

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 Suncor Energy Products Inc. for an Order or Orders pursuant to Section 92 of the *Ontario Energy Board Act, 1998* (as amended) granting leave to construct transmission facilities in the Municipality of Lambton Shores, Lambton County, Ontario.

AFFIDAVIT OF SERVICE


I, Mark Kozak, of the City of Guelph, in the Province of Ontario, MAKE OATH AND SAY:

1. I am an employee of Suncor Energy Services Inc. and provide services to Suncor Energy Products Inc. (the "Applicant"). In my role as Project Manager, Renewable Energy, I have been responsible for overseeing the delivery, service and publication of the Notice of Application issued on February 18, 2014 by the Ontario Energy Board (the "Board") in EB-2014-0022, in respect of the Applicant's application for leave to construct transmission facilities (the "Notice") and as such have personal knowledge of the matters herein deposed.
2. In accordance with Sections 1-4 of the Board's letter of direction dated February 18, 2014 (the "Letter"), I oversaw and arranged for:
 - (a) the date that is ten calendar days from the actual date of publication, being March 13, 2014, to be inserted in place of the bold and bracketed words in the form of Notice that was issued by the Board;
 - (b) a pdf version of the completed Notice to be filed by the Applicant with the Board on March 7, 2014 by the Applicant's counsel; and
 - (c) the completed Notice, together with the corresponding map, published in the March 3, 2014 edition of the Sarnia Observer, which was determined through audited circulation, per the Canadian Circulations Audit Board, to be the newspaper with the highest circulation in the Municipality of Lambton Shores, Lambton County.
3. In accordance with Section 5 of the Letter, I oversaw and arranged for:
 - (a) a title search to be conducted to determine the current registered property owners and encumbrancers with lands or interests in lands directly affected by the

proposed transmission lines and their associated facilities, all as described in the Application for Leave to Construct filed with the Board in EB-2014-0022 (the "Application"); and

- (b) a copy of the completed Notice (a copy of which is attached hereto as Exhibit "A"), together with a copy of the Application (a copy of which is attached hereto as Exhibit "B"), to be served by registered mail, sent on February 27 and 28, 2014 to each of the persons referred to in Subsections 5(a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the Letter, as evidenced by the post office registration receipts attached hereto as Exhibit "C".
4. In accordance with Sections 7-8 of the Letter, I have arranged for a copy of the Application and the pre-filed evidence (other than the confidential portions thereof) to be:
- (a) made available for convenient public perusal at the Applicant's offices in Mississauga, Ontario as of March 7, 2014;
 - (b) posted to the Applicant's project website at www.suncor.com as of March 3, 2014;
 - (c) provided by the Applicant's counsel to the offices of the affected municipalities, being the Municipality of Lambton Shores, Lambton County, on February 28, 2014, together with requests to make such documents available for convenient public perusal.

SWORN before me at the City of
Toronto, in the Province of Ontario,
this 10th day of March, 2014.


A Commissioner for taking affidavits
John Thomas Brett


Mark Kozak

Exhibit “A”

See Attached

ONTARIO ENERGY BOARD NOTICE

Suncor Energy Products Inc. has applied to the Ontario Energy Board to build a high voltage transmission line and associated facilities. Learn More.

Suncor Energy Products, Inc. is asking the Ontario Energy Board (OEB) for permission to construct approximately 15 kilometres of 115 kilovolt electricity transmission line and associated facilities (the Transmission Facilities). The Transmission Facilities would connect the company's **Cedar Point II Wind Energy Project** to the provincial power grid.

Suncor Energy Products, Inc. is also asking the OEB to approve the form of agreement it offers to landowners to use their land for routing or construction of the proposed Transmission Facilities. Suncor is also asking the Board to authorize the construction of a transmission line upon, under or over a highway, utility line or ditch.

A map of the proposed route and location of the Transmission Facilities is printed below.

Suncor Energy Products, Inc.'s application to the OEB concerns construction of the proposed Transmission Facilities only. It does not concern the construction or operation of the **Cedar Point II Wind Energy Project** itself.

The OEB is an independent and impartial public agency. It will hold a public hearing to consider Suncor Energy Products, Inc.'s requests. During this hearing, the OEB will consider evidence and arguments by Suncor Energy Products, Inc. and by individuals, municipalities and others whose interests would be affected.

