

April 3, 2013

RESS, EMAIL & COURIER

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli:

Re: Dufferin Wind Power Inc. - Application for Leave to Construct (EB-2012-0365)

We are counsel to the applicant Dufferin Wind Power Inc. ("DWPI" or the "Applicant") in the above-referenced proceeding. On March 28, 2013 DWPI filed an amendment to its Application ("Amendment #2") and, concurrently, its Argument-in-Chief. As explained in Amendment #2, the Applicant took this approach so as to comply with the timing required by Procedural Order No. 5, as well as based on its view that the changes reflected in Amendment #2 were not material to the Application.

On April 3, 2013, counsel to Conserve Our Rural Environment ("CORE") filed a letter requesting various procedural changes, which it believes are necessary due to the filing of Amendment #2. Specifically, CORE requests an opportunity to file interrogatories related to Amendment #2. CORE also indicates that upon receipt of responses from the Applicant, it may request that the Applicant undertake further public consultation. Counsel for CORE has requested that intervenors be given a period of 3 weeks to file interrogatories and that the timing for intervenor submissions be extended indefinitely. In the Applicant's view, the primary objective of CORE's letter is to delay the proceeding.

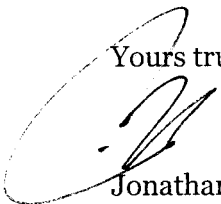
DWPI reiterates the view it expressed in Amendment #2 that the changes contemplated therein are not material. Although CORE states in its letter that Amendment #2 "describes seven changes to the transmission line route all in the Township of Melancthon", this is simply not the case. Amendment #2 describes one change to the transmission line route where a short segment of the line that previously was to run underground will instead run overhead approximately 110 m south of its initially proposed location. In addition to this one change to the transmission line route, DWPI provided updated information concerning the potential lengths of two other underground segments. Both of these changes would allow for the possibility of longer portions of the route being installed underground, which is consistent with input received from the local community. Neither of these changes contemplate any alteration to the proposed transmission line routing. Finally, Amendment #2 revised the orientation, but

not the location, of the project substation. As indicated, the project substation remains on the same portion of the same private property as previously contemplated but the layout has been rotated 90 degrees so as to enable the landowner to maximize the area available for productive agriculture.

Given the immaterial nature of the changes made in Amendment #2, DWPI maintains its view that no additional procedural steps in the proceeding should be required. However, if the Board agrees with CORE that intervenors should have an opportunity to seek further information concerning the changes to the Application contemplated by Amendment #2, the Applicant submits that the timelines proposed by CORE are excessive. CORE has requested three weeks to file interrogatories on these minor amendments. By comparison, Procedural Order No. 1 in this proceeding provided two weeks from the date of the order to file interrogatories on the entire Application and pre-filed evidence. DWPI submits that a more reasonable timeframe would be for intervenors to file any interrogatories relating to Amendment #2 by no later than April 8, 2013. DWPI would then file its responses by no later than April 11. Moreover, parties should be instructed to limit the scope of their interrogatories to matters related directly to the changes to the Application as set out in Amendment #2.

DWPI also disagrees with CORE's request that the timing for intervenor submissions be extended indefinitely. If the Board allows interrogatories on Amendment #2 based on the timeline described above, then concurrently with the filing of its interrogatory responses DWPI would advise as to whether it wishes to re-file its Argument-in-Chief. If so, these would be filed by no later than April 12, 2013, intervenor and Board staff submissions would be due by no later than April 22, 2013 and Applicant reply submissions would be due by no later than April 29, 2013.

Yours truly,



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cc: Mr. J. Hammond, Dufferin Wind
Mr. C. Keizer, Torys LLP
Intervenors