

CORE - INTERROGATORY #1

Interrogatory

References

EXHIBIT B,
TAB 1,
SCHEDULE 1,
[PAGE 4 OF 7]

Preamble

In this section, it is indicated that not all easement agreements or leases for the Transmission Line have been finalized including, as discussed in more detail below, an agreement with the County of Dufferin.

Questions / Requests

- a. In light of this fact, if all easement agreements and leases necessary for the Transmission Line are not finalized, and it requires a different configuration, will the Applicant provide Notice of the new configuration of the Transmission Line and entertain further public consultation and, if necessary, a new leave to construct application to the Ontario Energy Board before finalizing the Transmission Project?

Response

- a. It is not necessary for all easements or other land rights to be finalized prior to the granting of leave to construct. An applicant may continue its efforts to secure such land rights subsequent to the granting of leave to construct, either through continued negotiations with land owners or through expropriation proceedings under Section 99 of the Ontario Energy Board Act. If a minor change to the proposed transmission facilities or their location is required before the granting of leave to construct, the Applicant would seek to amend its application and undertake such additional steps as may be determined to be necessary by the Board or in consultation with Board staff and Board counsel. If a change to the proposed transmission facilities or their location is required subsequent to the granting of leave to construct, DWPI's ability to implement such change would be subject to the requirements set out in any Conditions of Approval issued by the Board.

CORE - INTERROGATORY #2

Interrogatory

References

EXHIBIT B,
TAB 2,
SCHEDULE 1,
[PAGE 2 OF 5]

Preamble

DWPI “Need for the Project” suggests that the wind farm conforms with the policies of the Government of Ontario and therefore the transmission project is in the public interest.

Questions / Requests

- a. In light of the excess of base load generation in Ontario, why is the Transmission Project needed?

Response

- a. Social need is not relevant to the Application. The proposed transmission facilities are needed because the Applicant obtained a FIT Contract from the Ontario Power Authority to develop, construct and operate a renewable energy generation facility that supplies renewable energy onto the IESO-controlled grid. The Ontario Power Authority was directed by the Minister of Energy to develop the FIT Program on September 24, 2009 and is responsible for implementing the FIT Program. The FIT Program was enabled by the Green Energy and Green Economy Act, 2009 that was passed into law on May 14, 2009. The Applicant has a statutory right to connect the generation facility that is the subject of its FIT Contract. The basis of this right is found in Sections 25.36 and 26 of the Electricity Act, pursuant to which Hydro One, as the licensed transmitter that owns and operates the transmission system to which the Applicant intends to connect, has an obligation to provide non-discriminatory access to generators and to connect renewable energy generation facilities. Hydro One’s obligation in this respect is reiterated in its transmission licence (ET-2003-0035).

CORE - INTERROGATORY #3

Interrogatory

References

EXHIBIT B,
TAB 2,
SCHEDULE 1,
[PAGE 5 OF 5]

Preamble

DWPI indicates that it is awaiting amendments to O. Reg. 359/09 which may affect a specific design of the Transmission Line in certain locations but is not expected to affect the proposed route.

Questions / Requests

- a. Please indicate what amendments are being awaited?
- b. If these amendments affect the specific design of the Transmission Line, why are they not expected to affect the proposed route?

Response

- a. The referenced amendments have since come into effect. O. Reg. 333/12, which amends O. Reg. 359/09, was made on October 31, 2012 and filed on November 2, 2012. It amended O. Reg. 359/09 so as to allow for the construction, installation or expansion of a transmission or distribution line, or the expansion of an existing transformer station, distribution station or transportation system within provincially significant southern and provincially significant coastal wetlands, subject to the completion of an environmental impact study prepared in accordance MNR's Natural Heritage Assessment Guide.
- b. These amendments provide flexibility with respect to how provincially significant wetlands (PSW) may be crossed by a transmission line. Prior to this amendment, project components could not be located within or over PSW features. As a result, the only manner by which a PSW feature could have been crossed would have been underground by means of directional drilling. The amendment allows for overhead crossings of PSWs subject to MNR sign-off. As such, this amendment does not affect the routing of the proposed transmission facilities because it only affects whether the line will be overhead or underground in certain locations, along the same proposed route.

CORE - INTERROGATORY #4

Interrogatory

References

EXHIBIT B,
TAB 2,
SCHEDULE 3,
[PAGE 2 OF 3]

Preamble

It is suggested under the heading “The Transmission Line” that the location and route....was selected based on a number of factors with a view to minimizing the impacts on residents and the affected communities.

Questions / Requests

- a. If the above were true, and minimizing impacts on residents is a significant issue, why did DWPI not choose to follow the existing utility corridor route which you described in Exhibit B, Tab 4, Schedule 1 [Page 5 of 9] which would have the least visual impact on residents and the affected communities?

Response

- a. A comparison of key attributes of the 69 kV alternative and the proposed Transmission Project is provided in response to Board Staff IR #7. For the reasons set out in Exhibit B, Tab 4, Schedule 1 beginning at p. 2, the Applicant determined that the proposed Transmission Project is the optimal means for connecting the Wind Farm to the IESO-controlled grid. The Applicant does not agree that the 69 kV alternative referred to in Exhibit B, Tab 4, Schedule 1 at p. 5 would have the least visual impact on residents and the affected communities.

CORE - INTERROGATORY #5

Interrogatory

References

EXHIBIT B,
TAB 4,
SCHEDULE 1,
[PAGE 2 OF 9]

Preamble

This section of the Application describes, among other things, that the Transmission Project was chosen because it had a lower visual impact than the 69 kV Alternative even though the 69 kV Alternative would have involved joint use along an existing Hydro One transmission line over the vast majority of that route.

Questions / Requests

- a. That being the case, how could the Transmission Project have less visual impact than the 69KV Alternative where most of it runs along an existing Hydro corridor, with existing above ground transmission lines?
- b. Please provide the “evidence” which supports the statement that “the...Transmission Project has greater support from residents and local officials...relative to the 69KV Alternative.”

