

**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.

**FINAL SUBMISSIONS OF THE INTERVENOR GROUP**

**Responses to Interrogatory #10, Response (a)**

1. Regarding the first paragraph of the Applicant's Responses to the Interrogatories of the Group, it is not disputed that the Parkhill Interconnect will be co-owned by Bornish Wind, LP, Kerwood Wind, Inc., and Jericho Wind, Inc.
2. Regarding the second paragraph, it is also not disputed that all three projects will use the Parkhill Interconnect, that all three projects have described said transmission facility in their applications, and that the Ministry of the Environment ("MOE") required information on this connection for each of the Renewable Energy Approval ("REA") applications.
3. Regarding the third paragraph, what the Group disputes is that "Only one REA is required to commence construction of these facilities." The Applicant submitted to the MOE an REA application for each of the four projects: the Jericho Wind project, the Bornish Wind project, the Adelaide Wind project, as well as the Parkhill Interconnect project.

4. The Parkhill Interconnect application was submitted along with the Jericho project and forms part of that REA application, which was confirmed in the January 29, 2013 correspondence from Doris Dumais, Director Environmental Approvals Access and Service Integration Branch submitted by the Group previously.
5. Currently, the entire REA application, including the Jericho Wind project and the Parkhill Interconnect project, is still under review by the MOE.
6. Therefore it is the submission of the Group that the only REA that must be given before construction of the Parkhill Interconnect can proceed is the Jericho Wind project, which has not yet been granted.
7. As a result of this, the Board should not approve the present Application until the Applicant has satisfied this requirement.

**Lack of Public Consultation**

8. As far as the Group is aware, there was no public consultation on the Parkhill Interconnect project.
9. According to NextEra's documentation made available for the Jericho Project, the public was always told that the Parkhill Interconnect was part of that project. It was mentioned explicitly in the Final Project Description Report at Section 2, which is entitled Project Information, and as a report entitled "Parkhill Interconnect Renewable Energy Approval Application Project Description Report" is included as Appendix B of the same report (the "Parkhill Report").
10. At no time was the public advised that the Parkhill Interconnect was actually being reviewed under the Bornish Project. The public was able to comment on the Bornish Project between October 9 and November 23, 2012 but the public comments for the

Jericho project occurred on July 19, 2013 to August 31, 2013, well after the Bornish Project received its final approval on April 26, 2013. Additionally, the Parkhill Report was updated on February 7, 2013, after the comment period for Bornish Project was closed.

11. As a result of this lack of public consultation, the Board should not approve the Application until the proper consultation procedures have been followed.

**Bald Eagle Nest**

12. In its Argument-in-Chief at para. 37, the Applicant mentions the bald eagle's nest near the site of the Bornish Collector Substation. The Applicant requests that in making their decision, the Board take account of the time restrictions between March 1 and May 15 during which the Applicant would not be permitted to construct near this nest.
13. In the submissions of the Group, the Board should disregard this request in making its decision as it does not have anything to do with the Board's mandate in these matters but is rather a matter solely concerned with the convenience of the Applicant.

**Date:** October 10, 2013

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 "The Group"