



EB-2012-0458

AMENDED NOTICE OF APPLICATION AND WRITTEN HEARING

APPLICATION FOR LEAVE TO CONSTRUCT A TRANSMISSION LINE AND RELATED FACILITIES FOR K2 WIND ONTARIO LIMITED PARTNERSHIP

K2 Wind Ontario Limited Partnership ("K2 Wind") has filed an application with the Board, dated December 5, 2012, under sections 92 and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (the "Act"). K2 Wind is a limited partnership constituted under the laws of the Province of Ontario among CP K2 Holdings Inc. (33.33%), Pattern K2 LP Holdings, LP (33.33%), Samsung Renewable Energy Inc. (33.33%), and K2 Wind Ontario Inc. as the general partner (0.01%).

K2 Wind has applied for an order of the Board granting leave to construct approximately 5.1 km of underground single circuit 230 kilovolt ("kV") electricity transmission line and associated facilities to connect the K2 Wind Power Project, a 270 MW wind generation facility, to the IESO-controlled grid. K2 Wind has also applied for Board approval of the form of agreements that have been or will be offered to landowners affected by the approved route.

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. The generation facility itself is not part of the leave to construct application and does not fall within the scope of this proceeding.

The work which is the subject of this application involves the construction of:

- A newly constructed transformer station that will step up half of the 34.5 kV lines from the wind generation facility to 230 kV;

- A newly constructed substation that will step up half of the 34.5 kV lines from the wind generation facility and the 230 kV transmission line to 500 kV; and
- An underground 230 kV transmission line extending approximately 5.1 km from the transformer station to the substation.

The transmission line and related facilities (collectively, the “Transmission Facilities”) will be located in Huron County in the Township of Ashfield-Colborne-Wawanosh.

A map showing the location of the proposed facilities is included with this Notice.

K2 Wind advises that it is acquiring the permanent and temporary land rights needed for the construction of the Transmission Facilities and for access to the lands during construction.

K2 Wind proposes to commence construction mid to late 2013 and has scheduled an in-service date for late 2014. K2 Wind will construct, own and operate the facilities and will bear the cost of the proposed line and associated facilities.

The Board has assigned file number **EB-2012-0458** to this application.

Board Jurisdiction

For applications such as this that are filed under section 92 of the Act, section 96 of the Act states that the Board shall consider the public interest and shall only consider the following two issues when deciding if the proposed project is in the public interest:

- (1) the interests of consumers with respect to prices and the reliability and quality of electricity service; and
- (2) where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

Environmental issues with respect to this project are considered through a separate process which is not a part of this Board proceeding.

How to see K2 Wind's Application

To see a copy of the application, go to the Consumer page of the Board's website and

enter the case number EB-2012-0458 in the “Find an Application” box. Copies of the application and the pre-filed evidence in support of the application will also be available for public inspection at the addresses listed below and at www.k2wind.ca.

Written Hearing

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the Applicant within **10 days** of the publication or date of service on you of this notice.

How to Participate

Comment

If you wish to give your opinion on the proceeding to the Board Members hearing the application, you are invited to send a letter of comment to the Board no later than 30 days after the publication or date of service on you of this notice. A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the Applicant and the Board Members hearing the application.

Observe

If you do not wish to actively participate in the proceeding but you do wish to receive documents issued by the Board, you may request observer status. Your written request must be received by the Board no later than **10 days** from the publication or date of service on you of this notice.

Personal Information in Letters of Comment and Observer Requests

All letters of comment and letters requesting observer status will be placed on the public record, which means that the letters can be seen at the Board's offices and will be available on the Board's website. Before placing the letters on the public record, the Board will remove any personal (i.e. not business) contact information from the letters (i.e. the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter will become part of the

public record. Please address your letter to the Board Secretary at the address below, and reference file number EB-2012-0458 at the top of your letter.

Intervene

If you wish to actively participate in the proceeding (e.g., submit questions, file argument), you may request intervenor status from the Board no later than 10 days after the publication or date of service on you of this notice. Instructions for requesting intervenor status are available on the Board's website at www.ontarioenergyboard.ca/participate. Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which can be seen at the Board's offices and will be available on the Board's website.

If you do not have internet access, please call 1-877-632-2727 to receive information about this proceeding and how to participate.

How to Contact Us

In responding to this notice, please reference Board file number EB-2012-0458 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

IMPORTANT

IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

Addresses

The Board

P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings:
www.pes.ontarioenergyboard.ca/eservice
E-mail: boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

The Applicant

K2 Wind Ontario Inc.
70 York Street, Suite 1720
Toronto, ON M5J 1S9
Attention: Paul F. Wendelgass
Tel: (647) 253-3709
Fax: (647) 360-0220
Email: pwendelgass@capitalpower.com

Counsel for the Applicant

Helen T. Newland

Fraser Milner Casgrain LLP
77 King Street West, Suite 400
Toronto-Dominion Centre
Toronto, Ontario
M5K 0A1
Tel: (416) 863-4471
Fax: (416) 863-4592
Email: Helen.newland@fmc-law.com

DATED at Toronto January 15, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

MAP OF PROPOSED TRANSMISSION LINE AND FACILITIES

