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**DELIVERED BY COURIER AND
RESS**

May 6, 2014
File No.: 129316.1025

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 Sumac Ridge Incorporated
Application under section 41(9) of the *Electricity Act*, 1998
EB-2013-0442

On behalf of wpd Sumac Ridge Incorporated, we enclose the Affidavit of Service of Jaclyn D'Angelo sworn April 30, 2014 and two Affidavits of Service of Scott Young Clayton sworn April 28, 2014 regarding the service of the Notice of Application and Written Hearing.

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

Yours truly,



Ingrid Minott

IM/dl
Encl.

TORONTO

MONTREAL

OTTAWA

CALGARY

VANCOUVER

NEWYORK

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 under Section .41(9) by wpd Sumac Ridge Wind Inc. for an Order or Orders for the board establishing the location of the Applicants proposed distribution facilities within certain public roads owned by the Municipality of Kawartha Lakes, Ontario

AFFIDAVIT OF SERVICE OF JACLYN D'ANGELO
(sworn April 30th, 2014)


I, **JACLYN D'ANGELO**, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am an Employee for wpd Canada Corporation, the parent company of wpd Sumac Ridge Wind Incorporated (wpd Sumac Ridge”) and, as such, I have personal knowledge of the matters to which I hereinafter deposed to, save and except for those matters stated to be on information and belief and where so stated, I believe them to be true.
2. The Ontario Energy Board, (the “OEB”) by Letter of Direction, attached as Exhibit “A” directed that wpd serve the Notice of Application and Written Hearing (the “Notice”) to the persons listed under item number 4 of the Letter of Direction. A copy of the Notice is attached as Exhibit “B” to this affidavit.
3. wpd served the Notice on Thursday, March 27th, 2014 by couriering a copy of the Notice to each of the persons listed in Exhibit “C” . A copy of each courier confirmation email is attached in Exhibit “D” .
4. wpd served the remainder of the Notices on Friday, March 28th, 2014 by couriering a copy of the Notice to each of the persons listed in Exhibit “E” . A copy of each courier confirmation email is attached in Exhibit “F” .
5. On April 9th, 2014 the packages served to Derek Mumford, Christine and Steven Collins, Allan and Margaret Gray were returned to wpd office as undeliverable.

6. On April 11th, 2014 the return packages were re-served by courier. Christine and Steven Collins picked up the notice at the nearby post office. A copy of courier confirmation attached in Exhibit "F". The packages for Derek Mumford, Allan and Margaret Gray were returned to wpd office as undeliverable.

7. wpd then hired a process server from KAP Litigation to re-serve the returned notices for Allan and Margaret Gray and Derek Mumford.

SWORN BEFORE ME at the City of
Toronto, in the Province of Ontario, on
April 30th, 2014.



Commissioner for taking affidavits
Jesse Long Lsuc # 58647L



Jaclyn D'Angelo

EXHIBIT "A"

referred to in the Affidavit of

Jaclyn D'Angelo

sworn April 30th, 2014



A Commissioner for Taking Affidavits

Jesse Long LSUC # 58647L

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Telephone: 416-481-1967
Facsimile: 416-440-7656
Toll free: 1-888-632-6273

**Commission de l'énergie
de l'Ontario**
C.P. 2319
27^e étage
2300, rue Yonge
Toronto ON M4P 1E4
Téléphone: 416-481-1967
Télécopieur: 416-440-7656
Numéro sans frais: 1-888-632-6273



BY E-MAIL ONLY

January 27, 2014

Jesse Long
wpd Sumac Ridge Incorporated
2233 Argentia Road, Suite 102
Mississauga ON L5N 2X7

LETTER OF DIRECTION

Dear Jesse Long:

**Re: Application by wpd Sumac Ridge Inc. (the "Applicant") for an order of the Board establishing the location of certain Distribution Facilities (as described in the Notice of Application) within road allowances owned by the Municipality of Kawartha Lakes
Board File Number EB-2013-0442**

The Board has issued its Notice of Application (the "Notice") with respect to the above matter.

You are directed:

- 1) To immediately serve a copy of the Notice along with the location map of the affected road allowances and a copy of the application, either personally, by courier, or by registered mail on:
 - a) The Clerk of the Municipality of Kawartha Lakes;
 - b) All directly affected landowners as well as encumbrancers; and
 - c) All owners and operators of rail lines, telecommunications (e.g. telephone) or other utilities along or crossing the routes proposed for the Distribution Facilities

- 2) To file with the Board, affidavit evidence proving the above service immediately upon completion, with the relevant Notices, application, and original post office registration receipts (where applicable), or courier confirmation lists attached as appendices.
- 3) To immediately, or as soon as it is ready, have copies of the application, the pre-filed evidence and any additional materials as they are developed, made available for convenient public perusal at the offices identified in the Notice, and to post all such documents on the Applicant's website.
- 4) To immediately provide a copy of the application and pre-filed evidence to any person upon request.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary

- c. Patrick Duffy, Counsel for the Applicant
Ingrid Minott, Counsel for the Applicant

EXHIBIT "B"

referred to in the Affidavit of

Jaclyn D'Angelo

sworn April 30th, 2014



A Commissioner for Taking Affidavits

Jesse Long LSUC # 58647L



EB-2013-0442

NOTICE OF APPLICATION AND WRITTEN HEARING
APPLICATION FOR DETERMINATION OF LOCATION OF
DISTRIBUTION FACILITIES WITHIN ROAD ALLOWANCES OWNED
BY THE MUNICIPALITY OF KAWARTHA LAKES

The Application

Wpd Sumac Ridge Incorporated (the "Applicant") filed an application dated December 20, 2013 with the Ontario Energy Board (the "Board"), under subsection 41(9) of the Electricity Act, 1998, S.O. 1998, c. 15, Schedule A, as amended (the "*Electricity Act*") for an order or orders of the Board establishing the location of the Applicant's proposed distribution facilities within certain public roads (specifically Wild Turkey Road and Gray Road) owned by the Municipality of Kawartha Lakes (the "Municipality").

