

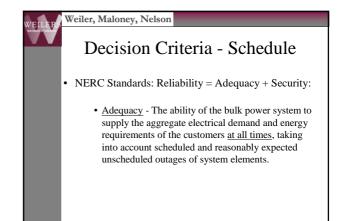


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### Decision Criteria - Schedule

- Minister of Energy Directive to the OPA dated August 17, 2011 stated:
  - "Ontario's Long Term Energy Plan, released in November 2010, proposed converting two coal-fired units at the Ontario Power Generation ("OPG") Thunder Bay Generating Station to natural gas. These converted units are needed not only for the local supply to the city of Thunder Bay, but also for system reliability in northwestern Ontario. Given the nature of the conversion, the Ministry of Energy recognizes the OPG's requirement for a long term energy supply contract in respect of the output from these units. As such, the Ministry has determined to pursue the initiative of negotiating and concluding such an Agreement."

Legal Counse





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## Decision Criteria - Schedule

- The interim between January 1, 2015 and the commissioning of the EWT will leave the power supply system for the Northwest Region in unacceptable jeopardy.
- We anticipate that this jeopardy will arise because the need of enhanced power supply for the development of the mining sector that is forecasted to mature before the in-service date of the expanded East-West Tie.

Legal Counsel



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#### Decision Criteria - Schedule

- Schedule in relation to the in-service date of the EWT upgrade is of critical importance.
- Correspondingly, the capacity of the transmitter to be designated to design the EWT expansion within the proposed schedule must be given favourable weighting, or alternatively, a high level of importance.
- The Board in making its determination should give very favourable weighting, or alternatively, a high level of importance to indicia of capacity to avoid delays.

Legal Counsel

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#### Decision Criteria - Consultation

- The NOACC-NOMA Intervenors submit that the Applicant to be awarded the status of Designated Transmitter must be able to demonstrate commitment to:
  - transparent, fair and meaningful consultation with affected landowners, as well as local Aboriginal and Metis and municipal communities;
  - Participation for Aboriginal and Metis and municipal communities that will be affected by the construction and operation the East West Tie:
  - in both the short and the long term, timely resolution, of contentious issues immediately as they arise; and
  - meaningful economic benefit to local Aboriginal and Metis and municipal communities during the design, construction and maintenance phases of the Tie upgrade.

Legal Counsel



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## Decision Criteria - Consultation

• The NOACC-NOMA Intervenors submit that a favourable weighting, or alternatively, be a high level of importance should be afforded in Applicants demonstrating such commitment.

Legal Counse



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# **Board Staff Submissions**

- NOACC-NOMA Intervenors Support:
  - the imposing of milestones for the development of the East-West Tie Line outlined by Board Staff;
  - the reporting of progress adherence to scheduled milestones and reporting of progress
  - that the Board not adjust the schedule proposed by the designated transmitter in its application;
  - applicants to re-file their respective development schedules to allow the dates in the schedule to be adjusted to recognise the actual date of the Board's designation decision
  - quarterly reporting requirements for the designated transmitter;

Legal Counsel



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# **Board Staff Submissions**

- NOACC support the Board staff submission that the OPA include in its Phase 2 submission any update it can offer with respect to the need for the East West Tie Line expansion and specifics, where applicable, as to how it has come to that conclusion; however, the March 29, 2011 letter from the Minister to the OEB, states that the EWT is required infrastructure for reliability and in the NW Region.
- The NOACC-NOMA Intervenors have also identified the need for the TBGS to ensure the reliability in the Northwest Region.

Legal Counsel