

October 30, 2013

EMAIL & COURIER

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

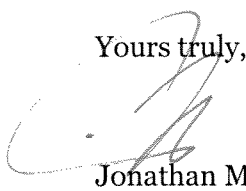
Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli

Re: Dufferin Wind Power Inc. - Application for Authority to Expropriate (EB-2013-0268) - Affidavit of Service

We are counsel to Dufferin Wind Power Inc. ("Dufferin Wind"), applicant in the above referenced proceeding. Further to the Letter of Direction issued by the Board on October 22, 2013, please find enclosed the Affidavit of Service of Ms. Rebecca Crump.

Yours truly,



Jonathan Myers

Tel 416.865.7532
jmyers@torys.com

cc: Mr. J. Hammond, Dufferin Wind
Mr. C. Smith, Torys LLP

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Sched. B);

AND IN THE MATTER OF an application by Dufferin Wind Power Inc. ("DWPI") for an Order or Orders pursuant to Section 99(5) of the *Ontario Energy Board Act, 1998* (as amended) granting authority to expropriate land for the purposes of constructing, operating and maintaining transmission and distribution facilities that will connect DWPI's planned Dufferin Wind Farm to the IESO-controlled grid.

AFFIDAVIT OF SERVICE

I, Rebecca Crump, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am an employee of Dufferin Wind Power Inc. (the "Applicant"). In my role as Director of Development with the Applicant, I have been responsible for overseeing delivery and service of the Notice of Application and related matters in respect of the Applicant's application for authority to expropriate and as such have personal knowledge of the matters herein deposed.
2. In accordance with Section 1 of the Ontario Energy Board's (the "Board's") letter of direction dated October 22, 2013 (the "Letter"), I oversaw and arranged for a further attempt to serve Version 2 of the Notice of Application (a copy of which is attached as Exhibit 'C' to my Affidavit of Service dated October 4, 2013) on the Aboriginal group listed as item 22 in the transmittal record that was included as Exhibit 'D' to my Affidavit of Service dated October 4, 2013 (the "First Nation"). In particular, this attempt consisted of the following efforts:
 - (a) in an effort to confirm the address for service, an email was sent to the Chief of the First Nation on October 22, 2013 using a personal email address found through internet searches, which email was not returned;
 - (b) in an effort to confirm the address for service, a telephone call was placed to the Chief of the First Nation on October 29, 2013 using a telephone number found through internet searches, which call was not returned;
 - (c) in an effort to confirm the address for service, a telephone call was made to the Ministry of the Environment's Environmental Assessment and Approvals Branch on October 29, 2013 but, as the Ministry did not have new information, it was recommended that the Ministry of Aboriginal Affairs be contacted with this

request. A telephone call was made to the Ministry of Aboriginal Affairs on October 29, 2013. In response, the Ministry provided a list containing its updated contact information for over 130 Aboriginal communities. The First Nation was not included in the Ministry's list;

- (d) internet searches identified a lawyer that served as legal counsel to the First Nation on an unrelated matter in the past. A call was made to that legal counsel, who confirmed that he continues to act for the First Nation and would be willing to receive the Notice of Application for purposes of forwarding same to the First Nation. I instructed the Applicant's legal counsel to serve a copy of the Version 2 Notice of Application on the First Nation's legal counsel, which I confirmed was carried out by email on October 29, 2013. A copy of the email with the attached Notice of Application is attached hereto as **Exhibit 'A'**.
3. In accordance with Section 2 of the Letter, I hereby confirm that the Aboriginal groups listed as items 18 and 26 in the transmittal record that was included as Exhibit 'D' to my Affidavit of Service dated October 4, 2013 have picked up their registered Notice packages. Copies of the Delivery Confirmations are attached hereto as **Exhibit 'B'**.

SWORN BEFORE ME at the City of
Toronto this 30th day of October, 2013.

A Commissioner for taking Affidavits

Jonathan Myers
LSUC #49869V

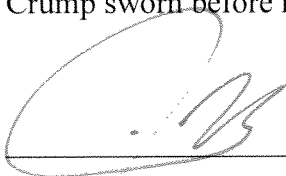
Rebecca Crump

Exhibit "A"

Email to Counsel for the First Nation

Dufferin Wind Power Inc.

This Exhibit "A" referred to in the affidavit of Rebecca Crump sworn before me this 30th day of October, 2013.

A handwritten signature in dark ink, appearing to read "Jonathan Myers", is written over a horizontal line.

A Commissioner for taking Affidavits

Jonathan Myers
LSUC # 49869V

Myers, Jonathan

From: Myers, Jonathan
Sent: October-29-13 3:56 PM
To: lawreid@aol.com
Cc: jeff.hammond@clypg.com.cn; Myers, Jonathan
Subject: Dufferin Wind Power Inc. (EB-2013-0268)
Attachments: Service of NOA - Kawartha Nishnawbe.PDF

Mr. Reid,

Further to your call with Mr. Jeff Hammond of Dufferin Wind Power Inc. earlier today, we understand that you are counsel to Kawartha Nishnawbe First Nation. Please accept delivery of the attached Notice of Application from Dufferin Wind on behalf of the Kawartha Nishnawbe First Nation. We request that you please provide same to Chief Nahrgang. Although we have attempted to deliver the materials to Chief Nahrgang directly, our prior delivery attempt was not successful.

Thank you for your assistance. I would appreciate if you could confirm for me once the attached Notice has been forwarded.

Regards,

Jonathan Myers
Torys LLP
Tel: 416.865.7532
Fax: 416.865.7380
<mailto:jmyers@torys.com>
www.torys.com



LONGYUAN POWER

DUFFERIN WIND POWER INC.

Suite 4550, 161 Bay Street, Toronto, Ontario M5J 2S1, Canada

October 29, 2013

EMAIL

Kawartha Nishnawbe First Nation
c/o Mr. Christopher M. Reid
Barrister & Solicitor
154 Monarch Park Ave.
Toronto, ON M4J 4R6
Tel: (416) 466-9928
Fax: (416) 466-1852
Email: lawreid@aol.com

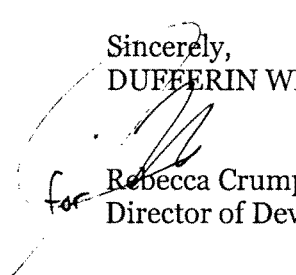
Attention: Chief Kris Nahrgang, Kawartha Nishnawbe First Nation

Dear Chief Nahrgang:

**Re: Dufferin Wind Power Inc. - Application to Ontario Energy Board for
Authority to Expropriate Interests in Certain Lands (EB-2013-0268)**

Dufferin Wind Power Inc. ("DWPI") has applied to the Ontario Energy Board (the "OEB") for authority to expropriate interests in certain lands that are required for the purposes of constructing, operating and maintaining new electricity transmission and distribution facilities that will connect its planned Dufferin Wind Farm to the Ontario power grid. Enclosed, please find a copy of the OEB's Notice of Application in this matter.

Sincerely,
DUFFERIN WIND POWER INC.


for Rebecca Crump
Director of Development

Enclosures

ONTARIO ENERGY BOARD NOTICE

**Dufferin Wind Power Inc. has applied to the Ontario Energy Board to expropriate interest in certain lands.
Learn More.**

Dufferin Wind Power Inc. (DWPI) is asking the Ontario Energy Board (OEB) for permission to expropriate lands for the purposes of constructing, operating and maintaining new transmission infrastructure and distribution facilities that will connect DWPI's planned Dufferin Wind Farm to the provincial power grid. DWPI has negotiated land agreements with some affected landowners, but was not able to do so with all landowners along the entire route.

DWPI was granted permission to construct the new transmission infrastructure which consists of approximately 47 km of single circuit 230 kilovolt ("kV") electricity transmission line and certain associated facilities on July 5, 2013 pursuant to the OEB Decision EB-2012-0365.

A map of the proposed route for the new transmission infrastructure is printed below.

DWPI's application to the OEB hearing concerns the expropriation of certain specific lands only. It does not concern issues related to compensation.

THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The OEB will hold a public hearing to consider DWPI's requests. During this hearing, the OEB will consider evidence and arguments by DWPI and by individuals, municipalities and others whose interests would be affected.

The OEB hearing will consider specific issues required by law.

The *Ontario Energy Board Act* specifies the issues the OEB is to consider in making its decision. If you wish to participate in the OEB hearing, it is important for you to understand what these issues are.

