

August 19, 2013

VIA FAX AND COURIER

**Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attn: Ms. Kirsten Walli, Board Secretary**

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Reference File Number # EB-2013-0203

Regarding property owned by Dorothy Eggink described as:

- **Part of Lots Nos. 4 and 5 in the Township of West Lincoln, in the Regional Municipality of Niagara, as described in instrument number 240072 (Port Davidson Road at Silver Street)**

Ms. Walli,

We (land owner) respectfully submit this letter to you in regards to hearings being held in the Ontario Energy Board (OEB) with regards to application noted as EB 2013-0203. Land owner recognizes the importance of such hearings and the challenges the OEB must have in assessing these projects as the Province of Ontario and its people find itself in a surplus of energy and energy providers for the foreseeable future. Please accept the following comments/concerns as our initial submission to this hearing.

Comment Regarding Notice of Hearing

Referring to any discussions/negotiations between Sophisticated parties (referring to OEB, Niagara Region Wind Corporation and or its legal representation) and Unsophisticated parties (referring to land owners, municipal governments and or their representation) Proper and appropriate notice must be given, being 30 days or greater as an acceptable standard. Please note that notice was sent to land owner via Canada Post on or around August 12th 2013 for submission on or before August 27th 2013. Land owner reserves the right to challenge proper notice at a later date and any outcomes that ill effect land owner from these hearings. It is also noted that municipal government is not sitting during the period of time given in this notice, severely limiting land owners ability to be advised or informed in an

appropriate or meaningful way. Submission of this letter does not diminish any rights of land owner regarding notice and any future challenges to the application.

Regarding Real Property and Potential Easement being Proposed

Please note the following issues as initial concerns regarding any proposed easement by a potential lessee to the land owner. Further be advised that the proposed easement would run mostly North to South across the lands.

Proximity of Existing Dwelling on lands; the dwelling of these lands is situated on the eastern most side of the lands less than approximately 20m from the municipal road way along the North to South section of the lands.

Proximity of Outbuildings including Barn and Barnyard; the outbuildings and barns/ yard run central through the property with no appropriate spacing required for an easement (being 30 meters as a typical easement allotment) running East to West.

Proximity of Watershed/ Waterway Known as Black Ash Creek; there are Environmental implications to any such proposed easement along the Western side of the lands running mostly to or across lot lines running North to South across entire property. This portion of the property is a natural waterway and would not pass the 100 year flood plain requirements as flooding is typically a semi-annual to annual event.

Proximity of Bush Lot; there is an existing and natural bush lot along and consuming much of the Western side of the lands running North to South across the lands.

Please be advised that landowner has not had adequate time to fully address other pressing and or potential concerns. They are but are not limited to;

- Agricultural uses of lands
- Herd and herd production on lands
- Wild life and bird interruptions from Black Ash Creek and Bush Lot.

Further to these immediate issues and concerns, the landowner would like to refer the OEB to other jurisdictions local to landowner (Haldimand County, Norfolk County, etc.) whereby these transmission lines have interrupted planning departments of municipal operators and forced undo obligations upon local utility providers. They are forced to update their plans beyond typical concerns and costs. Required to mitigate risk for future client (rate payers) serviceability requirements and potential unforeseen requirements be addressed now; before private contract transmission lines be installed.

There are incalculable additional costs incurred by local municipal governments, utilities and land owners to address the effect of these installations. These costs and others that surely are noted by other concerned citizens, hinder other growth opportunities for land owners, and their communities as well as maintenance and technology requirements to current infrastructure (mix of conventional and green initiatives); at a time when the Province of Ontario and the OEB has to manage an estimated 7-9 year surplus of energy.

Again, thank you for accepting this letter as submission to these hearings.

Regards,

Dorothy Eggink
Cc Garrett Eggink

Please send all mailings to address on file and electronic mailings to [REDACTED]