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April 2, 2014

File No.: 129316.1017

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

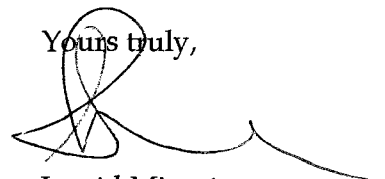
Dear Ms. Walli:

**Re: wpd White Pines Wind Inc.
EB-2013-0339**

On behalf of wpd White Pines Wind Incorporated, we enclose two copies of the Response to the Interrogatories of Board Staff, Alliance to Protect Prince Edward County ("APPEC"), Al S. Warunkiwi and Gordon Gibbins pursuant to Procedural Order No. 1.

Should you have any questions, please do not hesitate to contact me.

Yours truly,



Ingrid Minott

IM/dl
Encl.

TORONTO

MONTRÉAL

OTTAWA

CALGARY

VANCOUVER

NEW YORK

LONDON

SYDNEY

IN THE MATTER of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B, (the “**OEB Act**”);

AND IN THE MATTER of an Application by wpd White Pines Wind Inc. for an Order or Orders granting Leave to Construct a new 69 kV transmission line and associated facilities in Prince Edward County, Ontario.

1 **WPD WHITE PINES’ (“wpd”) RESPONSE TO BOARD STAFF’S INTERROGATORIES**

2 **Renewable Energy Approval**

3 **Interrogatory 1**

4 (a) Please provide an update on the status of the Renewable Energy Approval (REA).

5 (b) When is approval of the REA expected?

6 (c) Please provide a copy of the REA approval along with a copy of the REA
7 documentation when approval is granted?

8 **Response**

9 (a) wpd’s REA application was deemed complete by the Ministry of the Environment
10 (MOE) on March 11, 2014.

11 (b) wpd anticipates that it will receive a decision on the REA by September 11, 2014 in
12 accordance with the MOE’s six-month service guarantee.

13 (c) wpd will provide the Board with a copy of the MOE’s decision on the REA once it is
14 received. The REA documentation for the project can be accessed online at:
15 [http://canada.wpd.de/projects/in-canada/white-pines/renewable-energy-](http://canada.wpd.de/projects/in-canada/white-pines/renewable-energy-approval-rea-documentation.html)
16 [approval-rea-documentation.html](http://canada.wpd.de/projects/in-canada/white-pines/renewable-energy-approval-rea-documentation.html)

17 **Transmission Rate Impact Assessment**

18 **Interrogatory 2**

(a) Please confirm that the Applicant will be responsible for the total cost of the facilities proposed in this application including any modifications required on the HONI transmission system needed to accommodate the proposed facilities.

(b) For any costs in (a) not payable by the Applicant, please described the facilities/work required, costs of these and cost responsibility including any ongoing operation and maintenance costs.

Response

(a) wpd confirms that it will be responsible for all the costs of the transmission facilities including any modifications required. wpd will enter into a Connection Cost Recovery Agreement with HONI regarding any modifications required on the HONI transmission system needed to accommodate the transmission facilities proposed.

(b) Not applicable as all costs will be borne by the wpd.

Land – Related Matters & Other Approvals

Private Lands

Interrogatory 3

(a) Please confirm that the Applicant has received final and complete licenses/agreements/approvals for land rights needed for all construction, maintenance and operating activities associated with all privately held land needed for the Transmission Project including portions of the transmission line, the collector substation and the interconnection substation.

(b) Has each of the affected landowners been presented with the form of agreement shown in Reference (2)? If not, does the Applicant intend to do so and when?

(c) Please provide a list of any and all outstanding approvals and permits needed to complete construction of the proposed facilities within the private lands, including the status and expected dates for obtaining such approvals and permits.

Response

1 (a) wpd has received final and complete License and Option to Lease Agreements from
2 each of the private landowners whose land will be required for the Transmission
3 Project and has therefore secured the necessary land rights for all construction,
4 maintenance and operating activities. wpd will execute the lease agreements
5 included at Exhibit F, Tab 1, Schedule F with the affected landowners when wpd
6 obtains a REA decision.

7 (b) Each private landowner whose property is required for the Transmission Project,
8 including for the location of the turbines, collector substation and interconnection
9 substation have been presented with a License and Option to Lease Agreement and
10 the form of the Lease Agreement located at Exhibit F, Tab 1, Schedule F.

11 (c) wpd may require building permits in connection with the construction of facilities
12 on private lands containing the transformer substations. As wpd's need for the
13 building permits is contingent on wpd obtaining a REA, wpd will apply for the
14 permits once a REA decision is made.

15 Municipal Road Allowance

16 **Interrogatory 4**

17 (a) What is the status of any negotiations/approvals/agreements with the County of
18 Prince Edward with respect to the placement of the transmission line underground
19 on municipal road allowances?

20 (b) What is the status of any negotiations/approvals/agreements with the County of
21 Prince Edward, and/or any other party(ies) involved, with respect to attaching the
22 transmission line to the side of bridges?

23 **Response**

24 (a) There have been no further discussions with the township of Prince Edward County
25 since March 15, 2013. wpd's recent attempts to initiate further discussions in
26 November and December 2013 were unsuccessful.