- As required by the *Ontario Energy Board Act*, the OEB will consider the public interest when making any order under section 99(5) of the *Ontario Energy Board Act* authorizing DWPI to expropriate land;
- However, the OEB does not have the authority to determine the amount of compensation payable; and
- If the authority to expropriate is granted and the parties do not agree upon compensation, section 100 of the *Ontario Energy Board Act* requires the compensation be determined under the *Expropriations Act* or by the Ontario Municipal Board.

BE INFORMED

You have the right to information regarding DWPI's application. You can:

- Read DWPI's application on the OEB's website (See below under "Learn More").
- Sign up to be an observer, who will automatically receive documents for the hearing.

HAVE YOUR SAY

If you would be directly affected by the proposed expropriation, you may want to take a more active role in the hearing. You can:

- Send the OEB a letter with your comments, which will be considered during the hearing; or
- Ask the OEB for permission to be an active participant in the hearing (an intervenor). Intervenors can provide evidence, argue their positions and submit relevant questions to be answered by DWPI (interrogatories). To be an intervenor, a party must be affected by the expropriation in a way that relates directly to the issues the OEB will consider. If you wish to be an intervenor, the OEB must receive your request by October 14, 2013.

- Note that if you are an affected landowner whose lands are proposed to be expropriated, the Board will grant you leave to intervene in this proceeding. If you wish to take advantage of intervenor status and make submissions you should notify the Board that you will be actively participating in this proceeding by October 14, 2013. You will receive copies of relevant documents issued by the Board.

LEARN MORE

To read the documents concerning this hearing please go to the OEB website www.ontarioenergyboard.ca/, click on "Consumers" and enter file number **EB-2013-0268** in the "Find an Application" box. You can also phone Leila Azañez at **1-888-632-6273** extension 151.

Oral and Written Hearings

There are two types of OEB hearings – oral and written. The Board intends to use an oral hearing for this case unless the landowner whose lands are proposed to be expropriated consents to a written process. If you are the landowner whose lands are proposed to be expropriated and you believe that an oral hearing is unnecessary please advise the Board that you prefer a written hearing by October 14, 2013. A date for an oral hearing will be established after October 14, 2013 if the Board does not receive a request for a written hearing from a directly affected landowner.

Privacy

If you write a letter with your comments, your name and the content of your letter will be put on the OEB's public record and the OEB website. However, your personal telephone number, address and email address will be removed. If you are a business, all your information will be public. If you apply to become an intervenor, all your information will be public.

The OEB is an independent and impartial public agency. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

This application was filed under section 99(5) of the *Ontario Energy Board Act*, 1998 S.O. 1998, c.15, Schedule B.

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings: <https://www.pes.ontarioenergyboard.ca/eservice/>
E-mail: boardsec@ontarioenergyboard.ca
Fax: 416-440-7656



