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February 11, 2014

**DELIVERED BY EMAIL**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
P.O. Box 2319, Suite 2700  
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: Dufferin Wind Power Inc. - EB-2013-0268**

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We are counsel to David Coe, Marc Atkinson and Atkinson Farms in the above matter.

On Friday afternoon we received Procedural Order No. 3 from the Board with the decision on the issues list which had been argued at the preliminary hearing of EB-2013-0268 on January 24, 2014.

We had proposed that issues be added to the draft issues list to act as notification of our intention to argue that it is in the public interest that the transmission lines crossing the farms of David Coe, Marc Atkinson and Atkinson Farms should be buried rather than be aboveground. The decision we received on Friday afternoon, February 7, 2014 has permitted us to argue that point.

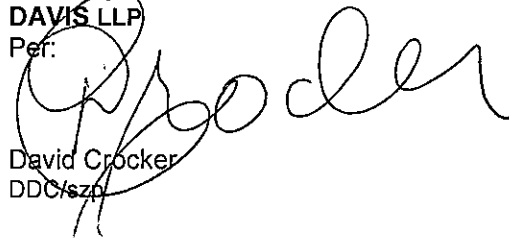
Because of the uncertainty as to whether the panel would accept these arguments, we have not gone very far, and to be candid incurred fees, in preparing our case. As we see it, it will be necessary for us to demonstrate that the aboveground transmission lines will interfere with agricultural operations. To do that, we need to provide evidence from our clients. As indicated above, we did not think it prudent to prepare those witnesses until we received the Board's decision. Similarly, we would like to provide evidence with respect to the feasibility of burying those transmission lines. For the same reasons, we have not prepared that evidence either.

I was in touch with Marc Atkinson on Monday, February 10. I had alerted him and David Coe to the Board's decision on Friday. He advises that he is away from February 28 to March 8, 2014. We will not be able to complete our work before he leaves.

In order to prepare as we feel we need to, therefore, this letter is to advise that we are seeking an adjournment from February 18, 2014. In light of the vacation plans just described, I would hope that we can proceed some time toward the middle of March, i.e., March 14 or thereafter on a date or dates convenient to the panel and counsel. We propose to produce witness statements and an expert report, should we decide to call an expert, two weeks before the date set for the hearing.

Thank you for your attention to this matter. If there are any questions, please contact us.

Sincerely,  
**DAVIS LLP**  
Per:

A handwritten signature in black ink, appearing to read "Crocker", is written over the "Per:" line and extends into the "cc:" list area.

David Crocker  
DDC/szp

cc: Batul Rahimtoola  
Michael Millar  
Jonathan Myers  
Stephen Thom  
Scott Stoll