The OEB hearing will consider specific issues determined by law. The Ontario Energy Board Act, 1998 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 four issues:

- The interests of consumers with respect to prices and the reliability and quality of electricity service;
- The promotion of the use of renewable energy sources in a manner consistent with the policies of the Government of Ontario;
- The form of agreement that **Suncor Energy Products, Inc.** offers to landowners affected by the route or location of the Transmission Facilities; and
- The public interest with respect to the construction of the work upon, under or over a highway, utility line or ditch.

The OEB hearing is not the only approval process required before the Transmission Facilities are built. For example, most transmission lines are subject to the Ministry of the Environment's environmental assessment process. The Board's review will only address the four factors outlined above and will not address other factors, such as, environmental, health, aesthetics or property value impacts.

BE INFORMED

You have the right to information regarding **Suncor Energy Products, Inc.'s** application. You can:

- Read **Suncor Energy Products, Inc.'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 affected by the proposed Transmission Facilities, 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 **Suncor Energy Products, Inc.** (interrogatories). To be an intervenor, a party must be affected by the proposed Transmission Facilities 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 **March 13, 2014**.

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-2014-0022** in the "Find an Application" box. You can also phone Leila Azaiez at 1-888-632-6273 extension 151.

Oral and Written Hearings

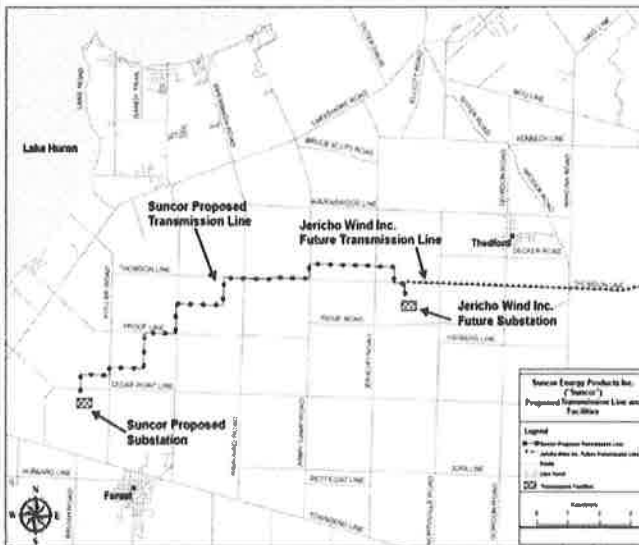
There are two types of OEB hearings – oral and written. The Board intends to use a written hearing for this case unless there is a good reason why an oral hearing is necessary. If you believe an oral hearing is necessary, you must provide written reasons to the OEB by **March 13, 2014**.

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.

This application was filed under sections 92, 97 and 101 of the *Ontario Energy Board Act, 1998 S.O. 1998, c. 15, Schedule B*.

MAP OF PROPOSED TRANSMISSION LINE AND ASSOCIATED FACILITIES



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

Attention: Board Secretary
Filings: <http://www.pes.ontarioenergyboard.ca/eservice>
E-mail: boardsec@ontarioenergyboard.ca



Ontario Energy Board
Conseil de l'énergie
de l'Ontario

Exhibit “B”

See Attached

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 Suncor Energy Products Inc. for an Order or Orders pursuant to Section 92 of the *Ontario Energy Board Act, 1998* (as amended) (the "**Act**") granting leave to construct transmission facilities in the Municipality of Lambton Shores, Lambton County, Ontario.

APPLICATION

1. Suncor Energy Products Inc., a company incorporated under the laws of Ontario ("**Suncor**" or the "**Applicant**") is applying for leave to construct Transmission Facilities that will enable Suncor to convey electricity to the Independent Electricity System Operator ("**IESO**") controlled grid from its proposed Cedar Point II Wind Energy Project ("**Cedar Point Project**").
2. Suncor is a wholly-owned subsidiary of Suncor Energy Inc., which is a leading Canadian energy company.
3. Suncor is a leading renewable energy developer in Canada. It owns and operates six wind generation facilities in Ontario, Alberta and Saskatchewan, with total capacity of 255 MW. Two of these facilities are in Ontario, the Kent Wind Power Project and the Ripley Wind Power Project. Suncor is also developing several other wind energy generation facilities in Ontario, two of which, Cedar Point and the Adelaide Wind Power Project, have received FIT contracts.
4. Suncor is developing the 100 MW Cedar Point Project, pursuant to a FIT contract issued in July 2011 (FIT Contract F-002175-WIN-130-601). The wind turbines and the related transmission facilities are located in the Town of Plympton-Wyoming, Warwick Township, and Municipality of Lambton Shores, all in Lambton County.
5. Suncor hereby applies 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 collector/transformer station located on Parcel PIN 430310087, Partial Lot 8 Concession 16 Township of Bosanquet, in the Municipality of Lambton Shores, at which power from the 34.5 kV collection system, which gathers the electricity from Cedar Point wind turbines will be stepped up from 34.5 kV to 115 kV for the power transfer to the transmission line (the "**Transformer Station**");
 - (b) an approximately 15 km single circuit 115 kV transmission line (the "**Transmission Line**"), connecting the Transformer Station with a station to be built as part of NextEra's Jericho Wind Energy Centre (the "**Jericho Substation**" or "**Substation**"), the subject of an application before the Board (EB-2013-0361). The Transmission Line will connect to the high voltage side of the Substation through a 115 kV circuit breaker and related equipment, located within the Substation.
- 6. The Suncor facilities described in paragraph 6 are collectively referred to in this Application as the "**Proposed Transmission Facilities**".
 - 7. Suncor further requests the approval of the Board pursuant to Section 97 of the Act for the forms of land agreements included in Exhibit F, Tab 2, Schedule 1.
 - 8. Suncor also requests the approval of the Board pursuant to Section 101 of the Act or pursuant to the Board's powers under Section 92 of the Act for authority to construct portions of the Proposed Transmission Facilities upon, under or over a highway, utility line or ditch.
 - 9. Suncor requires the Proposed Transmission Facilities to connect the Cedar Point Project to the IESO-controlled grid. The Proposed Transmission Facilities, together with Suncor's contractual arrangements with NextEra and its affiliates described below, will enable Suncor to supply renewable energy to the IESO-controlled grid, consistent with its obligations under the FIT contract, the objectives of the FIT Program and the renewable energy policies of the Province of Ontario.
 - 10. Suncor will connect the Cedar Point Project to the IESO-controlled grid via the Substation. The electricity produced from the Cedar Point Project will be conveyed to the IESO-controlled grid through the Jericho Substation. The Substation, together with the Jericho Shared Transmission Facilities (the "**Jericho Facilities**"), are the subject of a section 92 application by NextEra Energy Canada, through its wholly-owned subsidiary, Jericho Wind Inc., now before the Board (the "**Jericho Application**"); EB-2013-0361. From the Jericho Substation, the electricity will be conveyed via the Jericho Facilities to the NextEra-owned Bornish TS Switching Station and then through the Shared Transmission Facilities to the Hydro One grid. The Shared Transmission Facilities are described in the Bornish Wind L.P. Kenwood Wind Inc., and Jericho Wind Inc. (all NextEra subsidiaries) Application for Leave to Construct Transmission Facilities (EB-2013-0040), which was approved by the Board on November 12 (the "**Bornish Application**"). A schematic diagram of the pathway from the Cedar Point Collection

Station to the Hydro One grid can be found at Exhibit B, Tab 2, Schedule 5 of the Application. The point of interconnection between the Cedar Point Transmission Line and the Jericho Substation is also shown and noted in the single line diagram in the Jericho Application at Exhibit B, Tab 2, Schedule 5, and discussed at Exhibit D, Tab 1, Schedule 1, page 4 of that Application. The possibility of Suncor utilizing the Shared Transmission Facilities is noted in the Bornish Application (EB-2013-0040), and the impacts of its doing so were considered and approved in the Addendum to the Customer Impact Assessment and the System Impact Assessment, included in that Application.

