

THE INTERVENOR GROUP - INTERROGATORY #10

Interrogatory

References

EB-2013-0040, Exh B-1-1.

Renewable Energy Approval Application for the Parkhill Interconnect Project (Appendix B of the Project Description Report for the Jericho Wind Energy Centre)
<http://www.nexteraenergycanada.com/projects/jericho.shtml>

Correspondence from Ms. Doris Dumais, Director Environmental Approvals Access and Service Integration Branch, dated January 29, 2013.

Correspondence from Agatha Garcia-Wright, Director, Environmental Approval Branch, dated September 23, 2013, attached.

Preamble

The Applicants are applying to the Ontario Energy Board for leave to construct the following transmission and interconnection facilities.

At Exh B-1-1, paragraph 6, for EB-2013-0040, it states:

"The Applicants hereby apply to the Ontario Energy Board (the "Board") pursuant to Section 92 of the Ontario Energy Board Act, 1998 (the "Act") for an order or orders granting leave to construct the following transmission and interconnection facilities:

(a) a collection substation located on Part Lot 9, Concession 16 in the Municipality of North Middlesex, Middlesex County, to be owned by Bornish, at which power from the 34.5 kV collection system associated with the Bornish Wind Energy Centre will be transformed from 34.5 kV to 115 kV by means of one 115/34.5 kV, 51/68/85 MVA transformer (the "Bornish Collection Substation");

(b) a 115 kV switching station located on Part Lot 9, Concession 16 in the Municipality of North Middlesex, Middlesex County, to be co-owned by the Coowners as tenants in common, at which power transmitted from the Bornish Wind Energy Centre, the Adelaide Wind Energy Centre and the Jericho Wind Energy Centre will converge and which will consist of a four breaker ring bus (the "Bornish Customer Switching Station" or "Bornish CSS");

(c) a 115 kV connection line of less than 100 m connecting the Bornish Collection Substation to the Bornish CSS;

(d) *an approximately 12.6 km single circuit 115 kV transmission line, to be co-owned by the Co-owners as tenants in common, connecting the Bornish CSS with the Parkhill CTS (as defined below) (the "Transmission Line");*

(e) *a 500 kV transformer station located on Part Lot 18, Concession 17 in the Municipality of North Middlesex, Middlesex County, to be co-owned by the Coowners as tenants in common, at which power transmitted from the Bornish CSS will be transformed from 115 kV to 500 kV by means of two 500/115 kV 135/180/225 MVA transformers (the "Parkhill Customer Transformer Station" or "Parkhill CTS"); and*

(f) *a 500 kV connection line of less than 100 m connecting the Parkhill CTS to the Evergreen Switching Station (described below).*" [emphasis added by Intervenor Group]

According to the Renewable Energy Approval Application for the Parkhill Interconnect Project, items 6b - 6f are identified as the Parkhill Interconnect Project.

Appendix B of the Project Description Report for the Jericho Wind Energy Centre provides the Renewable Energy Approval Application for the Parkhill Interconnect Project, which states:

"Jericho Wind, Inc. is proposing to develop the Jericho Wind Energy Centre and the Parkhill Interconnect Project ("Parkhill Interconnect"), which are subject to Ontario Regulation 359/09 (Renewable Energy Approvals (REA) under Part V.0.1 of the Ontario Environmental Protection Act (EPA)) [1]. Jericho Wind, Inc. is seeking a Renewable Energy Approval from the Ontario Ministry of the Environment (MOE) for the Jericho Wind Energy Centre and its related Parkhill Interconnect Project.

The Parkhill Interconnect will consist of a switchyard, approximately 11.5 km of 115 kV transmission line and a substation. The substation will consist of two (2) 135/225 MVA transformers. The 115 kV line will run from the Parkhill Interconnect's switchyard, known as the Bornish Switchyard, to the Parkhill Interconnect's substation, known as the Parkhill Substation (emphasis added). The Parkhill Substation will then be interconnected to a Hydro One-owned switchyard, known as the Evergreen Switchyard, and to an existing Hydro One 500 kV transmission line that is common to the Jericho Wind Energy Centre, the Adelaide Wind Energy Centre (owned by Kerwood Wind, Inc.), and the Bornish Wind Energy Centre (owned by Bornish Wind, LP). The Point of Common Coupling will be the interface between the Parkhill Substation and Hydro One's Evergreen Switchyard. The Parkhill Interconnect will be owned by Bornish Wind LP, Kerwood Wind, Inc., and Jericho Wind, Inc. These three companies are wholly-owned subsidiaries of NextEra Energy Canada, ULC ("NextEra").

Jericho Wind, Inc., a wholly owned subsidiary of NextEra Energy Canada, ULC, is the proponent for the Parkhill Interconnect." [emphasis added by Intervenor Group]

At Exh B-1-1, paragraph 15, for EB-2013-0040, it states:

"... as well as in respect of the additional transmission facilities that will be required for each of the Adelaide Project and the Jericho Project, which are or *will be the subject of*

separate leave to construct applications filed by Kerwood and to be filed by Jericho.”
[emphasis added]

Correspondence from Ms. Dumais states:

With respect to your question regarding the studies undertaken for the Parkhill Interconnect Project, I would like to clarify that a Parkhill Interconnect substation is proposed as part of the Jericho Wind Energy Centre, subject to Ontario's Renewable Energy Approval Regulation, O.Reg. 359/09, and is not a separate project. The Parkhill Interconnect substation is planned to carry electricity generated from the Adelaide, Bornish and Jericho Wind Energy Centres to a Hydro One-owned Switchyard and on to an existing Hydro One transmission line. Given the fact that the Renewable Energy Approval (REA) process requires that all aspects of a project including transmission lines, switchyards and substations be assessed, the proponent must include the Parkhill Interconnect substation in its studies as part of the requirements for a Renewable Energy Approval for the Jericho Wind Energy Centre.

At Exhibit B, Tab 1, Schedule 4, page 5, lines 1-6:

Construction Schedule

- Construction of the Bornish Customer Switching Station 1 will commence in November 2, 2013 and will be completed by February 2014;
- Construction of the Transmission Line will commence in January 2014 and be completed 4 by February 2014; and
- Construction of the Parkhill Customer Transformer Station will commence in November 6, 2013 and be completed by April 2014.

These three portions of the transmission facilities are included in the Parkhill Interconnect application contained in the Jericho Project. The Ministry of the Environment states in a letter dated September 23, 2013, a copy of which is attached, “in accordance with the Ministry’s REA regulation, a proponent cannot commence implementation and/or construction of the project until the REA is issued.”

Questions / Requests

- (a) Please explain why the Parkhill Interconnect portion of the transmission facility was included in the Bornish application for Leave to Construct when it clearly forms part of the Jericho Wind Project, whose documentation is still being reviewed by the Ministry of the Environment; a project for which the Applicants have not yet submitted an Application for Leave to Construct to the OEB.
- (b) Will the OEB continue with this hearing when the application contains inaccurate and misleading information that may enable the Applicants to receive an approval for Leave to Construct prematurely?

- (c) Please explain how the Applicant can provide a construction schedule when the Jericho Project is months away from being approved by the Ministry of the Environment?

Response

- (a) The Applicants understand the reference in the question to the “Bornish application for Leave to Construct” to mean the Application in EB-2013-0040, which was filed by Bornish Wind, LP, Kerwood Wind, Inc. and Jericho Wind, Inc. (together, the “Co-owners”). As described in EB-2013-0040, with the exception of the Bornish Collection Substation which will only serve the Bornish Wind Energy Centre and which will be owned and operated solely by Bornish Wind LP, the transmission facilities being proposed in the Application will serve each of the Bornish Wind Energy Centre, the Adelaide Wind Energy Centre and the Jericho Wind Energy Centre and will be co-owned by the Co-owners as tenants in common.

As explained in Exhibit E, Tab 2, Schedule 1, at lines 19-20, the “Bornish REA includes the Proposed Transmission Facilities”, which includes the Bornish Customer Switching Station, the Transmission Line and the Parkhill Customer Transformer Station that will be owned and operated by the Co-owners. A footnote to this statement added that “The Adelaide REA and the Jericho REA also include the Proposed Transmission Facilities”. By this, the Applicants indicated that the aforementioned Co-owners’ Proposed Transmission Facilities were included in the respective REA applications filed by each of the three Co-owners. The reason for doing so, as described in the letter from Ms. Garcia Wright referred to in the preamble, is that “the MOE required information on the Parkhill Interconnect in each of the REA applications for the Bornish, Adelaide and Jericho Wind Energy Centres”.

As such, while the Bornish Customer Switching Station, the Transmission Line and the Parkhill Customer Transformer Station form part of the Jericho Wind Project for purposes of the Jericho REA, these same facilities also form part of the Bornish Wind Project and the Adelaide Wind Project for each of their respective REAs such that the REA for each project includes all proponent-owned generation, collector and transmission facilities necessary to connect the relevant project to the IESO-controlled grid. Only one REA is required to commence construction of these facilities. With the REAs for Bornish and Adelaide in hand, subject to the granting of leave to construct and any other permits or approvals that may be required, the Applicants would in accordance with the terms of the Bornish REA and/or the Adelaide REA be authorized to commence construction of the Proposed Transmission Facilities.

- (b) The granting of leave to construct in the present combined proceeding would not be premature. See response to (a), above. Otherwise, this question is not directed at the Applicant.
- (c) See response to (a), above. The Applicants hold two valid REAs, each of which on its own authorizes construction of the Co-owners’ Proposed Transmission Facilities.