East Luther Grand Valley
Irina Kuznetsova, Case Manager, OEB
Tyler J. Moore, Counsel to Orangeville Hydro Limited
Michael Engelberg, Counsel to Hydro One Networks Inc.
Andrew J. Roman, Counsel to Thomasfield Homes Development Inc.



POLICY & PROCEDURE MANUAL

SECTION	Grand Valley	POLICY NUMBER ROADS – 12- 02
SUBJECT	Underground Hydro Cable	EFFECTIVE DATE: August 14, 2012
AUTHORITY	Grand Valley – Mayor and Council- Resolution # 2012-08-20	

PURPOSE:

To establish the method of burying underground cable in the right of way for Electrical power lines, (both primary and secondary), communication cables and other signalling cables permitted in the Town of Grand Valley.

POLICY

The Town of Grand Valley will only allow cables for the transmission of electricity, communications and other signals such as cable TV in an approved underground duct as follows;

1. The duct must have a smooth inside surface.
2. Underground raceways must meet the specifications of the electrical safety authority and the local supply authority with pulling station or boxes where required.
3. Raceways will also have coloured warning tape installed in the trench above the raceway.
4. Installations will have to be inspected and signed off on and notification of such sent to the municipality.

All of the above will ensure that minimal disruption will occur in the future to the property and landscape due to future maintenance or replacement of cables.

Direct burial is only permitted in the rural part of the Municipality but is not permitted in any Urban sections of the Municipality.