27 (b) wpd will require permits from the Quinte Conservation Authority and may require
28 permits from the township of Prince Edward County for these works. wpd will

1 provide the Quinte Conservation Authority with an appropriate mitigation plan and
2 will also provide the Quinte Conservation Authority with drawings with respect to
3 wpd's proposal to attach the cable to the side of each of the bridges. As wpd's need
4 for the permits is contingent on wpd obtaining a REA, wpd will apply to the Quinte
5 Conservation Authority for the permits once a REA decision is made. Due to Prince
6 Edward County's refusal to engage in discussions with wpd, wpd has had no
7 discussions with the township of Prince Edward County regarding any permits that
8 may be required for wpd's proposal to attach the transmission line to the side of
9 bridges.

10 Land Required on a Temporary Basis

11 **Interrogatory 5**

- 12 (a) Please provide a list of the parties from which temporary working rights described
13 in Reference (1) will be required and the nature of their interest.
- 14 (b) What is the status of any negotiations/approvals/agreements with the parties
15 involved, with respect to the Applicant's requirement for temporary working rights
16 described in Reference (1)?
- 17 (c) Has the Applicant presented the Option Agreements included at Exhibit F, Tab 1,
18 Schedule 2 to the parties involved? If not, does the Applicant intend to do so and
19 when?

20 **Response**

- 21 (a) through (c) wpd will not require any additional private land rights on a temporary
22 basis beyond those described in Exhibit F, Tab 1, Schedule 1. The temporary working
23 rights that wpd will require with respect to private lands have been acquired from
24 the landowners with whom wpd has negotiated the Option Agreements included at
25 Exhibit F, Tab 1, Schedule 2. Temporary working rights may also be required from
26 the township of Prince Edward County. However, as described in Exhibit F, Tab 1,
27 Schedule 1, wpd has been unable to negotiate an agreement with the township.

System Impact Assessment (SIA) and Customer Impact Assessment

Interrogatory 6

(a) Please provide the status and expected completion date of the amended SIA based on the use of the now proposed underground transmission line.

(b) Please file copies of the amended SIA (or addendum) report and the Notification of Conditional Approval of Connection Proposal as soon as they are available.

(c) Does the Applicant plan to implement all of the IESO's connection requirements contained in the SIA report, amended SIA or addendum report and any further updates to these documents?

(d) Please provide the status and expected completion date of the amended CIA (if required) based on the use of the now proposed underground transmission line.

(e) Please file a copy of the amended CIA report (or addendum) as soon as it is available.

(f) Does the Applicant plan to implement all of the IESO's connection requirements contained in the SIA report, amended SIA or addendum report and any further updates to these documents?

(g) Does the Applicant plan to implement all of the connection requirements contained in the CIA report, amended CIA or addendum report and any further updates to these documents?

(h) Please provide verification that Hydro One Networks Inc. intends to carry out the transmitter requirements outlined in the SIA report, amended SIA or addendum report and any further updates to these documents.

(i) Please provide verification that Hydro One Networks Inc. intends to carry out any transmitter requirements outlined in the CIA report, amended CIA or addendum report and any further updates to these documents.

(j) Please confirm that the affected customers have been notified of the need (from CIA report) to ensure that the equipment and grounding system at their stations meet the expected increase in fault level and how it will be ensured that this requirement will be carried out.

Response

- (a) A draft amended SIA for the proposed underground transmission line was completed on January 8, 2014. wpd anticipates that the final amended SIA will be completed by May 2014.
- (b) wpd will file copies of the amended SIA report and the Notification of Conditional Approval of Connection Proposal with the Board once they are available.
- (c) At this time the terms of the amended SIA are unknown. However, wpd expects that it will agree to the connection requirements contained in the amended SIA that are reasonable in the circumstances.
- (d) The IESO has not yet informed wpd about whether an amended CIA will be required.
- (e) If HONI determines that an amended CIA is required, wpd will file a copy of the amended CIA report with the Board once it is available.
- (f) At this time the terms of the amended SIA are unknown. However, wpd expects that it will agree to the connection requirements contained in the amended SIA that are reasonable in the circumstances.
- (g) wpd will implement all the connection requirements contained in the CIA, or the amended CIA should HONI determine that one is required.
- (h) As the amended SIA is not complete, wpd is unable to provide verification that HONI intends to carry out the transmitter requirements outlined in the SIA or the amended SIA. This information is forthcoming and wpd will be able to provide verification once the amended SIA is complete.
- (i) As HONI has not yet determined whether an amended CIA is required, wpd is unable to provide verification that HONI intends to carry out the transmitter requirements outlined in the CIA or amended CIA should one be required. This information is forthcoming and wpd will be able to provide verification once HONI determines whether or not an amended CIA is required and the amended CIA is completed.

- 1 (j) wpd will ensure that its equipment and grounding system meet the fault level. It is
- 2 wpd's understanding that it is the responsibility of individual customers to ensure
- 3 that their equipment and grounding system meet the requirements.

1 **WPD WHITE PINES' ("wpd") RESPONSE TO APPEC'S INTERROGATORIES**

2 **Transmission Line Route**

3 **Interrogatory 1**

4 (a) Please provide exact property descriptions and the locations of those properties for
5 the length of the transmission line that accurately describes the route.

6 (b) Please explain how the proposed transmission line is compliant with the restrictions
7 provided for a renewable energy generation facility in O. Reg. 160/99, sections 4(1),
8 5(2) and 5(3), under the *Electricity Act, 1998* given the total length of the transmission
9 line and the lines within the facility itself.

10 (c) Please confirm whether the Transmission Line is in the Black Creek Valley
11 Provincially Significant ANSI or not.