Response

- a. See response to Board Staff IR #7 regarding the differences in visual impact.
- b. After initially pursuing the 69 kV alternative, DWPI first started to consider the proposed transmission project route at the suggestion of local municipalities. Due to its project schedule, DWPI proceeded for a time to consider, assess and include both transmission options (69 kV and 230 KV) in its REA study. DWPI’s decision to go forward only with the 230 kV line option was based on a range of factors that led the Applicant to conclude that the proposed transmission line provided the optimal means of connecting the generation facility to the IESO-controlled grid, as described in Exhibit B, Tab 4, Schedule 1 at p. 2. These factors included public and local government comments, technical considerations, project economics and the ability to mitigate real and perceived negative effects. In addition, as described in response to Board Staff IR #7(ii), the 69 kV

alternative as contemplated was ultimately found to not be feasible due to Hydro One's inability to accommodate joint use.

The Applicant held 17 Public Information Centers as part of its Renewable Energy Approvals process between September 2011 and October 2012. The Final Consultation Report, dated August 2012, together with the Clarification Report, dated November 2012, which form part of the Applicant's REA application, document the attendance at each of these public meetings, as well as all comments that were provided to DWPI at these events and during the course of the public consultation period. Copies of these reports are provided in response to Board Staff IR #15(iii) and are available on the project website at <http://www.dufferinwindpower.ca/ReportsStudies.aspx>.

Appendix B of the Consultation Report and pages 11-13 of the Clarification Report outline the comments received by the public and which were considered by DWPI in the decision to proceed with the 230kV power line option. As described in Exhibit G, Tab 1, Schedule 1 and as documented in these reports, substantially stronger negative public reaction was received in response to the 69 kV alternative as compared to the response to the proposed transmission facilities. This was reflective of the far greater number of residences located in close proximity to the 69 kV alternative route, including in the vicinity of the new transformer substation that would have been required for this option in the Town of Mono.

Throughout the consultation period the local municipalities, including the Townships of Mulmur, Mono, Amaranth and Melancthon, were unsupportive of the dual circuit 69 kV alternative. In its comments filed under the REA process, the Township of Melancthon wrote that it *"is willing to indicate its initial preference for Power Line Option #2 (the proposed 230 kV transmission line), but until we receive documentation of the routing we are unable to assess the various impacts and therefore cannot formulate a final opinion"*. (See excerpt from Township of Melancthon comments at Appendix A). At the time of power line selection, DWPI reviewed all comments received by the Municipalities regarding both options. It was clear to the Applicant that the dual 69kV power line was the less favourable option. To support DWPI's decision, on November 13, 2012, the Town of Mono passed a resolution supporting DWPI's Application to the Ontario Energy Board for leave to construct the proposed transmission project, a copy of which is provided in Appendix B.

CORE - INTERROGATORY #6

Interrogatory

References

EXHIBIT D,
TAB 1,
SCHEDULE 1,
[PAGE 5 OF 7]

Preamble

None

Questions / Requests

- a. Other than cost to the Applicant, is there any other reason why the entire Transmission Line should not be buried?

Response

- a. Throughout North America, the industry standard is to install 230 kV transmission lines overhead. This is demonstrated by the existing ratio of overhead to underground high voltage lines that exists in the system. This practice within the industry recognizes, for instance, that underground lines typically experience additional line losses relative to overhead lines, that power quality on overhead lines is superior to underground lines, that life expectancy is greater for overhead lines, and that overhead lines are easier to maintain.

As indicated in Exhibit D, Tab 1, Schedule 1, the Applicant intends to install underground approximately 2.3 km of the proposed 47 km transmission line (4.9%), 1.7 km of which runs through the Town of Shelburne in close proximity to buildings along the most densely populated segment of the overall route. DWPI's preference for designing and constructing the proposed transmission facilities as overhead facilities with only very selective areas being installed underground is generally consistent with industry standards and the approach taken by other transmitters in Ontario. For example, it is the policy of Hydro One, Ontario's largest licensed transmitter, to build all high-voltage transmission lines above ground wherever possible and to place transmission lines underground only if there are technical constraints that prevent the construction of an overhead line or if for any particular area the cost of constructing an overhead line is

not practical (see Decision and Order in EB-2009-0425 at p. 9). It is also instructive to consider that, as at December 31, 2010, Hydro One owned and operated 28,951 circuit kilometers of high-voltage transmission lines and that all of these lines are overhead with the exception of just 282 circuit kilometers (less than 1%), which consist of underground lines in urban areas.¹ See also response to Board Staff IR #6(i).

¹ <http://www.hydroone.com/OurCompany/Pages/QuickFacts.aspx>

CORE - INTERROGATORY #7

Interrogatory

References

EXHIBIT D,
TAB 1,
SCHEDULE 1,
[PAGE 6 OF 7]

Preamble

None

Questions / Requests

- a. Now that the Application for the “Mega Quarry” has been withdrawn, is the use of the Rail Corridor less attractive as the preferred alternative route for the Transmission Line?
- b. In that part of the Rail Corridor appears to be zoned for recreational use will the Applicant be required to seek re-zoning before using parts of the Rail Corridor?

Response

- a. No.
- b. No. Section 62.0.2 (1) of the Planning Act, which was introduced by the Green Energy and Green Economy Act, 2009, provides that, subject to very limited circumstances that are not applicable to the Applicant, the Provincial Policy Statement and the provincial plans described in Section 62.0.2(2) do not apply to renewable energy undertakings. Section 62.0.2 (3) of the Planning Act provides that official plans do not affect renewable energy undertakings. Section 62.0.2 (6) provides that a by-law or order passed or made under Part V (which includes zoning by-laws and other land use controls) does not apply to renewable energy undertakings.

