EB-2012-0365

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 Dufferin Wind Power Inc. for an Order granting leave to construct a new transmission line and associated facilities.

INTERROGATORIES

1. As per Exhibit B, Tab 1, Schedule 1, p. 4 of 7, item 11, the Applicant admits to the lack of a signed agreement with the County of Dufferin concerning the request for an easement along the rail corridor. An incomplete and unconfirmed transmission route is a cause for concern as alterations to that route may result in affects to the quality and reliability of electricity to consumers. We request a copy of the finalized and signed agreement.

2. As per Exhibit B, Tab 1, Schedule 1, p. 4 of 7, item 11, the Applicant refers to private lands that are required for the Transmission Line, admitting that not all easements or leases have been acquired, referring to 'a few minor exceptions'. We disagree with the term 'minor', as any gap in a transmission route will most certainly affect the ability to provide reliable electricity to consumers. We request proof that these private land owners have signed leases or easements, and maps showing the exact locations of these parcels.

3. As per Exhibit B, Tab 2, Schedule 1, p. 3 of 5, items 24, 25 and 26, the Applicant refers to the lack of secured transmission easements or leases for two properties along the Transmission Line. We request copies of signed agreements for these properties.

4. As per Exhibit B, Tab 4, Schedule 1, p. 2 of 9, item 20 a), the Applicant attempts to convince the Board and all readers of this application that the 230kv option has more community support than the 69kv option, mentioning local officials and residents. We find this conclusion unfounded, as the Township of Melancthon has asked for a moratorium on any further IWT's, Amaranth Township has submitted written objections to the 230kv power line option, The Town of Shelburne has submitted written objections, over 300 residents of the Town of Shelburne have signed a petition objecting to the 230kv power line option, analysis of the recorded versions of PIC's held by the Applicant will indicate a majority of those in attendance were against this project and its associated transmission facilities, and numerous rural residents and those living alongside the rail corridor have published written objections in local newspapers. As the aforementioned evidence suggests extremely weak support for the 230kv power line option, we request that the Applicant provide comprehensive proof in a statistical nature of community support.

5. In Exhibit B, Tab 4, Schedule 1, p. 2 and 3 of 9, item 25 b), the Applicant claims that relative to the 69kv alternative, the Proposed Project will have a low visual impact. The fact that the 69kv route is shorter (36 km) and would have required fewer poles as compared to the 230kv route at 47 km is contradictory to the Applicant's statement. The poles proposed for the 69kv route would have been only 70-80 ft. tall as compared to poles ranging in height from 80-100 ft. for the proposed route. Taller poles mean more visual impact. Please provide documentation supporting the Applicant's position.

   *In the Applicant's REA May 2012, Draft Construction Plan Report, p. 17, Section 4.5, the Applicant discusses the 69kv Option, its preferred route at the time. This document describes the installation of only 54 wooden poles spaced 50-55 m apart along 2.77 km of municipal road allowance. The remainder of the route would be shared with Hydro One.

   The Applicant has altered those numbers in their Leave to Construct application to 850 replacement poles spaced 45 m apart. [Exhibit B, Tab 4, Schedule 1, p. 3 of 9, item ii)]. This drastically different description contradicts the Applicant's own previous documents. This appears to be an attempt to influence the reader in a misleading way to reject the 69kv option, thereby accepting the 230kv option. We request that the Applicant retract all areas of the application that contradict the statements made by the Applicant when they previously preferred the 69kv alternative.

6. As per Exhibit B, Tab 4, Schedule 1, p. 3 of 9, item iii), in regards to joint use with Hydro One for the 69kv option, our clients disagree that this would be a negative. Hydro One already has existing qualified personnel and equipment to maintain and oversee the facilities. In the Applicant's REA May 2012, Draft Design and Operations Report, p. 14 , the Applicant states that the 69kv route 'was chosen based on discussions with Hydro One and the results of natural heritage studies that were undertaken along various possible routes to determine the route with the least environmental impact.' The Applicant is again contradicting its own documented statements. Please provide documentation supporting this reversal.

7. As per Exhibit B, Tab 4, Schedule 1, p. 4 of 9, item e), the Applicant claims reduced line losses with the 230kv route as compared to the 69kv alternative. We request data from the Applicant that discusses the line losses accumulated over the 47 km length of transmission line, as compared to the 36 km length of the alternative. A shorter route, with shared support from Hydro One would ensure quality and reliability of electricity for consumers.

8. As per Exhibit B, Tab 4, Schedule 1, p. 5 of 9, item f), the Applicant claims the proposed transmission line represents an appropriate use for the Rail Corridor, which has historically been used for industrial purposes. We disagree with this statement, as the Town of Shelburne's planning indicates recreational use, and since the rail corridor's abandonment for rail use, it has been used for snowmobiling, hiking, skiing, horseback riding, etc. We request that the Applicant provide documentation of 'industrial purposes', aside from that of trains, in the past.

9. As per Exhibit B, Tab 4, Schedule 1, p. 5 of 9, item g), the Applicant states that fewer municipalities would be affected by the proposed route, yet the 69kv route would have avoided the Town of Shelburne completely. With more residents affected within an urban area, we request that the Applicant address the Town of Shelburne's written objection.

10. As per Exhibit B, Tab 4, Schedule 1, p. 6 of 9, items 14-21, the Applicant admits that the 69kv route would have been shorter, would have required land rights from fewer private land owners, but would have had a high visual impact, and had only weak support from the community. The proposed 230kv route has only weak support from the community (mainly from those who stand to gain financially from the project), uses even taller poles thus having a higher visual impact, requires land rights from more private land owners, and is longer. These factors indicate that this proposed route has many detriments that will negatively affect the community.

    *At the PIC's held by the Applicant, a photographic depiction of the 69kv power line portrayed only a minimal difference compared to its current state with the existing Hydro One line, which contradicts the Applicant's negative description (at lines 19 & 20) in the application. Please provide any further documentation to support the Applicant's reversal of position.

11. As per Exhibit B, Tab 4, Schedule 1, p. 7 of 9, items 22 & 23, the Applicant claims to have rejected Alternative #2 'because it would have impacted multiple residences and wetland areas and would have increased the length of the route.' The proposed 230kv route has increased the length of the route and impacts multiple residences and wetland areas, as indicated in the maps. We request that the Applicant provide data on the actual number of residences affected and the square meters of wetlands affected as comparisons between the proposed 230kv route, Alternative Route #2, and the 69kv route.

12. As per Exhibit D, Tab 1, Schedule 1, p. 4 of 7, item 3, the Applicant states that a combination of wood and steel poles will be used along the rail corridor. In all PIC's and all newspaper advertisements describing the project, the Applicant has repeatedly stated that the transmission line would consist of 'single wood pole construction', no mention of steel poles. The actual construction of the components proposed can have an effect on the quality and reliability of electricity to consumers, aside from such things as visual impact. In fairness to the public and all interested parties, we request that the Applicant re-issue advertisements that address this error.

13. As per Exhibit E, Tab 1, Schedule 1, p. 1 of 2, we request that the Applicant provide documentation of permits to store hazardous waste, approvals from the county and township for a septic system in the O & M building and permission to have 15 full and part-time employees, and township and county approval for industrial operations to take place at this currently agricultural site.

14. Exhibit E, Tab 1, Schedule 1, p. 2 of 2, item 8, the Applicant states its intention to establish an emergency response plan. We request that the Applicant provide this plan, in

detail, including an identification of the first responders that would be called and their agreement to accept such a call, response times involved, and written qualifications of all individuals involved in the emergency response.

15. As per Exhibit E, Tab 2, Schedule 1, p. 3 of 8, items 20 & 21, it is stated that the transmission lines are not to exceed 50 km (pursuant to O. Reg. 160/99, Electricity Act). As the Applicant has repeatedly throughout the application referred to a length of 'approximately 47 km', we request that the Applicant provide the line route maps, with exact distances in meters for each section, in a verifiable format.

16. As per the System Impact Assessment Report, entitled Hydro One, second paragraph, 'The short circuit and thermal loading levels have been computed based on information available at the time of the study. These levels may be higher or lower if the connection information changes as a result of , but not limited to, subsequent design modifications or when more accurate test measurement data is available.' We request that this missing data be provided and a revised study be submitted for review. This study may affect the quality and reliability to electricity consumers.