12 **Response**

13 (a) Please refer to the Project Location Description included at Exhibit B, Tab 2, Schedule
14 3 of the wpd's Application and the maps included at Exhibit B, Tab 2, Schedule 4 for
15 the proposed route of the transmission line. In the Board's Decision on Threshold
16 Questions and Procedural Order No. 2 in respect of EB-2013-0203 (the "Niagara
17 Region Wind Corporation Decision"), the Board confirmed that under section 94 of
18 the *Ontario Energy Board Act, 1998*, (the "Act"), on application for leave to construct,
19 an applicant need only provide a "general location map" of the proposed
20 transmission line with "sufficient detail to describe the municipalities, highways,
21 railways, utility lines and navigable waterways that the line will traverse." The maps
22 located Exhibit B, Tab 2, Schedule 4 comply with these requirements.

23 (b) For the purposes of this Application, wpd is applying in its capacity as a transmitter
24 and not as a renewable energy generation facility. Questions of this nature are
25 outside the scope of the Board's jurisdiction.

26 (c) This question is outside the scope of the Board's jurisdiction under section 96 of the
27 Act. In the Niagara Region Wind Corporation Decision, the Board confirmed that in
28 approving the route or location of a transmission line on an application for leave to

1 construct, its jurisdiction is “limited to considering matters relating to the price,
2 reliability, or quality of electricity services (or to the promotion of government policy
3 in relation to renewable energy).” Questions of this nature will be addressed as part
4 of the REA process or other regulatory or permitting processes.

5 **Construction of the Transmission Line**

6 **Interrogatory 2**

7 (a) Please advise on present understanding, based on current information, that the
8 transmission line is to be buried in its entirety, with exceptions noted in Stantec
9 reports.

10 (b) Please advise as to whether any detailed pre-construction feasibility study been done
11 [sic] along the proposed transmission route. Given the unique geological
12 circumstances in Prince Edward

13 i. County including the prevalence of limestone bedrock what, if any,
14 consultation been done [sic] with geologists and experts that can advise on
15 the feasibility of burying transmission lines in these specific conditions? Has
16 wpd consulted with anyone other than Stantec and if so who?

17 (c) Please explain in detail what measures wpd will take to ensure that any construction
18 activity long [sic] the length of the transmission line does not affect the landowners’
19 use and enjoyment of their properties.

20 (d) Please explain what type of transmission line wpd intends to construct, solid
21 dielectric cable or another type of technology. Please provide manufacturer details
22 and other relevant details of the intended method of construction including the
23 required maintenance and reliability of same over the lifetime of the transmission
24 line.

25 (e) The understanding of APPEC is that the installation of an underground transmission
26 cable generally involves the following sequence of activities:

27 i. Right of Way clearing

28 ii. Trenching/blasting

- 1 iii. Laying and/or welding pipe
- 2 iv. Duct bank and vault installation
- 3 v. Backfilling
- 4 vi. Cable installation
- 5 vii. Adding fluids or gas
- 6 viii. Site restoration
- 7 ix. Please provide a detailed report of the steps wpd intends to take for each of
- 8 these stages and the proposed timeline for each.
- 9 (f) What measures will wpd take to (a) document existing trees and landscaping
- 10 features along the entire line, (b) safeguard this documentation in a public place, and
- 11 (c) ensure that the same trees and features, which may include mature trees, historic
- 12 fencing or other man-made features, and wild, indigenous plants are replaced
- 13 immediately?
- 14 (g) Please advise as to whether wpd will be using vault installation?
- 15 (h) If so, please provide additional information regarding the specific location of vaults,
- 16 the construction work required to install vaults, and any and all potential impacts on
- 17 neighbouring property owners and businesses during their installation.
- 18 (i) Please advise as to whether permanent culverts will be required along the length of
- 19 the proposed 28 kilometre Transmission Line?
- 20 (j) Please identify all roads that will have both transmission and collector lines. In
- 21 addition, please advise as to whether both lines will be buried in same trench?
- 22 (k) Please provide confirmation of consideration of road allowances along Transmission
- 23 Line route and alternatives along forced roads such as Maypul Layn Road and
- 24 Crowes Road.
- 25 (l) Please advise what plans, if any, will be implemented to protect individual ducts
- 26 against accidental future dig-ins? Will there be a system of warning signs ("high-
- 27 voltage buried cable") along the 28 kilometre transmission route and, if so, how
- 28 many would be required and at what locations along the transmission route?

1 (m) Please advise as to whether there are studies on the effects of decommissioning near
2 watercourses and aquatic habitat.

3 (n) The decommissioning of the proposed transmission line will impact owners of land
4 along the route. What compensation will wpd ensure is available to owners of land
5 affected by the decommissioning of the 28 kilometre transmission line?

6 (o) Please confirm, based on your present level of understanding, how much of the line
7 can/will be constructed underground along its length. Please provide specifics
8 based on current understanding of the exact location of any parts of the line that will
9 not be constructed underground, if any.

10 (p) If it is not possible to construct the entirety of the line underground, what type/size
11 of poles are to be used? Could modifications involving overhead line construction be
12 made in the event that the Ontario Energy Board grants Leave to Construct the
13 Transmission Line. What mitigation measures will wpd take to ensure the
14 neighbouring landowners are not impacted by the location of the poles?

15 **Response**

16 (a) wpd confirms that the entire transmission line will be located underground as
17 described in Stantec's White Pines Wind Project Consultation Report, with the
18 exception of the two bridge crossings at Crowes Road and Mill Pond.

19 (b) This question is outside the scope of the Board's jurisdiction under section 96 of the
20 Act. Questions of this nature will be addressed as part of the REA process or other
21 regulatory or permitting processes.

22 (c) This question is outside the scope of the Board's jurisdiction under section 96 of the
23 Act. Questions of this nature will be addressed as part of the REA process or other
24 regulatory or permitting processes.

25 (d) All costs regarding the construction and maintenance of the Transmission Project
26 will be borne by wpd. Accordingly, the construction of the Transmission Project will
27 have no impact on the price, reliability, or quality of electricity services. wpd intends
28 to use TRXLPE underground insulated cable for the transmission line. The cable will
29 meet the minimum ratings requirements for 69 kV or higher. wpd's construction

1 methods will include the use of trenching, ploughing and drilling to install the cable
2 for the transmission line.

3 (e) This question is outside the scope of the Board's jurisdiction under section 96 of the
4 Act. Questions of this nature will be addressed as part of the REA process or other
5 regulatory or permitting processes.

6 (f) This question is outside the scope of the Board's jurisdiction under section 96 of the
7 Act. Questions of this nature will be addressed as part of the REA process or other
8 regulatory or permitting processes.

9 (g) wpd will not be using vault installation for the construction of the transmission line.

10 (h) This question is outside the scope of wpd's Application based on wpd's response to
11 interrogatory 2(g) above.

12 (i) This question is outside the scope of the Board's jurisdiction under section 96 of the
13 Act. Questions of this nature will be addressed as part of the REA process or other
14 regulatory or permitting processes.

15 (j) Portions of both the collector lines and the transmission line will be located on
16 Maypul Layn Road and Royal Road. At this time, wpd has not made any
17 determination as to whether to bury the transmission line and the collector lines in
18 the same trench on the roads that will contain both lines. As the project proceeds,
19 wpd will investigate the feasibility of burying the lines together to the extent that
20 electrical safety requirements permit.

21 (k) The alternative routes considered by wpd are included at Exhibit B, Tab 4, Schedule
22 1 of the Application.

23 (l) wpd will comply with all codes and regulations in the construction of the
24 transmission line, including the requirements of the Ontario Electrical Safety Code,
25 published by the Electrical Safety Authority, and Ontario One Call. In addition, wpd
26 will bury a ribbon underground that will run above and along the length of the
27 transmission line. The ribbon will alert future workers in the area of the transmission
28 line and provide wpd's contact details where further information can be obtained.

(m) This question is outside the scope of the Board's jurisdiction under section 96 of the Act. Questions of this nature will be addressed as part of the REA process or other regulatory or permitting processes.

(n) This question is outside the scope of the Board's jurisdiction under section 96 of the Act.

(o) With the exception of two bridge crossings, wpd intends to bury the entire transmission line underground as described at Exhibit D, Tab 1, Schedule 1 of the Application.

(p) In the event that any portion of the transmission line cannot be buried underground, wpd will undertake a full investigation including modification of its REA application if necessary. Regarding the mitigation measures that wpd will take to ensure the neighbouring landowners are not impacted by the location of the poles, this question is outside the scope of the Board's jurisdiction under section 96 of the Act.

Construction and Deconstruction of the Transmission Line

Interrogatory 3

(a) Please provide up to date information regarding proposed construction plans and timelines.

(b) If granted Leave to Construct would wpd commence construction on the Transmission Line before receiving REA approval?

(c) Please provide details of how exactly wpd proposes to decommission the entire transmission line as the information contained in its June 2012 Decommissioning Plan only appears to contemplate wpd being responsible for the May and Fry portions of the transmission line.

Response

(a) This question is outside the scope of the Board's jurisdiction under section 96 of the Act. Questions of this nature will be addressed as part of the REA process or other regulatory or permitting processes.

(b) The transmission line is part of wpd's REA application and accordingly cannot be constructed until a REA decision is made.

(c) This question is outside the scope of the Board's jurisdiction under section 96 of the Act. Questions of this nature will be addressed as part of the REA process or other regulatory or permitting processes.

Land Acquisition Agreements

Interrogatory 4

(a) Please provide a complete list of the landowners on whose lands the transmission line is proposed to be constructed and state whether or not those landowners have agreed to the proposed construction in writing.

(b) Please list the landowners who have been presented with the land acquisition agreement that forms part of this Application.

(c) Please provide a complete list of the easements that will be require from landowners in order to construct the transmission line according to the proposed route.

Response

(a) and (b) As provided in the Description of Land Area and Land Rights Required found at Exhibit F, Tab 1, Schedule 1 of the Application, with the exception of the township of Prince Edward County, all landowners on whose land the transmission line is proposed to be constructed have executed the form of License and Option to Lease Agreements included at Exhibit F, Tab 1, Schedule 2 of the Application. A complete list of the landowners that have been presented with the agreements included at Exhibit F, Tab 1, Schedule 2 of the Application is not necessary for this proceeding.

(c) No easements will be required from landowners.