The Applicant nevertheless notes the following with respect to zoning along the various segments of the former rail corridor:

- The corridor is designated as “TransCanada Trail” in the Shelburne Official Plan (September 2006). The Shelburne Comprehensive Zoning By-Law No. 38-2007 (Office Consolidation, May 2012) zones the section of the rail corridor located

between Franklyn Street and 30th Sideroad as “Natural Environment” and “Development.” We note that transmission lines and recreational trails co-exist in many municipalities across Ontario as it is an efficient and logical use of land.

- The Township of Melancthon Draft Official Plan (November 2012) designates the corridor as “Rail Line Right-of-Way.” The Melancthon Official Plan (Office Consolidation, February 1994), and the Melancthon Zoning By-Law 12-1979, as amended by 12-1982, identify the rail line but do not provide a specific designation or zoning.
- The Township of Amaranth Official Plan (Office Consolidation, September 2010), and the Amaranth Zoning By-Law 2-2009 (December 2010), also identify the rail corridor however provide no specific designation or zoning.

CORE - INTERROGATORY #8

Interrogatory

References

EXHIBIT E,
TAB 1,
SCHEDULE 1,
[PAGE 1 OF 2]

Preamble

This section of the Application deals with operational details and talks about the need to retain a third party operator.

Questions / Requests

- a. Why would DWPI not contract with the local distribution company to use their operations people at what would probably be a reduced cost rather than a third party operator?

Response

- a. How and with whom the Applicant contracts, as well as the costs to the Applicant under any such contract, is not relevant to this Application. See response to Board Staff IR #6. The Applicant notes that the local distribution company, which carries on the business of owning and operating low-voltage distribution facilities, may not be authorized to perform work on high voltage transmission lines such as the proposed transmission facilities and, even if it were so authorized, would not necessarily provide such operations services at a reduced cost relative to other qualified third party operators that are available to the Applicant.

CORE - INTERROGATORY #9

Interrogatory

References

EXHIBIT E,
TAB 2,
SCHEDULE 1,
[PAGE 1 OF 8]

Preamble

It is indicated that the Transmission Project will comply with applicable requirements of the Transmission System Code Market Rules.

Questions / Requests

- a. With which specific requirements will the Transmission Project comply? Are there requirements with which the Transmission Project will not comply?

Response

- a. DWPI will comply with the Transmission System Code to the extent the Code applies to DWPI as an *unlicensed* transmitter which, as indicated in response to County of Dufferin IR #1(a), relates to DWPI as a customer whose facilities are connected or are intended to be connected to Hydro One's licensed transmission system. DWPI will also comply with the Code as may be required by the applicant requirements set out in the SIA and the CIA. With respect to the proposed transmission facilities DWPI will also comply with Section 4 of the IESO Market Rules, which set out the applicable grid connection requirements.

CORE - INTERROGATORY #10

Interrogatory

References

EXHIBIT E,
TAB 2,
SCHEDULE 1
[PAGE 1 OF 8]

Preamble

In this section of the Application the Renewable Energy Approval is described.

Questions / Requests

- a. Please provide the written notifications provided by the Applicant to the public which indicate that their concerns with respect to health and the environment would be considered during the approval process for the renewable energy approval rather than as part of the hearing (whether written or oral) to be held by the Ontario Energy Board?

Response

- a. See response to Board Staff IR #12(ii). In Addition, as part of the REA consultation process notices were sent to adjacent landowners regarding opportunities to provide comments and express concerns related to health and environmental aspects. These notices can be found in Appendix A of the REA Consultation Report and Appendix H of the Clarification Report, which are available at <http://www.dufferinwindpower.ca/ReportsStudies.aspx>. An example of one such Notice is provided in Appendix C. These notices outline the procedure for the public to make comments on the Project. DWPI has responded to all public health concerns it has received and, moreover, has retained a scientist who specializes in human health impacts relating to renewable energy generation and human health effects from electrical power lines to attend all Public Information Centres to respond to questions relating to health concerns.

CORE - INTERROGATORY #11

Interrogatory

References

EXHIBIT E,
TAB 2,
SCHEDULE 1,
[PAGE 3 OF 8]

Preamble

In this section of the Application certain regulations made pursuant to the *Environmental Protection Act* and the *Electricity Act* are discussed as are proposed amendments to one of those regulations; namely, O.Reg.359/09.

Questions / Requests

- a. In light of the changes which have been made to the Transmission Project please provide detailed measurements which establish that the Transmission Line is less than 50 km in length?
- b. In light of the proposed amendments to O.Reg.359/09 how can it be determined at this time how much of the Transmission Line will be above ground and how much of it will be underground and, in fact, exactly where it will all be located?

Response

- a. The proposed DWPI 230kV transmission line length is measured to be 47.16 km. This is comprised of the following segments, commencing from the project substation:
 - i. Transmission line will run north then turn westward along a private easement right of way (ROW) until 4th Line for a distance of 2.60 km,
 - ii. Transmission line will transition from overhead (O/H) to underground (U/G) at the west side of 4th Line. Cross over 4th Line and continue west within private ROW for a distance of 0.26 km,
 - iii. Transmission line will transition from U/G to O/H then continues in a south-west direction within private ROW for a distance of 1.00 km,
 - iv. Turns west at Dufferin County Road 21 and runs west within private ROW along the north side of Dufferin County Road 21 for a distance of 0.72 km,

- v. Crosses over Dufferin County Road 21 and turns south within private ROW continuing for a distance of 0.44 km,
 - vi. Turns west and runs south-west within private ROW for a distance of 2.73 km,
 - vii. Crosses over 6th Line and continues south-west within private ROW along west side of 250 Sideroad for a distance of 1.04 km,
 - viii. Crosses over 250 Sideroad and continues south within private ROW for a distance of 3.7 km,
 - ix. Crosses over Dufferin County Road 21 and continues south within private ROW along east side of Dufferin County Road 21 for a distance of 0.51 km,
 - x. Turns east, then turns south and continues south within private ROW for a distance of 2.25 km,
 - xi. Crosses over Highway 10 and continues south within private ROW for a distance of 0.55 km,
 - xii. Crosses over existing rail corridor and turns east within rail corridor along the south and west side of corridor for a distance of 10.70 km,
 - xiii. Transitions from O/H to U/G and continues south-east within rail corridor along the south and west side of corridor for a distance of 1.75 km,
 - xiv. Transitions from U/G to O/H and continues south-east within rail corridor along the south and west side of corridor for a distance of 17.25 km,
 - xv. Transitions from O/H to U/G and crosses under existing Hydro One Transmission Line within rail corridor along the south and west side of corridor for a distance of 0.16 km,
 - xvi. Transitions from U/G to O/H and continue south-east within rail corridor along the south and west side of corridor for a distance of 1.08 km,
 - xvii. Transitions from O/H to U/G and continue east within rail corridor along the south side of corridor to terminate at the DWPI switching station for a distance of 0.42 km.
- b. See response to CORE IR #3. All crossings of provincially significant wetlands will be accomplished though overhead line crossings.

CORE - INTERROGATORY #12

Interrogatory

References

EXHIBIT G,
TAB 1,
SCHEDULE 1,
[PAGE 6 OF 6]

Preamble

It seems to be indicated in this section of the Application that the public preference as demonstrated during the public consultations held was for a transmission line where there is existing infrastructure.

Questions / Requests

- a. In light of the Applicant's contention that local residents prefer the Transmission Project for reasons of visual impact, please provide the visual impact assessments of both the Transmission Line and the 69kV Alternative.
- b. How has the Applicant responded to the concerns of Roy Thomas expressed in an email message dated November 19, 2012 to Counsel for the Applicant? If he was correct, how does that affect the Transmission Project?
- c. How has the Applicant responded to the concerns expressed by the Town of Shelbourne (sic) in a letter dated November 21, 2012 to the Board? Is the position of the Town of Shelbourne (sic) the reason why so much of the Transmission Line will be buried in that area?
- d. In light of the typical, severe, winter weather in the area where the Transmission Line is to be constructed, what cost analysis has been done to establish the relative cost of burying the entire Transmission Line as opposed to maintaining the above-ground portions thereof?
- e. If a satisfactory easement arrangement with the County of Dufferin cannot be reached for the use of the abandoned rail line, would the 69kV Alternative be proposed, once again? If not, what alternative would the Applicant propose?

Response

- a. Photo visualizations, route maps, and design information on the 69kV Alternative and the proposed Transmission Project were presented at DWPI's Public Information Centres

(PICs) and were posted on the project website. The public's response to these photo visualizations during these public events was overwhelmingly against the 69kV Alternative. Primary reasons were the number of additional 69kV circuits that would be added to existing circuits along the road right of way, the requirement to remove the majority of existing power poles and install more and larger power poles capable of holding the additional circuits, and the close proximity of the 69kV Alternative to roads, houses, businesses and development areas (See response to Board Staff IR #7(ii)). The photo simulations of the 69kV Alternative and the proposed Transmission Project are available on the project website at

<http://www.dufferinwindpower.ca/Portals/23/downloads/PIC%201%20Panels%20-%20FINAL%20Resized%20v2.pdf> and

<http://www.dufferinwindpower.ca/Portals/23/downloads/PIC%201%20230kV%20Panels%20-%20April%2012%20-%20FINAL.pdf>.

- b. Mr. Thomas makes a number of points in his November 19, 2012 email. It is not clear to the Applicant to which of these points the question is related. With permission, representatives of DWPI undertook a site visit on Mr. Thomas' property on November 14th, 2012 and then met with Mr. and Mrs. Thomas and their representatives at their home on the same date. DWPI has since been in touch with both Mr. Thomas' and his representatives and has indicated its intention to pursue engineering/design solutions in an effort to resolve Mr. Thomas' concerns. See response to Board Staff IR #12(i).
- c. The Applicant has been working diligently to address the concerns that are documented in the letter of comment filed by the Town of Shelburne. DWPI has provided the Town of Shelburne with copies of its Renewable Energy Approval (REA) application and its Leave To Construct application, which includes detailed information on the proposed Transmission Project running through the Town of Shelburne. Although environmental and health concerns, such as with respect to electromagnetic fields (EMF), are beyond the scope of this proceeding, the Applicant notes that on May 25, 2012 it provided the Shelburne Town Council with the results of a technical and engineering study performed by Kinectrics Inc, a leading testing, inspection, certification and consulting company for the electrical industry, on the Transmission Project's underground magnetic field strength. On June 25, 2012, DWPI and a representative from Intrinsik Environmental Sciences Inc., a leading health sciences firm, presented the EMF study to the Shelburne Town Council. Additional information was also provided to Council regarding EMFs. The Applicant has not received any further correspondence or requests for additional information or consultation from the Town of Shelburne.

DWPI initially suggested that portions of the Transmission Project may be placed underground in more heavily populated areas in its November 2011 easement request to

the County of Dufferin. DWPI offered to place the Transmission Project underground along a discrete section of the rail corridor in the Town of Shelburne, due to it being the most heavily populated portion of the route, as part of its initial discussions with the Town of Shelburne and in February 2012. DWPI also proposed to place the Transmission Project underground through a section of the Town of Shelburne as part of its draft Renewable Energy Approval application, which was submitted to the Town of Shelburne for review and comment.

- d. See responses to Board Staff IR #6(i) and CORE IR #6. The transmission line is being designed to meet the weather conditions of the area in which it is being constructed. Maintenance costs are not expected to be extreme due to weather related factors. Regardless, as the proposed transmission facilities are non-rate regulated and the costs of the project will be borne by the Applicant, this consideration is not relevant to the Application.
- e. No. DWPI is committed to the proposed Transmission Project route and is no longer pursuing the 69kV Alternative. As indicated in response to CORE IR #1, it is not necessary for all easements or other land rights to be finalized prior to the granting of leave to construct. This includes the easement with the County of Dufferin for the portion of the proposed route along the former rail corridor. An applicant may continue its efforts to secure such land rights subsequent to the granting of leave to construct, either through continued negotiations with the land owner or through expropriation proceedings under Section 99 of the Ontario Energy Board Act.

