



EB-2013-0096

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 Goshen Wind, Inc. for an order or orders pursuant to section 92 of the *Ontario Energy Board Act, 1998* granting leave to construct transmission facilities in the Municipalities of Bluewater and Huron East.

PROCEDURAL ORDER NO. 1
June 5, 2013

Goshen Wind, Inc. (the "Applicant" or "Goshen") has filed an application with the Ontario Energy Board, (the "Board") dated April 3, 2013 under sections 92, 96(2) and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (the "Act"). The Applicant has applied for an order of the Board granting leave to construct an electricity transmission line and related facilities ("Transmission Facilities") for the Goshen Wind Energy Centre ("GWEC"), a wind farm generation facility, and for Board approval of the form of agreements that have been or will be offered to affected landowners affected by the approved route. The Board has assigned file number EB-2013-0096 to this application.

The Board issued a Notice of Application and Written Hearing on April 19, 2013.

Interventions and Cost Eligibility Requests

The Independent Electricity System Operator ("IESO") requested intervenor status. The IESO did not request eligibility to apply for cost awards. The intervention request for the IESO is granted.

The Corporation of the Municipality of Bluewater (“Bluewater”) requested intervenor status and eligibility to apply for cost awards for participating in this proceeding.

The Board will grant Bluewater’s request for intervenor status, but will not grant Bluewater’s request for eligibility to apply for cost awards pursuant to section 3.05(i) of the Board’s Practice Direction on Cost Awards.

A list of intervenors is attached as Appendix “A” to this Order.

Request for Oral Hearing

Bluewater requested that the Board proceed by way of oral hearing. The Board will consider this issue after the interrogatory phase of the proceeding is completed.

Scope of the Board’s Jurisdiction

For a leave to construct application that is filed under section 92 of the Act, section 96(2) of the Act states that the Board shall only consider the following two issues when deciding if the proposed project is in the public interest: :

1. The interests of consumers with respect to prices and the reliability and quality of electricity service.
2. Where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

The Board’s review and approval of the form of easement agreements is within the scope of the Board’s jurisdiction pursuant to section 97 of the Act.

The Board notes that the following types of issues are **not** within its jurisdiction: maintenance and future decommissioning of the GWEC wind farm, the environment, land use planning, public health, and any changes or modifications to government policy or the Ontario Power Authority’s feed in tariff program.

Environmental issues are not within the scope of the Board's review but are considered through the Renewable Energy Approval ("REA") process, which is conducted by the Ministry of the Environment.

The Board notes that although it has no role in the REA process, any approval of the leave to construct application would ordinarily be conditional on the Applicant receiving all necessary permits and authorizations, including a completed REA.

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. Board staff and intervenors who wish information and material from the Applicant in relation to the application that is in addition to the Applicant's pre-filed evidence with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before **Wednesday, June 19, 2013**. Where possible, the questions should specifically reference the pre-filed evidence.
2. The Applicant shall, on or before **Wednesday, July 3, 2013**, file with the Board and deliver to all intervenors a complete response to each of the interrogatories.
3. Board staff and intervenors shall, on or before **Tuesday, July 9, 2013**, indicate if it is their intention to file evidence. The Board will issue further procedural orders setting out the schedule for testing of intervenor evidence, if any party indicates an intention to file such evidence.

All filings to the Board must quote the file number, EB-2013-0096, 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. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet

access are required to submit all filings on a CD or diskette 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
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

DATED at Toronto, June 5, 2013

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX "A"

GOSHEN WIND, INC.

Leave to Construct Application

Board File No. EB-2013-0096

APPLICANT & LIST OF INTERVENORS

Dated: June 5, 2013

Goshen Wind, Inc.
EB-2013-0096

APPLICANT & LIST OF INTERVENORS

June-05-13

APPLICANT

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Goshen Wind, Inc.

EB-2013-0096

APPLICANT & LIST OF INTERVENORS

June-05-13

INTERVENORS

Rep. and Address for Service

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**The Corporation of the
Municipality of Bluewater**

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