Consultation Process

Interrogatory 5

- 1 (a) Please advise if wpd has surveyed the structures along the entire route of the
2 proposed transmission line to determine the general level of risk to the County's
3 building stock and where special care will be taken when trenching or blasting, if
4 necessary, is required.
- 5 (b) Please explain what mitigation measures wpd will take for all residences and other
6 buildings, some of which have heritage designation, including those not subject to
7 easements to ensure that they are not damaged in any way by the construction of the
8 proposed transmission line given that many buildings are located 40 metres or less
9 away from the centre of the proposed route.
- 10 (c) Please explain how wpd is prepared to compensate property owners who may suffer
11 damage to their property and/or buildings thereon during the course of the
12 construction of the proposed transmission line.
- 13 (d) Please explain what measures wpd intends to put in place prior to construction of
14 the proposed transmission line along Maypul Layn Road to ensure that no damage is
15 caused to any of the heritage trees lining Maypul Layn Road, many of which are
16 over a century old and whose root systems are more likely than not to be entwined
17 under the road surface.
- 18 (e) Please confirm that wpd will follow the same principles for identifying visual
19 impacts for poles as for the main White Pines project, including establishing
20 culturally significant viewpoints along the route, especially for already identified
21 Cultural Heritage Landscapes.
- 22 (f) Does wpd have a plan for preserving the tree-lined streetscape along parts of
23 Crowes Road that is equivalent in character to that along Maypul Layn Road, while
24 at the same time maintaining Crowes Road in its current state of no existing energy
25 infrastructure (i.e. no poles)?
- 26 (g) Further to subsection 2e)i) above, will the entire right of way, along the entire route,
27 have to be cleared of trees and landscaping features, such as fencing or vegetation,
28 for the installation of underground cable? Where clearing will take place, please
29 confirm the extent of the clearing from the edge of the road bed along the route,

1 including variations in distance along different sections, and a description of what
2 will be cleared along various sections. Given the recommendation to avoid such
3 clearing for the Maypul Layn/Royal Road Cultural Heritage Landscape, will wpd
4 consult with the municipality and its Heritage Advisory Committee and be guided
5 by the municipality's preference for poles or underground cable for this particular
6 length of the line?

7 (h) Regarding subsection 2e)ii) above, Trenching/blasting, above, has wpd surveyed the
8 structures along the entire line to determine the general level of risk to the County's
9 building stock and where special care should be taken when trenching/blasting, e.g.
10 by assessing: number of structures less than 10 m/ 20 m/30 m and 40 m from the
11 line; construction type, especially whether brick or stone, which are more prone to
12 vibration damage; whether modern or a Protected Property, Built Heritage Resource,
13 and/or part of a Cultural Heritage Landscape? If so, are the findings similar to those
14 in the attached table ("Structures along wpd Interconnection Line"), which
15 documents 165 structures within 40 m of the line (Section 7.1.1, Interconnection Line
16 Heritage Impact Assessment states "negative effects have been demonstrated on
17 buildings with a setback of less than 40 m from the curbside")?

18 (i) Since all structures along the line are vulnerable to Project-related vibrations, will
19 wpd, for all structures within the buffer zone, engage a geotechnical specialist, as
20 distinct from the more general description of "qualified engineer," to (a) carry out
21 pre and post condition surveys of the structures, including the use of Vernier-type
22 gauges for pre-existing cracks; and (b) recommend and monitor maximum peak
23 particle velocity levels for different types of construction and proximity to
24 trenching/blasting?

25 **Response**

26 (a) through (i) These questions are outside the scope of the Board's jurisdiction under
27 section 96 of the Act. Questions of this nature will be addressed as part of the REA
28 process or other regulatory or permitting processes.

1 **Residential Dwellings**

2 **Interrogatory 6**

3 (a) Please explain what steps wpd will take to ensure the proximity of residential
4 dwellings to the proposed location of the substation will not result in either harm to
5 residents or the release of stray voltage that has been known to harm both persons
6 and livestock.

7 **Response**

8 (a) Stray voltage is not a concern with respect to the proposed transmission line. Stray
9 voltage is primarily concerned with the proper construction and maintenance of
10 single-phase transmission lines. The proposed transmission line will be constructed
11 using a three phase line.

12 **Quality and Reliability of Service**

13 **Interrogatory 7**

14 (a) Throughout the summer months, particularly in July, the White Pines turbines will
15 be drawing electricity off grid when there is no wind. How does wpd foresee this
16 impacting the reliability and quality of electrical service to the many homeowners
17 and businesses in South Marysburgh and Athol?

18 (b) What plans if any to compensate property owners for disruption in their property
19 use for property damage that is caused by repairing underground transmission
20 lines?

21 (c) What plans if any to compensate property owners and businesses for disruption to
22 service during construction?

23 **Response**

24 (a) Usage of the electricity grid will be minimal. In addition, as described in the
25 Overview of Impact Assessment found at Exhibit H, Tab 1, Schedule 1, the
26 Independent Electricity System Operator (IESO) concluded that the connection of the

1 White Pines Wind Project to the electricity grid will not result in any material
2 adverse effects on the reliability of the power system. The IESO also issued a
3 Notification of Conditional Approval of Connection Proposal dated October 26, 2011
4 found at Exhibit H, Tab 2, Schedule 2 of the Application.

5 (b) and (c) These questions are outside the scope of the Board's jurisdiction under
6 section 96 of the Act.

7 **Further Issues**

8 **Interrogatory 8**

9 (a) As noted in the Application, wpd is requesting leave to construct transmission
10 facilities to connect the White Pines renewable wind energy development project to
11 the transmission grid controlled by the Independent Electricity System Operator
12 ("IESO"). However wpd has been public promoting its White Pines Wind Farm for
13 over two years as a project that will feed electricity into the local electricity grid.
14 According to the home page of the White Pines Wind Farm website
15 [canada.wpd.de/projects/in-canada/white-pines/general-information.html] under
16 "Project Description" the applicant states that: "The White Pines Wind Farm is
17 considered a Class 4 wind facility, and will feed an estimated 169,464,000 kWh
18 annually into the local electricity grid, equivalent to the average annual power use of
19 9,683 homes." Please explain how both of those scenarios are possible?

20 **Response**

21 (a) This question is outside the scope of the Board's jurisdiction under section 96 of the
22 Act. In any event, by connecting the White Pines Wind Project to the IESO-controlled
23 grid, wpd will feed electricity into the provincial electricity grid that provides power
24 to local communities.