CORE - INTERROGATORY #13

Interrogatory

References

EXHIBIT H,
TAB 1,
SCHEDULE 1,

Preamble

In this section the IESO System Impact Assessment (“SIA”) is discussed. Apparently the IESO assessed both the 69 kV alternative and the Transmission Project.

Questions / Requests

- a. Did the IESO prefer the Transmission Project over the 69kV Alternative? If so, please provide the “evidence” which establishes that.

Response

- a. The IESO expressed no preference one way or the other. The IESO concluded in its December 2, 2011 System Impact Assessment Report in respect of the 69 kV alternative that, subject to the requirements specified in this report, the proposed connection of the Wind Farm is expected to have no material adverse impacts on the reliability of the integrated power system (See Exhibit H, Tab 2, Schedule 2, Appendix B, p. 6). The IESO also concluded in its August 31, 2012 System Impact Assessment Report - Final Addendum Report in respect of the proposed Transmission Project that, subject to the requirements specified in this report, the proposed connection of the Wind Farm is expected to have no material adverse impact on the reliability of the integrated power system (See Exhibit H, Tab 2, Schedule 2, Appendix A, p. 4).

CORE - INTERROGATORY #14

Interrogatory

References

EXHIBIT H,

TAB 1,

SCHEDULE 1,

Preamble

In this same section it is suggested that Hydro One concluded that the Transmission Project would not have any negative impact on existing Hydro One customers in the area.

Questions / Requests

- a. Please provide a list of Hydro One customers in the area which could be affected by the Transmission Project.
- b. How did Hydro One factor in the overall findings of the customer impact assessment (“CIA”) report which presents negative short-circuit increases in fault levels from the Transmission Project, in coming to its favourable conclusion?

Response

- a. See Exhibit H, Tab 3, Schedule 1 in section 1.4 of the Customer Impact Assessment Report.
- b. Hydro One’s analysis and conclusions are set out in the Customer Impact Assessment Report at Exhibit H, Tab 3, Schedule 1.

Filed: January 16, 2012
EB-2012-0365
Exhibit B
Tab 1
Schedule 3
Responses to CORE
Interrogatories
Appendix A

APPENDIX A

TOWNSHIP OF MELANCTHON COMMENTS



The Corporation of
THE TOWNSHIP OF MELANCTHON

157101 Hwy. 10, R.R. # 6, Shelburne, Ontario, L0N 1S9

Telephone - (519) 925-5525

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Denise B. Holmes, AMCT
CAO/Clerk-Treasurer

July 20, 2012

Dillon Consulting Limited
130 Dufferin Avenue
Suite 1400
London, Ontario
N6A 5R2

Attention: Rebecca Crump, REA Project Coordinator

Dear Ms. Crump:

Re: Dufferin Wind Power
File No.: 300030497

Further to your project submission of April 25, 2012, we are hereby providing our review comments. These comments result from input received from Township Staff and its Review Team and have been consolidated and endorsed by the Township Council. Please be advised that there is also a Peer Review being done of the Noise Study and we expect it to also form part of our submission, even though it will be submitted separate to these comments.

Renewable Energy Approval

The Township would like to use this opportunity to voice a number of general concerns with the impact of wind farms on municipalities. It is recognized that these issues are beyond the scope of your specific project, but we have some frustration with our inability to provide input on matters that have major effects on the Township.

- The Township of Melancthon currently hosts 118 constructed turbines and Dufferin Wind Power will raise that number to 167. For a small rural municipality the impact is staggering. We feel that the cumulative impact of these turbines should be considered and that an assessment of current turbine development should be a prerequisite to new approvals.
- The excessive distance to the interconnection point with the provincial grid and the resulting impact of transmission lines and facilities crossing extensive areas of a number of

municipalities should be considered. It is an impact that could be potentially reduced if such projects were limited to a specific relatively short distance from such interconnection points. It has been suggested that these remote, independent projects are analogous to building housing developments that would each build their own parallel roads to connect with major highways. It makes a lot more sense when one transmission line is installed and shared by the independents.

- There is inevitably a labyrinth of access roads and buried power lines across the project area which, in most cases, is a matter between the power generator and the private landowner. But this has a potential to involve the Township.
- 90 days does not provide sufficient time for full assessment of over 3,500 pages of technical documents.
- There is a lack of any cost benefit or social impact analysis in the process.
- Unlike the requirements of other provincial processes, such as the Environmental Assessment Act, there is no hierarchy or assessment of options on relative terms. For example, a turbine is required to be 120 m away from a Provincially Significant Wetland, unless a study of the wetland is completed and mitigative measures are established. When the study is done, there is no further consideration of the separation distance to the turbine. We think that mitigative measures should include an attempt to maximize the distance, but there appears to be no such requirement.
- Horizontal directional drilling or any other similar works should be prohibited within at least provincially significant wetlands and, preferably, all wetlands other than where such drilling occurs along open and traveled road allowances.

Comments Relating to the Application

We did not find the submitted material to be reader friendly. Rather than using the Project Description Report to provide an overview with the other reports being specific to its own area, each and every report started with a copy of the project description. This made the material highly repetitive and several reviewers commented on the difficulty in focussing on the issues at hand. The Design and Operations Report was particularly difficult with alternating pages being printed upside down. The net result is a concern that all of the various recommendations of the different reports are embedded so deeply in the text that they may not be properly acted upon. The CD containing the printed materials is totally user unfriendly and serves no purpose except to allow the printing of all or some of the materials. At the very least, the PDF files should be in searchable format, allowing checking the materials for relevant information, but the PDFs are not searchable. It boggles the mind that anyone could and would have produced a compilation of unsearchable PDF files.

