



**EB-2013-0040**  
**EB-2013-0041**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, (Schedule B);

**AND IN THE MATTER OF** an application by Bornish Wind, LP, Kerwood Wind, Inc. and Jericho Wind, Inc. for an order or orders granting leave to construct a transmission line and transmission facilities;

**AND IN THE MATTER OF** an application by Kerwood Wind, Inc. for an order or orders granting leave to construct a transmission line and transmission facilities.

### **PROCEDURAL ORDER NO. 3**

**May 22, 2013**

Bornish Wind, LP, Kerwood Wind, Inc. and Jericho Wind, Inc. (the “Co-owners”) filed an application with the Ontario Energy Board (the “Board”), dated February 8, 2013, under sections 92, 97 and 101 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, (Schedule B) (the “Act”). The Co-owners have applied for an order of the Board granting leave to construct an electricity transmission line and related facilities. The Board assigned file number EB-2013-0040 to this application. A separate application under sections 92, 97 and 101 of the Act was filed by Kerwood Wind, Inc. (“Kerwood”) on February 8, 2013. Kerwood has applied for an order of the Board granting leave to construct an electricity transmission line and related facilities. The Board assigned file number EB-2013-0041 to this application. In the interest of efficiency, the Board combined the EB-2013-0040 and EB-2013-0041 applications pursuant to the Board’s power under section 21(5) of the Act.

In Procedural Order No. 1, issued on April 15, 2013, the Board made provision for Board staff and intervenors to file interrogatories related to the pre-filed evidence of the

Co-owners and Kerwood (the “Applicants”). Interrogatories were filed by Board staff, the County of Middlesex and the “Group” of intervenors by May 6, 2013, in accordance with Procedural Order No. 1. Responses to the interrogatories were due to be filed on May 21, 2013.

In correspondence filed on May 21, 2013, the Applicants notified the Board that they were not in a position to file the interrogatory responses by the due date. The Applicants requested an extension to May 23, 2013.

The Board grants the extension requested by the Applicants and hereby cancels the May 21, 2013 filing date established in Procedural Order No. 1. The Board notes that requests for extensions should be made before the due date to ensure that the remaining procedural steps can be accommodated within a reasonable timeframe.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

**THE BOARD ORDERS THAT:**

1. The Applicants shall, on or before **May 23, 2013**, file with the Board and deliver to all intervenors a complete response to each of the interrogatories.
2. Board staff and intervenors shall file any evidence on which they plan to rely on or before **May 30, 2013**.
3. Parties seeking information in relation to the evidence filed by Board staff and/or intervenors shall request it by written interrogatories filed with the Board and delivered to the Applicants, and all intervenors on or before **June 10, 2013**.
4. Parties shall file with the Board and deliver to all intervenors a complete response to each of the interrogatories relating to evidence filed on or before **June 24, 2013**.

All filings to the Board must quote the file numbers, EB-2013-0040 and EB-2013-0041, be made through the Board’s web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender’s name, postal address and telephone number, fax number and e-mail

address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at <http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

### **ADDRESS**

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

E-mail: [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (Toll free)  
Fax: 416-440-7656

**DATED** at Toronto, **May 22, 2013**

### **ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary