



Legal Services

Wayne P. Meagher, H.B.A., LL. B., J.D.
County Solicitor/Director of Legal Services

May 27, 2013

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

via email and registered mail

Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli:

RE: Bornish Wind, LP, Kerwood Wind, Inc. and Jericho Wind, Inc. Applications for Leave to Construct Transmission Facilities Board File no. (EB-2013-0040 and EB-2013-0041) Evidence of County Engineer – Extension Request

The Corporation of the County of Middlesex will be filing evidence of the County Engineer, Chris Traini, in the above noted proceedings.

The answers by the Applicants to the interrogatories were filed on May 23, 2013 in the afternoon and review of the same by the County Engineer began on Friday, May 24, 2013. The County Engineer needs to take into consideration the answers provided in the interrogatories and address the same in his evidence. The answers to the County's interrogatories happen to be quite extensive (9MB) and contain a great deal of information in which the County Engineer was not previously aware.

Upon speaking with the County Engineer, I confirm that unfortunately, there is not enough time between last Friday and this Thursday's due date for the County Engineer to consider the answers to the interrogatories, make any adjustments to his previous evidentiary drafts and obtain legal advice from the undersigned with respect to the same. I would therefore request for the procedural order to be amended to allow the evidence of the County to be filed on Monday, June 3, 2013.

I respectfully make the above request without service of a specific formal motion together with supporting affidavit pursuant to section 7-8 of the Board's Rules of Practice and Procedure, on the basis that: 1) a change was previously made to Procedural Order #2 based on written correspondence; and 2) noting that section 4 of the Rules of Practice and Procedure allows the Board at any time in a proceeding to make orders with respect to procedure and to amend procedural orders. Thus, I kindly request for the Board to base the extension, if it is to be granted, either on this correspondence or if necessary, on the Board's own motion. To assist



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the Board, I would also request for the consent of the parties to file the County's evidence on Monday, June 3, 2013.

Yours Truly,

Wayne P. Meagher

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Cc: Chris Traini – County Engineer