

## Fraser Milner Casgrain LLP

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## **VIA ELECTRONIC FILING & COURIER**

January 15, 2013

Ms. Kirsten Walli Board Secretary Ontario Energy Board 2300 Yonge Street PO Box 2319, 27<sup>th</sup> Floor Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: K2 Wind Ontario Limited Partnership;

**Application for Leave to Construct (the "Application")** 

**Board File Number: EB-2012-0458** 

We are writing on behalf of K2 Wind Ontario Limited Partnership (the "**Applicant**") to bring to your attention two errors in the Ontario Energy Board's ("**Board**") Notice of Application and Written Hearing (the "**Notice**") and Letter of Direction, both dated January 9, 2013.

First, both the Notice and the Letter of Direction incorrectly refer to the applicant as "K2 Wind Ontario, LP." As stipulated in the Application, the Applicant's correct full legal name is "K2 Wind Ontario Limited Partnership."

Second, the third paragraph on page one of the Notice states the Applicant was awarded a power purchase agreement under the Ontario Power Authority's ("OPA") Feed-in-Tariff ("FIT") program. This is an incorrect statement. Although the Applicant and the OPA are parties to a Power Purchase Agreement, this agreement is not a FIT contract and was not issued under the OPA's FIT program. We would respectfully suggest that this error be corrected by deleting the first sentence of the third paragraph on page one of the Notice and replacing it with the following:

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"K2 Wind entered into a Power Purchase Agreement with the Ontario Power Authority on August 3, 2011 in respect of the sale of electricity from the K2 Wind Power Project."

Yours very truly,

## (signed) Helen T. Newland

Helen T. Newland

HTN/ko

cc: Maureen Helt Leila Azaiez Ontario Energy Board

Paul Wendelgass

Capital Power Corporation