Map of Approved Transmission Line and Facilities

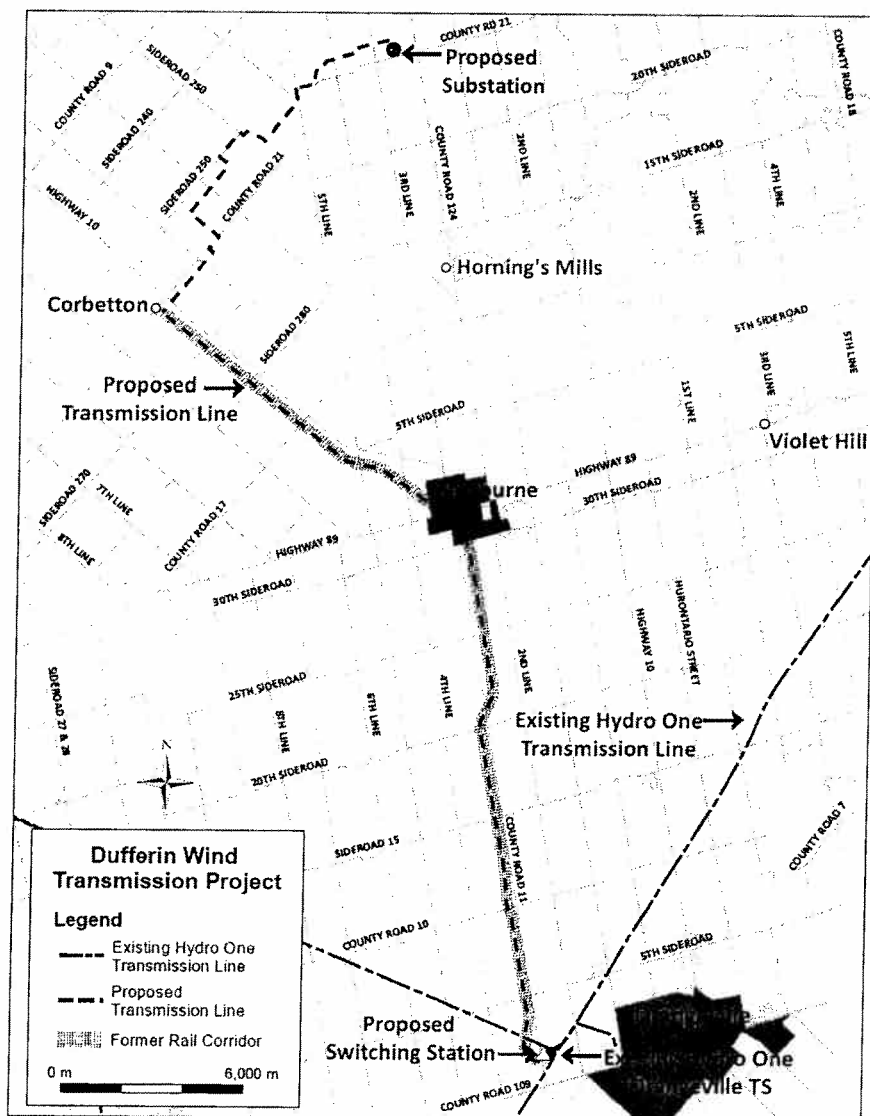


Exhibit "B"

Delivery Confirmations

Dufferin Wind Power Inc.

This Exhibit "B" referred to in the affidavit of Rebecca Crump sworn before me this 20th day of October, 2013.



A Commissioner for taking Affidavits

Jonathan Myers
LSUC #49869V



Date: 2013/10/04

Dear Sir or Madam:

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Madame, Monsieur,

Vous trouverez ci-dessous la date de la livraison et la signature de la personne qui a accepté l'envoi sous mentionné:

Item Number

Numéro d'article

RW783608100CA

Product Name

Nom de produit

Registered Mail/Courrier recommandé

Reference Number 1

Numéro de référence 1

Not Applicable/Sans objet

Reference Number 2

Numéro de référence 2

Not Applicable/Sans objet

Delivery Date (yyyy/mm/dd)

Date de livraison (aaaa/mm/jj)

2013/10/03

Signatory Name

Nom du signataire

SANDY-MCKENZIE KARRY

Signature

Signature



Yours sincerely,

Salutations distinguées,

Customer Relationship Network
1-888-550-6333

(from outside of Canada 1 416 979-8822)

Réseau des relations avec la clientèle
1 888 550-6333

(de l'extérieur du Canada 1 416 979-8822)

This copy conforms to the delivery date and signature of the individual who accepted and signed for the item in question. This information has been extracted from the Canada Post data warehouse.

Cette copie est conforme à la date de livraison et à l'image de signature de la personne qui a accepté les envois susmentionnés. Ces informations ont été extraites de la banque de données de Postes Canada.



Date: 2013/10/18

Dear Sir or Madam:

Madame, Monsieur,

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Vous trouverez ci-dessous la date de la livraison et la signature de la personne qui a accepté l'envoi sous mentionné:

Item Number

Numéro d'article

RW783608060CA

Product Name

Nom de produit

Registered Mail/Courrier recommandé

Reference Number 1

Numéro de référence 1

Not Applicable/Sans objet

Reference Number 2

Numéro de référence 2

Not Applicable/Sans objet

Delivery Date (yyyy/mm/dd)

Date de livraison (aaaa/mm/jj)

2013/10/15

Signatory Name

Nom du signataire

HAZEL HILL

Signature

Signature

Yours sincerely,

Salutations distinguées,

Customer Relationship Network
1-888-550-6333

(from outside of Canada 1 416 979-8822)

Réseau des relations avec la clientèle
1 888 550-6333

(de l'extérieur du Canada 1 416 979-8822)

This copy conforms to the delivery date and signature of the individual who accepted and signed for the item in question. This information has been extracted from the Canada Post data warehouse.

Cette copie est conforme à la date de livraison et à l'image de signature de la personne qui a accepté les envois susmentionnés. Ces informations ont été extraites de la banque de données de Postes Canada.