



EB-2013-0203

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 Niagara Region Wind Corporation for an order or orders pursuant to section 92 of the *Ontario Energy Board Act, 1998* granting leave to construct transmission facilities in the townships of West Lincoln, Lincoln, Wainfleet, the Niagara Region and Haldimand County

PROCEDURAL ORDER NO. 3

March 14, 2014

Niagara Region Wind Corporation (the "Applicant") filed an application with the Ontario Energy Board (the "Board"), dated May 7, 2013 under sections 92, 96(2) and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (the "Act"). The Applicant has applied for an order of the Board granting leave to construct an electricity transmission line and related facilities (the "Transmission Facilities") to connect the Niagara Region Wind Project ("NRWP") to the IESO-controlled grid, and for an order approving the forms of agreements that have been or will be offered to affected landowners. The Board has assigned file number EB-2013-0203 to this application.

On November 1, 2013, the Board issued Procedural Order No. 1 and on February 4, 2014, the Board issued its Decision on the Threshold Questions and Procedural Order No. 2. In Procedural Order No. 1 the Board granted intervenor standing to ten intervenors. Both Procedural Orders and all other case documents are available for review on the Board's website.

Pursuant to the Procedural Order No. 2, the Corporation of the Township of West Lincoln and Board staff submitted interrogatories. The Applicant submitted its response to each of the interrogatories in accordance with the Board's Order. Further, neither

Board staff nor any intervenor has chosen to submit evidence. Accordingly, the Board considers it necessary to make provision for the following matters related to this proceeding.

Form of Hearing

In its Notice of Application the Board indicated that it intended to proceed by way of a written hearing unless any party satisfied the Board that there was a good reason for not proceeding by way of a written hearing. Several parties have requested an oral hearing. The Applicant has objected to these requests. The Board notes that only one party took advantage of the opportunity to pose written IRs to the Applicant. Furthermore, no party, other than the Applicant, has submitted written evidence in this proceeding. The limited participation of intervenors in the written interrogatory process and the absence of filed intervenor evidence supports a finding that the written hearing process is adequate in the circumstances.

In Procedural Order No. 2 the Board noted that it would decide whether an oral hearing is required at the completion of the discovery phase. In consideration of the level of participation by the parties, and the entirety of the record, the Board has decided to proceed by way of a written hearing.

THE BOARD ORDERS THAT:

1. The Applicant shall file argument-in-chief, if any, with the Board and deliver it to all intervenors by **March 21, 2014**.
2. Board staff and intervenors shall file their submissions, if any, with the Board, and deliver it to the Applicant and all intervenors by **March 31, 2014**.
3. If the Applicant wishes to respond to any of the submissions, the response must be filed with the Board and delivered to all intervenors by **April 7, 2014**.

All filings to the Board must quote the file number, EB-2013-0203, 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. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD or diskette 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, March 14, 2014

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary