



EB-2014-0022

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 Suncor
Energy Products Inc. for an Order granting leave to
construct a new transmission line and associated
facilities.

PROCEDURAL ORDER NO.1

March 25, 2014

Suncor Energy Products Inc., ("Suncor") filed an application (the "Application") with the Ontario Energy Board (the "Board"), dated January 21, 2014 under sections 92, 96(2), 97 and 101 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15, Schedule B. Suncor has applied for an order of the Board for leave to construct approximately 15 kilometres of 115 kilovolt electricity transmission line and associated facilities (the "Transmission Facilities") to connect Suncor's Cedar Point II Wind Energy Project to the IESO-controlled grid. Suncor is also seeking an order approving the forms of easement agreements with landowners and an order approving the construction of certain transmission facilities upon, under or over a highway, utility line or ditch. The Board has assigned File No. EB-2014-0022 to this Application.

Notice of Application and Service

The Board issued a Notice of Application and Written Hearing (the "Notice") on February 18, 2014, and directed Suncor to serve the Notice. Suncor filed an affidavit dated March 10, 2014 that indicated it has served the Notice as directed by the Board.

Participation in the Proceeding

The Board received requests for intervenor status and cost awards from two local resident groups, namely the Concerned Seniors Group and We're Against Industrial Turbines (WAIT-PW). The Board also received requests for intervenor status from Hydro One Networks Inc., the Independent Electricity System Operator, and Lambton County. The Board grants intervenor status to all of the above mentioned parties. The Board also grants cost eligibility to the Concerned Seniors Group and WAIT-PW for costs that relate to matters directly within the scope of this proceeding.

The Board notes that when assessing a party's eligibility for costs, the Board is guided by the *Practice Direction on Cost Awards* (the "Practice Direction"). The parties are advised to review the Practice Direction for further information about which types of costs are eligible for recovery. For example, costs for counsel and consultants are generally recoverable, but costs for time spent directly by the intervenor are not necessarily recoverable. The Practice Direction and related forms are available on the Board's website at www.ontarioenergyboard.ca.

A list containing the addresses of Suncor and intervenors is attached as Appendix A to this Order.

Form of Hearing

Suncor has requested a written hearing. If any other party objects to a written hearing, it must provide written reasons why an oral hearing is necessary. These reasons must be received by the Board and copied to Suncor within 7 days of the publication date of this Order.

Scope of the Board's Jurisdiction in this Proceeding

In this proceeding, the Board is required to determine whether the construction of the Transmission Facilities is in the public interest, as described by subsection 96(2) of the Act and whether to approve the form of agreements with affected landowners pursuant to section 97 of the Act. The Board is also required, pursuant to section 101 of the Act, to consider the public interest with respect to the construction of the work upon, under or over a highway, utility line or ditch.

In determining whether the construction of the Transmission Facilities is in the public interest, subsection 96(2) directs the Board to consider only the following:

1. The interests of consumers with respect to prices and the reliability and quality of electricity service.
2. Where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

The Board will consider these factors as they relate specifically to the Transmission Facilities. It will not consider them as they relate to the Cedar Point II Wind Energy Project or in relation to wind generation in general.

The Board notes that environmental issues and issues relating to land use, land valuation and health and aesthetics are not within the scope of the Board's jurisdiction. Environmental issues are considered in the Ministry of the Environment Renewable Energy Approval ("REA") process.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. If Board staff or any intervenor wish information from Suncor that is in addition to the evidence filed with the Board and that is relevant to the proceeding, they shall request the information by means of written interrogatories filed with the Board and delivered to all parties on or before **April 3, 2014**. All interrogatories must include a reference to the section of the Application which identifies the specific evidence on which the interrogatory is based.
2. Suncor shall file with the Board and deliver to intervenors and Board staff, a complete response to each of the interrogatories on or before **April 14, 2014**. All interrogatory responses must include a reference to the section of the Application which identifies the specific evidence on which the interrogatory is based.

All filings to the Board must quote file number EB-2014-0022, 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. Parties shall 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, parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD 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.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Leïla Azaïez at leila.azaiez@ontarioenergyboard.ca and Board Counsel, at maureen.helt@ontarioenergyboard.ca.

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 25, 2014

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

**APPENDIX 'A' TO
PROCEDURAL ORDER NO. 1**

Applicant and List of Intervenors

Board File No: EB-2014-0022

March 25, 2014

**Suncor Energy Products Inc.
EB-2014-0022**

APPLICANT & LIST OF INTERVENORS

March 25, 2014

APPLICANT

Rep. and Address for Service

Suncor Energy Products Inc.

Thomas Brett

Partner
Suncor Energy Products Inc.
77 King Street West
Suite 3000
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tbrett@foglars.com

APPLICANT

Rep. and Address for Service

Suncor Energy Products Inc.

Chris Brett

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Tel: 403-296-7125
Fax: 403-724-3626
chbrett@suncor.com

INTERVENORS

Rep. and Address for Service

**Concerned Seniors Group,
Lambton County**

Santo Giorno

Concerned Seniors Group, Lambton County
6719 Old Mill Road
Camlachie ON
Tel: 519-464-8781
Fax: Not Provided
santogiorno2525@gmail.com

**Suncor Energy Products Inc.
EB-2014-0022**

APPLICANT & LIST OF INTERVENORS

March 25, 2014

Hydro One Networks Inc.

Erin Henderson

Senior Regulatory Coordinator
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Tel: 416-345-4479
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Regulatory@hydroone.com

**Independent Electricity
System Operator SME**

Tam Wagner

Senior Regulatory Analyst
Independent Electricity System Operator
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regulatoryaffairs@ieso.ca

**The Corporation of the
County of Lambton**

David Cribbs

General Manager
The Corporation of the County of Lambton
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david.cribbs@county-lambton.on.ca

**Suncor Energy Products Inc.
EB-2014-0022**

APPLICANT & LIST OF INTERVENORS

March 25, 2014

WAIT-PW

Elizabeth Bellavance

W.A.I.T.

4106 Aberarder Line

RR # 2

Camlachie ON N0N 1E0

Tel: 519-383-4438

Fax: Not Provided

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