It would be extremely helpful to produce an overall site plan with notations or colour codes to identify recommendations and areas of concern. For example the map could have notes on T30 and T42 saying “archaeological area to be fenced prior to construction” and notes on Turbine 34 saying “construction of this turbine, access road and cabling is prohibited from April 15 to June 15.”

Our reviewers also commented on the difficulty of reviewing reports that continued to change. Many of the reports submitted on April 25 were actually dated February 2012 but were revised in May, for the public release. As we discussed at our meeting with you on April 12, 2012, the Township review was not authorized until the public documents were released, in order to have certainty that our reviewers were in fact using the same documents that were being provided to the public and also to maintain the transparency that is expected of municipalities. To this day we have not received the Visual Impact Study and the routing of the transmission line is unknown. Specifically the routing has not been determined for Power Line Option #2, a 230 kV line connecting the project to the Orangeville railway, which is a significant concern.

The Township is willing to indicate its initial preference for Power Line Option #2, but until we receive documentation of the routing we are unable to assess the various impacts and therefore cannot formulate a final opinion.

We also note with regard to Power Line Option #2, the apparent intent to use horizontal directional drilling through a provincial wetland as part of this route. It appears the proposal could involve close to half a kilometre of drilling through one of the largest wetlands in the Township. This is unjustified, unacceptable and should not be approved.

In view of the above referenced lack of a Visual Impact Statement, lack of details on Power Line Option # 2 and other deficiencies such as the lack of a Traffic Management Plan, the application should be classified as either incomplete or premature, as would be the case if it was an application under the Planning Act.

Project Description Report

Table 1 on page 7 incorrectly shows that the Township of Melancthon as being the authority for issuance of Building Permits. In fact, the County of Dufferin fulfills this role.

The Township of Melancthon has received proposals for five wind farms. There are ongoing concerns about the overcrowding of road allowances with multiple power lines and with the unsightly appearance of aboveground power lines. The Township is no longer willing to accept new pole lines for above ground installations. As mentioned before, it is the requirement of the Council to have hydro lines buried. This has been the practice with the last two developments in the Township. As with the last project, there could be some room for discussion for lines above ground in non-populated areas. Council would discuss this in more detail once final placements of the turbines have been provided. We reserve the right to comment and have input later on this matter.

Filed: January 16, 2012
EB-2012-0365
Exhibit B
Tab 1
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APPENDIX B

TOWN OF MONO RESOLUTION

CORPORATION OF THE TOWN OF MONO

**Council Meeting #18-2012
Tuesday November 13, 2012, 7:00 p.m.
Temporary Council Chambers
Mono Community Centre**

Present: Mayor Laura Ryan, Deputy-Mayor Ken McGhee and Councillors Elaine Capes, Bob Mitchell and Fred Nix. CAO/Clerk Keith McNenly, Director of Planning/Deputy CAO-Clerk Mark Early, Director of Public Works Michael Dunmore, Director of Recreation Kim Perryman, Treasurer Les Halucha and Administrative Assistant Jackie Pherrill were also present.

The meeting was called to order and the Mayor advised members of Council that declarations of pecuniary interest should be made at the start of the meeting or at any time during the meeting.

Resolution #1-18-2012

Moved by McGhee - Seconded by Capes

THAT Council approves agenda #18-2012 with an addition.

“Carried”

Resolution #2-18-2012

Moved by Mitchell - Seconded by Nix

THAT Council approves the minutes of Session #17-2012 as circulated.

“Carried”

Public Question Period

No questions were asked.

Memo from the Director of Planning re Dufferin Wind Power Inc., Notice of Application and Hearing for Leave to Construct.

Resolution #3-18-2012

Moved by Nix - Seconded by Mitchell

WHEREAS the Dufferin Wind Power project, being developed by Dufferin Wind Power Inc., requires a renewable energy approval under the Ontario Environmental Protection Act, and to date has relied on two distribution options, including Option #1 (69 kV line through the Town of Mono) and Option #2 (230 kV line along the County rail corridor);

AND WHEREAS the Town of Mono has expressed social, environmental, and legal concerns with Option #1 to be located within the Town of Mono;

AND WHEREAS the proponent has now also confirmed and acknowledged that the environmental concerns of Option #1 (the 69kV line and transformer station) are significant in comparison to Option #2 (230 kV line along the County rail line);

AND WHEREAS Dufferin Wind Power Inc. has now filed a notice of Application and Hearing for Dufferin Wind Power Inc.'s Application to the Ontario Energy Board for leave to construct Option #2 (230 kV line along the County Rail line);

AND WHEREAS the Town of Mono has until November 23, 2012 to provide comment on the Notice of Application and Hearing;

NOW THEREFORE BE IT RESOLVED THAT Town of Mono Council comment to the Ontario Energy Board that the Town of Mono supports Dufferin Wind Power Inc.'s Application to the Ontario Energy Board (Reference No. EB-2012-0365) for leave to construct approximately 47 kms of single circuit 230 kV electricity transmission line, and associated facilities, along the former rail lines, now owned by the County of Dufferin;

AND FURTHER THAT this Resolution in support of the application be forwarded to the proponent, the County of Dufferin, and the local municipalities of Dufferin.

"Carried"

Memo from the Director of Planning re Baker Property declaration of surplus lands.

Resolution #4-18-2012

Moved by Capes - Seconded by McGhee

THAT Council declares the following lands surplus to the Town's needs, for eventual sale as residential lots;

Parts 1 and 2 on Plan of Survey 7R-6122, prepared by Van Harten Surveying Inc. deposited under the Land Titles Act on November 1, 2012.

"Carried"

Report from Councillor Nix re maintenance of Monora Trails.

Resolution #5-18-2012

Moved by McGhee - Seconded by Nix

THAT the Town of Mono agree to consider as part of the budgetary process any major capital expenditures on the Monora trails;

AND THAT Major includes materials for any structures (including bridges or boardwalks) and the rental of any specialized equipment.