25 **Interrogatory 9**

26 (a) Please indicate whether wpd followed up on the invitation from Hydro One to
27 establish joint use for its 34.5 kV collector system and if not, why not?

1 **Response**

2 (a) wpd responded to HONI's invitation to establish joint use of wpd's 34.5 kV collector
3 system. Use of HONI's existing distribution poles at 34.5 kV required construction of
4 a double circuit overhead transmission line to satisfy wpd's connection
5 requirements. However, as described Exhibit B, Tab 4, Schedule 1, HONI permits a
6 maximum of four circuits per pole and the addition of a double circuit would exceed
7 the maximum number of circuits per pole permitted by HONI for any of the routes
8 that could potentially be utilized by wpd for an overhead transmission line.

9 **Interrogatory 10**

10 (a) Please advise as to whether wpd has an OPA contract?

11 **Response**

12 (a) Yes, wpd has a contract with the OPA. As noted in the Description of the Need for
13 the Project found at Exhibit B, Tab 3, Schedule 1, wpd obtained its OPA contract in
14 May 2010.

15 **Interrogatory 11**

16 (a) It is the understanding of APPEC that archaeological assessment for the entire 28
17 kilometres of the proposed transmission line was conducted over 4 days. According
18 to the Adams Heritage, "Stage 1 and 2 White Pines Wind Project – Transmission Line
19 Milford to Gorsline Road, Prince Edward County", dated December 2012 at page 1,
20 the Field Testing for the Stage 2 Archaeological Assessment for the Transmission
21 Line was conducted on December 9, 12, 15 and 27, 2011. Please provide detailed field
22 notes and other pertinent information to substantiate that the entire 28 kilometre
23 route was assessed during these four days.

24 **Response**

- 1 (a) This question is outside the scope of the Board's jurisdiction under section 96 of the
2 Act. Questions of this nature will be addressed as part of the REA process or other
3 regulatory or permitting processes.

**WPD WHITE PINES' ("wpd") RESPONSE TO INTERROGATORIES OF AL S.
WARUNKIW**

Water Safety and Supply

Interrogatory 1

- (a) How will the construction activity in the Crowes Road area affect the existing flows and water table during construction and after construction if the proposed transmission line is buried? The trench filled with crushed rock or sand will act as a water route as west to east flow of run-off and ground water enter.
- (b) Have the effects on natural water in the vicinity been assessed by an appropriately qualified engineer and an expert in habitat conservation?
- (c) If wpd has collected such scientific information, why hasn't it been made available to adjacent landowners? If not when will it be studied and how will the data be shared?
- (d) What measures has wpd taken to ensure the safety of the tourists, the visitors to the falls?
- (e) What measures has wpd taken to ensure the continuance of the bridge waterways historic uses?
- (f) Has wpd negotiated a contract with the County to assume financial responsible [sic] for additional costs of bridge maintenance?
- (g) Has the practice of running high-tension lines on the sides of small bridges such as this been approved by government regulatory agencies? If so, when and which agencies?
- (h) Will wpd sign a binding agreement to be financially responsible for any damage their construction causes to Mr. Warunkiw's water supply and/or water quality?

Response

- (a) through (h) These questions are outside the scope of the Board's jurisdiction under section 96 of the Act. Questions of this nature will be addressed as part of the REA process or other regulatory or permitting processes. As noted by the Board in Procedural Order No. 1 in respect of this Application, the "Act does not provide the

1 Board with jurisdiction to address issues relating to the Applicant's wind generation
2 facility itself, or to environmental issues."

3 **Buildings, Structures and Roads**

4 **Interrogatory 2**

5 The terrain near Mr. Warunkiw's property is largely shale that fragments easily and blue
6 stone that is harder. The knee wall on Mr. Warunkiw's foundation is made of concrete
7 blocks while the foundation is a slab. On this property stands the last historic mill in the
8 town with roots going back 200 years. It is located at the corner of Crowes Road and Scott's
9 Mill Road. Volunteer groups have worked to maintain it for many years. The foundation on
10 the south-west side of the foundation wall is fragile and requires repair now. Mr. Warunkiw
11 is concerned about what effects of [sic] blasting, jack hammering and moving heavy
12 equipment will have on this example of historic architecture. The old mill abuts Mr.
13 Warunkiw's property at the junction of Scotts Mill Road and Crowes Road and Mr.
14 Warunkiw is the Chair of Friends of Clapp-Scott's Mill.

- 15 (a) Will wpd agree to hire a mutually approved engineering consultant firm to assess
16 these risks, and document the pre-existing conditions?
- 17 (b) Will wpd share the reports of the mutually approved engineering consultant firm
18 with Mr. Warunkiw, the Friends of Clapp-Scott's Mill and the South Marysburgh
19 recreation committee?
- 20 (c) Will wpd set aside a fund sufficient to cover potential costs of repairs to such
21 buildings, structures and roads?
- 22 (d) Will the repair compensation process be straightforward and timely, namely one that
23 does not require the injured landowner to be out of pocket for more than 1 month?
- 24 (e) What types of insurance [sic] will wpd provide written assurances that it will cover
25 any potential major damage to buildings, structures and roads?

26 **Response**

1 (a) through (e) These questions are outside the scope of the Board's jurisdiction under
2 section 96 of the Act. Questions of this nature will be addressed as part of the REA
3 process or other regulatory or permitting processes. As noted by the Board in
4 Procedural Order No. 1 in respect of this Application, the "Act does not provide the
5 Board with jurisdiction to address issues relating to the Applicant's wind generation
6 facility itself, or to environmental issues."

7 **Financial Compensation for losses to Mr. Warunkiw's business and property value**

8 **Interrogatory 3**

- 9 (a) In order to provide some respite for Mr. Warunkiw's bed and breakfast guests, will
10 wpd limit construction to 9am to 5pm?
11 (b) To keep the area as appealing as possible to Mr. Warunkiw's bed and breakfast
12 guests, will wpd instruct any contractor who works for them to store equipment,
13 trucks, wire spools etc. out of view at the end of each work day?
14 (c) What protective measures will be taken to prevent accidents?
15 (d) What are the details of the compensation process wpd will agree to have be in place
16 if an accident occurs?

17 **Response**

- 18 (a) through (d) These questions are outside the scope of the Board's jurisdiction under
19 section 96 of the Act.

20 **Interrogatory 4**

- 21 (a) How much compensation has wpd determined will be paid to Mr. Warunkiw to
22 recognize his loss of property value and bed and breakfast business revenue
23 experienced during construction as well as during the expected lifetime of the
24 proposed transmission line impairing, as it will, the perceived scenic beauty of the
25 property and violating the radiation-free safety of the location?
26 (b) What will be the total net cost impact upon Ontario taxpayers and Ontario electricity
27 ratepayers of all such compensation payments that may be ordered by future courts,

1 to be paid by the government, by wpd and by the OPA or other parties to this
2 project?

3 (c) Putting a dollar value on the above impact will not be easy, but nevertheless it is one
4 of the responsibilities of the proponent of this project. It is the responsibility of the
5 OEB to ensure that this matter is satisfactorily resolved in the interest of electricity
6 ratepayers and taxpayers, prior to approval of the proposed route.

7 **Response**

8 (a) through (c) These questions are outside the scope of the Board's jurisdiction under
9 section 96 of the Act.

10 **Health Effects**

11 **Interrogatory 5**

12 (a) Does wpd have any proof of its concern for local residents' health and welfare?

13 (b) Will wpd buy at fair market value properties that are too close (by health scientists'
14 consensus) to the sites they finally select for their transmission lines?

15 **Response**

16 (a) This question is outside the scope of the Board's jurisdiction under section 96 of the
17 Act. Questions of this nature will be addressed as part of the REA process or other
18 regulatory or permitting processes.

19 (b) This question is outside the scope of the Board's jurisdiction under section 96 of the
20 Act.

21 **Feasibility of Alternatives Transmission Routes**

22 **Interrogatory 6**

23 (a) Which residents and landowners along the potential transmission routes were
24 consulted by wpd prior to announcing the proposed transmission route? How were
25 they selected?

1 (b) On what assumptions did wpd base its decision not to involve the community at
2 large and the property owners from the beginning?

3 (c) What alternative transmission line routes, such as ones with safe setbacks from
4 human habitation, did wpd explore the costs for?

5 (d) Will wpd provide the evidence that it did due diligence in proposing this route?

6 (e) Will wpd change its manner of interacting with this community and treat its all [sic]
7 residents with respect by openly discussing issues, accepting our input and
8 benefiting from local knowledge?

9 **Response**

10 (a) and (b) These questions are outside the scope of the Board's jurisdiction under
11 section 96 of the Act. Questions of this nature will be addressed as part of the REA
12 process or other regulatory or permitting processes.

13 (c) Please refer to Exhibit B, Tab 4, Schedule 1 of wpd's Application for a description of
14 the transmission line alternatives considered by wpd.

15 (d) and (e) These questions are outside the scope of the Board's jurisdiction under
16 section 96 of the Act.

**WPD WHITE PINES' ("wpd") RESPONSE TO INTERROGATORIES OF GORDON
GIBBINS**

Interrogatory 1

- (a) How much of the line can/will be constructed underground along Royal Road and Maypul Layn? Please provide specifics of the exact location of any parts of the line that will not be constructed underground, if any.
- (b) If it is not possible to construct the entirety of the line underground, what mitigation measures will wpd take to ensure the neighbouring landowners such as Mr. Gibbins, are not impacted by the location of the poles?
- (c) Please explain in detail what measures wpd will take to ensure that any construction activity along the length of the transmission line does not affect Mr. Gibbins' use and enjoyment of his property.
- (d) Should wpd require the construction of vaults along the Royal Road/Maypul Layn section of the proposed transmission line, please provide additional information regarding the specific location of vaults, the construction work required to install vaults, and any and all potential impacts on neighbouring property owners, such as Mr. Gibbins, during their installation.
- (e) Both transmission and collector lines are proposed to be laid along Maypul Layn. Please advise as to whether both lines will be buried in same trench?
- (f) The Stantec White Pines Wind Project Consultation Report "Project Response" states that "wpd is officially planning to bury the entire interconnection line underground within the multiple right-of-way with the exception of two bridge crossings..." Given the prevalence of limestone bedrock, please advise as to whether any detailed pre-construction feasibility study been done [sic] along the proposed transmission route?
- (g) Please provide confirmation of road allowances or alternatives along Maypul Layn, which is a forced road.
- (h) Please advise what plans, if any, will be implanted to protect individual ducts against future dig-ins? Will there be a system of warning signs ("high-voltage buried

1 cable”) along the Royal Road/Maypul Layn route and, if so, how many would be
2 required and at what locations along the prosed route?