The Applicant is in the process of developing a 10.25 megawatt wind farm, called the Sumac Ridge Wind Project (the "Project"), in the City of Kawartha Lakes. The Project is being developed pursuant to a contract with the Ontario Power Authority under the Feed-in-Tariff program.

As part of the Project, the Applicant is proposing to construct a distribution system that will convey the electricity generated at the wind turbines to the local distribution system for delivery to the Independent Electricity System Operator-controlled grid. The distribution system is located on public and private lands.

As part of its distribution system, the Applicant is proposing to construct a 44kV underground collector line crossing beneath Wild Turkey Road and an aboveground 44 kV distribution line along Gray Road that will connect to an existing local distribution

system located along Highway 35 (collectively the "Distribution Facilities"). The Distribution Facilities are described in detail in the application at Exhibit C/ Tab 1/ Schedule 1. A map of potentially affected road allowances is appended to this Notice.

The Applicant states that it has not been able to reach an agreement with the Municipality with respect to the location of the proposed Distribution Facilities. Accordingly pursuant to subsection 41(9) of the *Electricity Act*, the Applicant requests that the Board issue an order determining the location of the Distribution Facilities within road allowances owned by the Municipality.

The Board has assigned File No. EB-2013-0442 to this application.

Scope Of This Proceeding

The scope of this proceeding is limited to determining the location of the Distribution Facilities within the road allowances owned by the Municipality. The consideration of any other aspect of the Project is not within the Board's jurisdiction.

The Board's jurisdiction in this proceeding arises from section 41 of the *Electricity Act*. Subsections 41(1), 41(5) and 41(9) read as follows:

41. (1) A transmitter or distributor may, over, under or on any public street or highway, construct or install such structures, equipment and other facilities as it considers necessary for the purpose of its transmission or distribution system, including poles and lines.

(5) The exercise of powers under subsections (1), (2) and (3) does not require the consent of the owner of or any other person having an interest in the street or highway.

(9) The location of any structures, equipment or facilities constructed or installed under subsection (1) shall be agreed on by the transmitter or distributor and the owner of the street or highway, and in case of disagreement shall be determined by the Board.

How to See the Application

To see a copy of the application, go to the Consumer page of the Board's website and enter the case number EB-2013-0442 in the "Find an Application" box. A copy can also

be seen at the Board's office and at the Applicant's office at the addresses indicated below, or on the Applicant's website <http://canada.wpd.de/wpd-think-energy-home.html>.

How to Participate

Comment

If you wish to give your opinion on the proceeding to the panel of Board Members hearing the application, you are invited to send a letter of comment to the Board no later than 30 days after the publication or service date of this notice. A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the Applicant and the hearing panel.

Observe

If you do not wish to actively participate in the proceeding but you do wish to receive documents issued by the Board, you may request observer status. Your written request must be received by the Board no later than 10 days from the publication or service date of this notice.

Personal Information in Letters of Comment and Observer Requests

All letters of comment or letters requesting observer status will be placed on the public record, which means that the letters can be seen at the Board's offices and will be available on the Board's website. Before placing the letters on the public record, the Board will remove any personal (i.e. not business) contact information from the letters (i.e. the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter will become part of the public record. Please address your letter to the Board Secretary at the address below, and reference file number EB-2013-0442 at the top of your letter.

Intervene

If you wish to actively participate in the proceeding (e.g., submit questions, file argument), you may request intervenor status from the Board no later than 10 days after the publication or service date of this notice. Instructions for requesting intervenor status are available on the Board's website at www.ontarioenergyboard.ca/participate. Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which can be seen at the Board's offices and will be available on the Board's website.

If you do not have internet access, please call 1-877-632-2727 to receive information about this proceeding and how to participate.

How to Contact Us

In responding to this notice, please reference Board file number EB-2013-0442 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. 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.

IMPORTANT

IF YOU DO NOT PARTICIPATE IN THE HEARING BY FILING WRITTEN SUBMISSIONS IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.

Addresses

The Applicant

Jesse Long
wpd Sumac Ridge Incorporated
2233 Argentia Road, Suite 102
Mississauga ON L5N 2X7

Tel: (905) 813-8400
Fax: (905) 813-7487
Email: jesse@wpd-canada.ca

Counsel for the Applicant

Patrick G. Duffy
Stikeman Elliott LLP
5300 Commerce Court West
199 Bay Street, PO Box 85
Toronto ON M5L 1B9
Tel: (416) 869-5257
Fax: (416) 947-0866
Email: pduffy@stikeman.com

The Board

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

Tel (Toll Free): 1-888-632-6273
Fax: 416-440-7656

Filings: <http://www.pes.ontarioenergyboard.ca/eservice>
Email: boardsec@ontarioenergyboard.ca

DATED at Toronto January 27, 2014

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX A
LOCATION MAP

BOARD FILE NUMBER EB-2013-0442

January 27, 2014

EXHIBIT "C"

referred to in the Affidavit of

Jaclyn D'Angelo

sworn April 30th, 2014

A handwritten signature in black ink, appearing to read "Jesse Long", is written over a solid horizontal line.

A Commissioner for Taking Affidavits

Jesse Long LSUC # 58647L