    This study does not address the short circuit or thermal loading impact of the proposed facilities on load and generation customers. We request that the Applicant provide this missing assessment.

    Paragraph 6 states that 'additional facility studies may be necessary to confirm constructability and the time required for construction.' We request that the Board deny granting a Leave to Construct with the absence of such studies indicated by Hydro One.

17. As per the System Impact Assessment Report, Study Findings, item 1), we request proof of how the Applicant plans to mitigate the potential for unacceptable back-feed through the T4 transformer via the low voltage bus. Should this circumstance arise, there is potential for negative impact regarding the reliability of electricity for consumers.

18. As per the System Impact Report, Protection Impact Assessment, Telecommunications Requirements, we request that the Applicant provide documentation of how they will establish communications between the project and the Orangeville TS, Essa TS, dual communication link to transmit protection signals among all stations, including Everett TS and Alliston TS. This documentation should include manufacturer names and availability of all technical equipment necessary.

    We request that the Applicant provide a response to the PIA's proposed changes to transmission configuration, protection hardware, protection settings, and telecommunications. These issues may affect the quality and reliability of electricity to consumers.

19. As per System Impact Studies, 6.3 Thermal Analysis, there is a stated potential for increased flow east on the Essa-by-Orangeville line, impacted by Dufferin Wind Farm.

As this could affect the quality and reliability of electricity to consumers, we request that the Applicant provide mitigation measures.

20. As per System Impact Assessment Report, p. 35, Table 28, we request that the Applicant provide a detailed test procedure by named and qualified personnel that will comply with the IESO's concerns regarding WTG's trip for out of zone faults.

21. As per Protection Impact Assessment, p. 3 of 3, Executive Summary, proposes changes to be made. We request that the Applicant provide evidence of an active response to this directive.

Dufferin Wind Power Inc. Responsibilities section lists several items the Applicant must provide. We request the Applicant's response including details regarding mitigation plans, qualified companies involved, response time, equipment provider, purchase dates. Compliance by the Applicant may affect the quality and reliability of electricity to consumers.

22. As per PIA, p. 4, 2.0 Power Systems Analysis, a., Short Circuit Studies, mentions the unavailability of some of the data. We request that the Applicant make this data available, that the study be re-done accurately with this data, and the results be provided. This affects the quality and reliability of electricity to consumers.

23. As per CIA, p. 8, 3.1 Preliminary Outage Impact Assessment, we request that this schedule be made available now, with detailed engineering. This information must be known prior to a Leave to Construct being granted as this affects the quality and reliability of electricity to consumers.

We request that the Applicant provide the fault level reviews mentioned under the heading 'Conclusions and Recommendations'.

24. We request that it be noted by the Board that in recent statements made by John Boldt, Commercial Agreements Manager, Business Integration, Hydro One Networks Inc., Hydro One notes 'the potential for increased lightning strikes with taller poles rises, thereby increasing the chance of pole fires, equipment damage and outages' to consumers.

25. Hydro One also states that with respect to system reliability, poles higher than 80 ft. require the capability to mount a quick response for power restoration when storms occur, thus requiring special local equipment and manpower to be readily available. Hydro One does not commonly stock 100 ft. poles, nor special equipment such as cranes and large buckets, locally for this use. The cranes required to set poles of this size require roads to be blocked for periods of time. All of these considerations would increase restoration times. Hydro One has separate field staff supporting high versus low voltage systems. Not all lines personnel are trained to work on both voltages. (This document available upon request.) We request that the Applicant provide a detailed plan as to how they would mitigate pole fires, particularly in and around wetlands, portions of the

transmission route not accessible by roads, support from the local police for road closures, a locally available and willing crane operator, and proof of all necessary equipment required.

26. We hereby request that the Board take note of the fact that the Applicant has deliberately chosen a transmission route that uses taller poles and is a longer route, thereby increasing the risk of lightning strikes and pole fires and that this route will be wholly owned by the applicant with no shared portions with Hydro One, therefore no opportunity to share that utility's expert maintenance and safety and equipment reserves that would have mitigated many factors if the 69kv route had been chosen.

27. As the Applicant investigated and rejected 3 Alternative routes, and the current route has multiple problems as noted herein, we request that the Board deny approval of the Applicant's Leave to Construct Application.

Date: January 4, 2013

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