3 (i) The decommissioning of the proposed transmission line will impact owners of land
4 along the route such as Mr. Gibbins. What compensation will wpd ensure is
5 available to owners of land affected by the decommissioning of the transmission
6 line?

7 **Response**

8 (a) Please refer to response 1(a) and 2(a) of wpd’s Response to APPEC’s Interrogatories.

9 (b) Please refer to response 2(p) of wpd’s Response to APPEC’s Interrogatories.

10 Regarding the mitigation measures that wpd will take to ensure the neighbouring
11 landowners are not impacted by the location of the poles, this question is outside the
12 scope of the Board’s jurisdiction under section 96 of the Act.

13 (c) This question is outside the scope of the Board’s jurisdiction under section 96 of the
14 Act. Questions of this nature will be addressed as part of the REA process or other
15 regulatory or permitting processes.

16 (d) Please refer to response 2 (g) and 2(h) of wpd’s Response to APPEC’s Interrogatories.

17 (e) Please refer to response 2(j) of wpd’s Response to APPEC’s Interrogatories.

18 (f) This question is outside the scope of the Board’s jurisdiction under section 96 of the
19 Act. Questions of this nature will be addressed as part of the REA process or other
20 regulatory or permitting processes.

21 (g) The alternative routes considered by wpd are found Exhibit B, Tab 4, Schedule 1 of
22 the Application.

23 (h) Please refer to response 2(l) of wpd’s Response to APPEC’s Interrogatories.

24 (i) This question is outside the scope of the Board’s jurisdiction under section 96 of the
25 Act.

26 **Interrogatory 2**

1 (a) Please provide a complete list of the easements that will be required from
2 landowners along Royal Road/Maypul Layn in order to construct the transmission
3 line according to the proposed route.

4 **Response**

5 (a) Please refer to response 4(c) of wpd's Response to APPEC's Interrogatories.

6 **Interrogatory 3**

7 (a) Please explain what mitigation measures wpd will take for all residences and other
8 buildings, some of which have heritage designation such as those located on Mr.
9 Gibbins' property, the Royal Road Cheese Factory, 1112 Royal Road, and 1106 Royal
10 Road, including those not subject to easements to ensure that they are not damaged
11 in any way by the constructions of the proposed transmission line given that many
12 buildings are located 40 metres or less away from the centre of the proposed route.

13 (b) Please explain how wpd is prepared to compensate property owners such as Mr.
14 Gibbins and other local property owners including Excultet Winery and Waring
15 House, who may suffer damage to their property and/or buildings thereon during
16 the course of the construction of the proposed transmission line.

17 (c) Please explain what measures wpd intends to put in place prior to construction of
18 the proposed transmission line along Maypul Lane to ensure that no damage is
19 caused to any of the heritage trees lining Maypul Lane, many of which are over a
20 century old and whose root systems are more likely than not to be entwined under
21 the road surface.

22 (d) Mr. Gibbins conducts his business from his property. In other words his home is his
23 workplace. Please advise of any possible impacts on Mr. Gibbins' ability to conduct
24 his business from his property. In addition, please advise of wpd's plans to address
25 any inconvenience, impact on work performance and ability to carry out work and
26 potential loss of income resulting from the construction and/or operation of the
27 proposed transmission line.

(e) Mr. Gibbins' concerns are not only in regards to the construction of the Transmission Line in front of his property but also construction of the electrical substation and additional structure for wpd staff and workers in the vicinity of his property.

(f) wpd acknowledges that potential exists for interference with local utilities as follows:

WHITE PINES WIND PROJECT INTERCONNECTION LINE EFFECTS
ASSESSMENT – May 2013

Utilities

Construction and Decommissioning

- Potential exists for interference with local utilities

Mitigation

- In the event that any unidentified utilities are damaged during construction or decommissioning, wpd will pay for repairs.

Response

(a) This question is outside the scope of the Board's jurisdiction under section 96 of the Act. Questions of this nature will be addressed as part of the REA process or other regulatory or permitting processes.

(b) This question is outside the scope of the Board's jurisdiction under section 96 of the Act.

(c) This question is outside the scope of the Board's jurisdiction under section 96 of the Act. Questions of this nature will be addressed as part of the REA process or other regulatory or permitting processes.

(d) This question is outside the scope of the Board's jurisdiction under section 96 of the Act.

(e) This question is outside the scope of the Board's jurisdiction under section 96 of the Act.

(f) It is not clear what question is being asked by this interrogatory. In any event, any interference with local utilities will be minimal.

1 **Interrogatory 4**

2 (a) Please explain what steps wpd will take to ensure the proximity of residential
3 dwellings such as that of Mr. Gibbins, to the proposed location of the substation will
4 not result in either harm to residents or the release of stray voltage that has been
5 known to harm both persons and livestock.

6 **Response**

7 (a) Please refer to response 6(a) of wpd's Response to APPEC's Interrogatories.

8 **Interrogatory 5**

9 (a) Throughout the summer months, particularly in July, the White Pines turbines will
10 be drawing electricity off grid when there is no wind. How does wpd foresee this
11 impacting the reliability and quality of electrical service to the residents of Royal
12 Road and Maypul Layn?

13 (b) What plans if any to compensate property owners such as Mr. Gibbins for disruption
14 in their property use for property damage that is caused by repairing underground
15 transmission lines?

16 (c) What plans if any to compensate property owners such as Mr. Gibbins for disruption
17 to service during construction?

18 **Response**

19 (a) Please refer to response 7(a) of wpd's Response to APPEC's Interrogatories.

20 (b) and (c) These questions are outside the scope of the Board's jurisdiction under
21 section 96 of the Act.