## ERIC K. GILLESPIE PROFESSIONAL CORPORATION

**Barristers & Solicitors** 

Suite 600 10 King Street East Toronto, Ontario M5C 1C3

## ERIC K. GILLESPIE, LL.B.

Telephone No.: (416) 703-5400 Direct Line: (416) 703-6362 Facsimile No.: (416) 703-9111 Email: egillespie@gillespielaw.ca

March 21, 2013

## Delivered via Courier and Email

Kirsten Walli Board Secretary Ontario Energy Board 2300 Yonge Street P.O. Box 2319, Suite 2700 Toronto, ON M4P 1E4

Fax: (416) 440-7656

Email: boardsec@ontarioenergyboard.ca

Dear Ms. Walli:

Re: EB-2012-0040/ EB-2012-0041 Bornish Wind, LP., Kerwood Wind, Inc. and Jericho Wind, Inc. - Application for Leave to Construct Electricity Transmission Lines and Related Facilities

We are counsel to the Middlesex-Lambton Wind Action Group, Inc. ("MLWAG"). As MLWAG has previously written requesting intervenor status in this matter, we are now writing to request an oral hearing on behalf of MLWAG in accordance with the Notice of Application (the "Application") and the Ontario Energy Board's Rules of Practice and Procedure.

As the authorized representatives of our client, we would like to receive copies of all evidence filed by the Applicant and any other communications sent in this matter. Please forward these to the attention of Graham Andrews at the address above or via email at <a href="mailto:gandrews@gillespielaw.ca">gandrews@gillespielaw.ca</a>.

We note that the Ontario Energy Board has ordered that the Application proceed by way of written hearing. MLWAG believes that an oral hearing is essential for the proper determination of the complex nature of the contested issues in this Application. As a result, MLWAG wishes to have the option of raising those contested issues, of presenting its position and seeking clarification through cross-examination at an oral hearing

regarding, but not limited to, the easements required from landowners along the proposed route of the transmission line, the land acquisition agreement that forms part of this Application, the potential impact on residences along the proposed route of the transmission line including those not subject to easements, the proximity of the substation to residential dwellings and the accuracy of the location of the 115 Kv power line as depicted in the Application.

MLWAG intends to seek an award of costs for the reasons discussed above.

We look forward to the response of the Ontario Energy Board to this request. If there are any questions arising from this request please do not hesitate to contact us.

Yours very truly,

ERIC K. GILLESPIE PROFESSIONAL CORPORATION

Eric K. Gillespie

EKG/ga

cc Bornish Wind, LP., Kerwood Wind, Inc. and Jericho Wind, Inc. c/o Jonathan Myers & Chris Keizer, Torys LLP