"Carried"

Bylaw to erect stop signs on Masters Creek Boulevard.

Resolution #6-18-2012

Moved by McGhee - Seconded by Mitchell

THAT Council gives the necessary readings to a bylaw to erect stop signs at intersections on Masters Creek Boulevard, that it be signed by the Mayor and the Clerk, sealed and engrossed in the bylaw book

"Carried"

The bylaw was given the necessary readings and passed as Bylaw Number 2012-34.

Credit Valley Conservation Foundation request for project contribution to the Island Lake Community Trails Campaign.

The item was defer to the budget discussion.

Response from the Ministry of Transportation re turning lane on Highway 10 at Campbell Road.

Mayor Ryan will respond to the MTO requesting that they continue to monitor traffic volumes on Highway 10.

Memo from the Director of Public Works re application to add a member to the Forest Committee.*Resolution #7-18-2012*

Moved by Mitchell - Seconded by Capes

THAT Council appoint Misha Dubbled to the Forest Committee for the term of council. "Carried"

Resignation of Mono Police Services Board member David Boyce.

Staff was directed to advertise for the position as soon as possible.

New Business

Councillor Nix noted an additional person had volunteered to become a member of the Headwaters Streams Committee.

Resolution #8-18-2012

Moved by Nix - Seconded by Capes

THAT Council appoint Phil Bird to the Headwaters Streams Committee for the term of council. "Carried"

Staff Presentation of Draft 2013 Budget by Treasurer Les Halucha for review by Council and direction.

Council reviewed the draft 2013 budget page by page and made various changes, reducing the draft budget by over \$500,000. Council directed the Treasurer to follow up on the 2013 recycling grant. The Treasurer will make the noted changes and republish the draft budget prior to the November 24, 2012 public forum. The following resolution was moved during the budget review.

Resolution #9-18-2012

Moved by Mitchell - Seconded by McGhee

THAT Recreation Programs budget line 1249 be reduced from \$12,000 to \$7,000. "Carried"

Schedules "A and B".

A1 Accounts – Councillor Mitchell asked for clarification on one item. Treasurer

Les Halucha will provide Councillor Mitchell with the information.

Resolution #10-18-2012

Moved by Capes - Seconded by McGhee

THAT we accept Schedules "A and B" to this agenda.

"Carried"

Reports of members of Council on activities at the County of Dufferin and various boards and committees.

Resolution #11-18-2012

Moved by Capes - Seconded by Nix

THAT we introduce and give the necessary readings to a bylaw to confirm the proceedings of Council of the Town of Mono in Session #18 held on November 13, 2012, that it be signed by the Mayor and the Clerk, sealed and engrossed in the Bylaw Book.

"Carried"

The bylaw was given the necessary readings and passed as Bylaw Number 2012-35.

Resolution #12-18-2012

Moved by McGhee- Seconded by Mitchell

THAT we adjourn this meeting at 10:17 p.m.

"Carried"

Original signed by:

Laura Ryan

Mayor

Keith McNenly

Clerk

TOWN OF MONO
COUNCIL MEETING
TUESDAY NOVEMBER 13, 2012
7:00 p.m.

Mono Community Centre - Lower Meeting Room

Agenda 18-2012 - 13 Nov 2012

- Call to order
- Location of emergency exits
- Disclosure of pecuniary interest
- Approval of agenda
- Minutes of previous meeting

I PUBLIC QUESTION PERIOD

II DELEGATIONS - NONE

III UNFINISHED BUSINESS & DEFERRED ITEMS - NONE

V BYLAWS, CORRESPONDENCE & NEW BUSINESS

1. Memo from the Director of Planning re Dufferin Wind Power Inc., Notice of Application and Hearing for Leave to Consent.

Recommendation contained within the memo.

2. Memo from the Director of Planning re Baker Property declaration of surplus lands.

Recommendation contained within the memo.

3. Report from Councillor Nix re maintenance of Monora Trails.

Recommendation contained within the report.

4. Bylaw to erect stop signs on Masters Creek Boulevard.

5. Credit Valley Conservation Foundation request for project contribution to the Island Lake Community Trails Campaign.

6. Response from the Ministry of Transportation re turning lane on Highway 10 at Campbell Road.

Please use this link to view the agenda documents:

<http://mono.civicweb.net/Documents/DocumentList.aspx?ID=17236>

7. Memo from the Director of Public Works re application to add a member to the Forest Committee.
8. Resignation of Mono Police Services Board member David Boyce.

I BREAK

9. Staff Presentation of Draft 2013 Budget by Treasurer Les Halucha for review by Council and direction.

VI SCHEDULE "A"

1. Accounts.
2. Notice of Statutory Public Meeting, Official Plan Amendment Nos. 35, 36 and 37.
3. Email from the County of Dufferin re Joint Local Councils Workshop. Notes from Keith McNenly re current sharing initiatives.
4. Shelburne Public Library Board minutes, September 18, 2012.
5. Recreation Advisory Board minutes, October 24, 2012.
6. Trail Counter report from RAB member Karen Morrison.
7. Township of Amaranth resolution re adverse health effects of industrial wind turbines.
8. Notes from Councillor Nix re NVCA meeting, October 19, 2012.
9. Township of Adjala-Tosorontio re Official Plan Amendment (Everett Secondary Plan) and Notice of Study Commencement (Master Servicing Plan Schedule B Municipal Class EA).

VII SCHEDULE "B"

1. CTC Source Protection Region re submitted plan and explanatory document.
2. Lakes Simcoe and Couchiching/Black River Source Protection Authority re proposed plan submitted to the MOE.

