



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. 10

October 4, 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. 9, issued on September 19, 2013, the Board made provision for interrogatories on the evidence update filed by the Applicants on September 18, 2013. Interrogatories were filed by Board staff and the Group of Intervenors. On October 2, 2013, the Applicants filed responses to the interrogatories and argument in chief. The Applicants requested that the Board vary the dates set out in Procedural Order No. 9 for the filing of submissions as the argument in chief was filed nine days early.

All intervenors in the proceeding received the Applicants' correspondence requesting that the Board vary the dates set out in Procedural Order No. 9. In addition, Board staff canvassed the intervenors about the Applicants' request. No communication has been filed with the Board objecting to the request to vary the dates for the filing of submissions. The Board will vary the dates set out in Procedural Order No. 9, as requested by the Applicants. The variation of the dates will still provide intervenors and Board Staff with the same amount of time to file their submissions as was originally contemplated by Procedural Order No.9.

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 remaining procedural dates set out in Procedural Order No. 9 are cancelled.
2. Board staff and intervenors shall, on or before **October 11, 2013**, file with the Board and deliver to all parties their submissions.
3. The Applicants shall, on or before **October 18, 2013**, file with the Board and deliver to all parties their reply submission.

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
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **October 4, 2013**

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary