

# THOMSON ROGERS

## LAWYERS

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### SENT BY EMAIL

November 11, 2012

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
27th Floor  
2300 Yonge Street  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

**Township of Amaranth re Dufferin Wind Power Inc.**  
**Our File No. 500065**  
**Board File No. EB-2012-0365**

We are the solicitors for the Township of Amaranth (“the Township”). We are writing on behalf of the Township to provide a written letter of comment in response to the Board’s Notice of Application and Hearing in this matter, dated October 16, 2012, which was received by the Township on October 23, 2012.

Dufferin Wind Power Inc. (“the Applicant”) proposes to construct the transmission line which is the subject of this application (“the Transmission Line”) along a County of Dufferin’s former rail corridor (“the Rail Corridor”) that is located in part in the Township. The Council of the Township is opposed to the use of the Rail Corridor for this purpose and, therefore requests that the Board deny the Applicant’s request for leave to construct.

The Township’s concerns arise from the proposed Transmission Line’s potential for impacts on the health and safety of adjacent residents and users of the Rail Corridor as well as its visual impact. In particular, the proposed pole line will significantly increase the risk of collision for snowmobilers and other recreational users of the Rail Corridor as well as giving rise to a risk of injury from falling ice from the poles and from overhead wires. Furthermore, the proposed pole line will have a significant visual impact on both

recreational users of the Rail Corridor and adjacent residents. This impact has not been satisfactorily addressed by the Applicant.

In the alternative, should the Board grant leave to construct, the Township requests that the Applicant be required to construct the Transmission Line underground for the entirety of its length in the Township. Doing so would eliminate the risk of falling ice, increased risk of collision and largely address visual impact. Council also feels that underground installation would address any perceived health issues. In the Township's view, locating the Transmission Line underground represents the safest way for the Applicant to make use of the Rail Corridor and would minimize land use conflict and incompatibility between the Transmission Line, adjacent land uses and recreational uses of the Rail Corridor. We note that significant portions of the Transmission Line are proposed by the Applicant to be located underground, so the technical feasibility of doing so is not in issue. Other wind developers in the Township have located their transmission lines underground in the past. Furthermore, because construction of the Transmission Line is proposed to be carried out at the Applicant's expense, such a requirement would have no impact on the price paid by consumers.

We trust that the foregoing is satisfactory.

Yours very truly,



David N. Germain

DNG/dng

cc: Sue Stone, Township of Amaranth  
Clerk, County of Dufferin  
Jeff Hammond, Dufferin Wind Power Inc.  
Jonathan Myers, Torys LLP  
Charles Keizer, Torys LLP