Please use this link to view the agenda documents:

<http://mono.civicweb.net/Documents/DocumentList.aspx?ID=17236>

VIII REPORTS OF MEMBERS OF COUNCIL

1. Councillor Nix re Shelburne District Fire Board meeting November 6, 2012.

IX NEW BUSINESS

X IN-CAMERA ITEMS

XI CONFIRMING BYLAW

XII ADJOURNMENT

Please use this link to view the agenda documents:

<http://mono.civicweb.net/Documents/DocumentList.aspx?ID=17236>

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APPENDIX C
SAMPLE REA NOTICE

September 17, 2012

**RE: Notice of Additional Public Meeting – Dufferin Wind Power Project
Farm Owned Power (Melancthon) Ltd. and Dufferin Wind Power Inc.**

Dear Landowner,

This letter is to inform you of the upcoming additional public meetings (PIC) for the Dufferin Wind Power (DWP)/Farm Owned Power (Melancthon) Ltd. wind facility, to be located in Melancthon Township.

Additional PICs are being held in Melancthon, Amaranth and Shelburne to present additional details and changes to the wind farm layout design and the 230 kV transmission line since last presented to the public. Wind turbine locations have remained the same since the last PICs in July, 2012.

The dates and locations of the additional PIC are as follows:

Township of Amaranth Additional Public Meeting (PIC)

DATE: Monday October 22, 2012

TIME: 6:00 pm to 8:00 pm

PLACE: Amaranth Township Banquet Hall
374028 6th Line, Amaranth

Town of Shelburne Additional Public Meeting (PIC)

DATE: Tuesday October 23, 2012

TIME: 6:00 pm to 8:00 pm

PLACE: Centre Dufferin Recreation Complex
200 Fiddlepark Lane, Shelburne

Melancthon Township Additional Public Meeting (PIC)

DATE: Wednesday October 24, 2012

TIME: 6:00 pm to 8:00 pm

PLACE: Horning's Mills Community Hall
14 Mill Street, Horning's Mill

Landowners of properties located in proximity of project components including the 230kV power line option are being sent this letter and a Notice of Additional Public Meeting (PIC).

Farm Owned Power (Melancthon) Ltd. and Dufferin Wind Power Inc. have obtained a contract for the sale of the electricity from wind power with the Ontario Power Authority's through the Province's Feed-in-Tariff (FIT) program (enabled by the *Green Energy and Green Economy Act*).

The project will require approval under Ontario Regulation 359/09 – Renewable Energy Approval under Section V.0.1 of the *Ontario Environmental Protection Act*. An application was submitted to the Ministry of the Environment for assessment of completeness in August, 2012. Changes to the project resulting from additional work or consultation will be documented in an addendum and submitted for review to the Ministry of the Environment.

Farm Owned Power (Melancthon) Ltd. and Dufferin Wind Power Inc. are committed to on-going public consultation. If you have questions, comments, or concerns about the project please do not hesitate to contact me at 519-438-1288 ext. 1341 or by email at rcrump@dillon.ca.

Sincerely,

Dillon Consulting Limited

A handwritten signature in blue ink, appearing to read 'R Crump', is positioned above the printed name.

Rebecca Crump, M.Sc.Pl
REA Project Coordinator

Encl. Notice of Additional PIC



Renewable Energy Approval
Notice of Public Meeting
s. 15(1)(a)(b) Ontario Regulation 359/09

**NOTICE OF ADDITIONAL PUBLIC MEETING
REGARDING THE DUFFERIN WIND POWER PROJECT**

To be held by Dufferin Wind Power Inc. and Farm Owned Power (Melancthon) Ltd.

Project Name: Dufferin Wind Power Project

Project Location: Melancthon, Shelburne, and Amaranth, Dufferin County, Ontario

Dated at: The County of Dufferin, this 17th day of September, 2012.

Dufferin Wind Power Inc. is planning to engage in a renewable energy project in respect of which the issuance of a renewable energy approval is required. The proposal to engage in the project and the project itself is subject to the provisions of the Environment Protection Act (ACT) Part V.0.1 and Ontario Regulation 359/09 (Regulation).

Public Information Centres (PIC) for the Project under the Renewable Energy Approvals (REA) process were held in Sept 2011 and in April and July, 2012. Additional PICs are being held in Melancthon, Amaranth and Shelburne to present additional details and changes to the wind farm layout design and the 230 kV transmission line since last presented to the public. Wind turbine locations have remained the same since the last Public Information Centres in July, 2012.

Project Description:

Pursuant to the Act and Regulation, the facility, in respect of which this project is to be engaged in, is a wind energy project and is rated as a Class 4 Wind Facility. If approved, the proposed wind farm project would have a total name plate capacity of 99.1 MW. The wind farm is to be located entirely in the Township of Melancthon. The proposed 230kV power line route option would pass through the Township of Melancthon, Town of Shelburne and the Township of Amaranth to connect into the Orangeville Transformer Station, located in the Township of Amaranth (through a switch station to be located adjacent to the Orangeville TS). The location of the proposed switchyard would be located at 7 Shannon Court, Township of Amaranth.

Meeting Information:

In order to provide information to and consult with community members, stakeholder groups, First Nations and Métis communities and government agencies, Dufferin Wind Power Inc., Farm Owned Power (Melancthon) Ltd. and Dillon Consulting Limited are hosting public information sessions to present additional information regarding the 230kV power line option. At these information sessions you will be able to view information on the project and provide comments directly to the proponent.



Township of Amaranth Public Information Centre (PIC)

DATE: Monday October 22, 2012

TIME: 6:00 pm to 8:00 pm

PLACE: Amaranth Township Banquet Hall
374028 6th Line, Amaranth

Melancthon Township Public Information Centre (PIC)

*****DATE HAS CHANGED*****

DATE: Wednesday October 24, 2012

TIME: 6:00 pm to 8:00 pm

PLACE: Horning's Mills Community Hall
14 Mill Street, Horning's Mills

Town of Shelburne Public Information Centre (PIC)

DATE: Tuesday October 23, 2012

TIME: 6:00 pm to 8:00 pm

PLACE: Centre Dufferin Recreation Complex
200 Fiddlepark Lane, Shelburne

Project Contacts and Information:

Please call 1-855-249-1473 or email info@dufferinwindpower.ca to comment on the project or for further information.