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April 4, 2013

EMAIL, COURIER AND RESS

Kirsten Walli
Board Secretary
2300 Yonge Street
27th Floor, Box 2329
Toronto, ON
M4P 1E4

Dear Ms. Walli:

Re: Request for Intervenor Status – K. Pilon
Board File No: EB-2013-0031

We are counsel to Wainfleet Wind Energy Inc. ("**Wainfleet Wind**").

We are in receipt Katherine Pilon's letter of comment dated March 21, 2013 and her letter dated March 26, 2013 requesting intervenor status in the above noted proceeding. Included in the letter of March 26th was a list of signatures.

Wainfleet Wind opposes the granting of status to Ms. Pilon for the reasons set out below. This Application is made under section 41 of the *Electricity Act* and is related solely to the location of the distribution system within the public highways under the authority of the Township of Wainfleet. I would like to note that the Township of Wainfleet is not on the list and it is not evident that any of the people on the list are directly impacted.

Ms. Pilon's letter of comment references issues around the Samsung contract, the Niagara Region Wind Corporation's proposed wind project, located in the Region of Niagara, a court application regarding set-backs for the wind-turbine and various other statements regarding green energy. These statements have nothing to do with either Wainfleet Wind or the Application before the Board. Ms. Pilon's letter requesting intervenor status again repeats complaints about the Province of Ontario's energy policy other statements that are irrelevant to this proceeding.

Rule 23.02 of the Board's *Rules of Practice and Procedure* (the "**Rules**") places the onus on the person seeking intervenor status to demonstrate that he or she has a substantial interest and intends to participate responsibly. Given the statements made in the letter of comment and subsequent request for intervenor status, Wainfleet Wind does not believe Ms. Pilon will participate responsibly in respect of the issue before the Board nor will Ms. Pilon provide a perspective that will be useful to the Board in making the decision required

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in the Application. As such, pursuant to Rule 23.07 of the Rules, Wainfleet Wind opposes the granting of intervenor status to Ms. Pilon and request the Board deny intervenor status.

If you have any questions, please feel free to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Scott Stoll

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