11. In order to secure this pathway to the Hydro One grid, Suncor has obtained an option from NextEra to interconnect with, and to utilize as licensee, the Jericho Substation, Jericho Shared Transmission Line, and the Shared Transmission Facilities. These arrangements will provide Suncor with capacity on those facilities sufficient to convey the electricity from the Cedar Point Project to the IESO-controlled grid for the term of the FIT Contract. Suncor plans to exercise that option once it has received the required approvals for its project.
12. As noted in the Bornish Application (EB-2013-0040), to accommodate the connection of the Shared Transmission Facilities to the IESO-controlled grid, Hydro One Networks Inc. ("**Hydro One**") will construct, own and operate a 500 kV switching station located on Part Lot 18, Concession 17 in the Municipality of North Middlesex (the "**Evergreen Switching Station**" or "**Evergreen SS**"), through which power from the Shared Transmission Facilities will be conveyed to Hydro One's existing 500 kV circuit B562L at a point that is adjacent to the Evergreen SS and approximately 36.5 km from Longwood TS.
13. Suncor proposes to locate the Transformer Station on privately owned lands. To this end, Suncor has secured the necessary private land rights for the proposed station.
14. Suncor will locate the entire Transmission Line on privately owned lands. Suncor has signed options to lease the required land from each landowner from whom it requires such rights.
15. Suncor received a final System Impact Assessment ("**SIA**") Report from the IESO in the form of an SIA Addendum Report on December 12, 2012 for the Cedar Point Project. The SIA Report was issued an addendum to the SIA issued for the Shared Transmission Facilities in the Bornish Application. The addendum report concludes that the proposed inclusion of the Cedar Point project in the "cluster" of generation projects is expected to have no material adverse impacts on the reliability of the integrated power system. The IESO therefore recommended that a Notification of Conditional Approval for Connection be issued. The Notification was issued to Suncor concurrently with SIA Addendum Report.
16. Suncor received a final Customer Impact Assessment ("**CIA**") Report "Addendum, Wind Energy Power Project, Adelaide/Bornish/Jericho Wind Energy Centres" on June 8, 2012

from Hydro One in respect of the Proposed Transmission Facilities. This report concludes that electricity from the Cedar Point generation facilities can be conveyed to the IESO-controlled grid through the proposed Transmission Facilities and the Shared Transmission Facilities without adverse impacts on area customers. The CIA Report was issued in the form of an Addendum to the previously issued (in the Bornish Application) Customer Impact Assessment for the Shared Transmission Facilities.

17. The Cedar Point Project is subject to the requirements of the Renewable Energy Approval ("REA") process set out in Ontario Regulation 359/09 to the *Environmental Protection Act*. The final REA package was submitted by Suncor to the Ministry of the Environment on April 16, 2013. The application was deemed complete on December 5, 2013. Based on the Ministry's six-month service guarantee, Suncor anticipates that the REA will be issued in the second quarter of 2014.
18. Suncor has carried out a comprehensive stakeholder consultation program as part of the REA process. Throughout these consultations, Suncor has provided notices and information to potentially interested stakeholders, including the public, affected landowners, municipalities, and aboriginal communities, and held public meetings at which Suncor received feedback and information from stakeholders. Suncor has taken this input into consideration in planning and designing the Proposed Transmission Facilities.
19. Subject to receipt of the REA approval, as well as other necessary permits and approvals, Suncor plans to commence construction of the Proposed Transmission Facilities in September 2014. Construction is expected to take approximately seven months to complete. The Proposed Transmission Facilities would then be commissioned and be placed in service in May 2015.
20. Since the cost of the Proposed Transmission Facilities will be borne by Suncor, the Proposed Transmission Facilities will not affect electricity transmission rates in Ontario.
21. The evidence in support of this Application has been prepared in accordance with the requirements set out in Chapter 4 of the Board's *Minimum Filing Requirements for Transmission and Distribution Rate Applications and Leave to Construct Projects*, as amended May 17, 2012.
22. Suncor requests that copies of all documents filed with or issued by the Board in connection with this Application be served on Suncor and Suncor's counsel as follows:
 - (a) Suncor:
Suncor Energy Products Inc.
P.O. Box 38
112-4th Avenue S.W.
Calgary, Alberta
T2P 2V5

Attention: Mr. Chris Brett
Tel: (403) 296-7125
Fax: (403) 724-3626
Email: chbrett@suncor.com

(b) Suncor's Counsel:
Fogler, Rubinoff LLP
P.O. Box 95
3000-77 King Street West
Toronto, Ontario
M5K 1G8

Attention: Mr. Tom Brett
Tel: (416) 941-8861
Fax: (416) 941-8852
Email: tbrett@foglers.com

23. Additional written evidence, as required, may be filed in support of this Application, which may be amended from time to time prior to the Board's final decision.
24. Suncor requests that the Board proceed by way of written hearing, pursuant to Section 34.01 of the Board's *Rules of Practice and Procedure*.

Dated at Toronto, Ontario, this 21st day of January, 2014.

SUNCOR ENERGY PRODUCTS INC.
By their counsel, Fogler, Rubinoff LLP



Tom Brett

Exhibit “C”

Intentionally Deleted