

**This is Exhibit “A” referred to in the  
Affidavit of GORDON GIBBINS sworn before  
me on this \_\_\_\_ day of \_\_\_\_\_, 2014.**

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*A Commissioner, etc.*

**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 wpd White Pines Wind Incorporated for an order or orders pursuant to section 92 of the Ontario Energy Board Act, 1998 granting leave to construct transmission facilities in Prince Edward County.

**EVIDENCE OF THE ALLIANCE TO PROTECT PRINCE EDWARD COUNTY**  
**("APPEC")**

**Explanatory Note:**

The following evidence has been structured for ease of reference so as to conform to the numbering used in APPEC's Interrogatories, submitted March 19, 2014.

**APPEC Interrogatories 1(a) – (c) - Evidence regarding the route of the Transmission Line as depicted in the Applicant's Leave to Construct Application (the "Application")**

**1(a) - Incomplete and inaccurate documentation re: Project Location Description and Project Maps**

- 1) APPEC remains uncertain about the proposed route. Appendix A 1 of the Application indicates that the route is currently being negotiated with the Municipality of Prince Edward County (the "Municipality"). The Project Location Description (Exhibit B) appears incorrect. Project Details listed in Chapter 4 of OEB Filing Requirements are not provided. Please note Section 94 of the Ontario Energy Board Act requirement of a general location map, which APPEC has not seen submitted in this matter, as opposed to multiple disjointed maps such as those filed by the Applicant.

**1(b) - Evidence that the transmission line is not in compliance with ss. 4(1) and 5(2), O.Reg.160/99 under the Electricity Act, 1998:**

- 1) Appendix A - Letter dated April 21, 2014 to Kirsten Walli, Board Secretary, Ontario Energy Board from Eric K. Gillespie Professional Corporation

**1(c) - Evidence that the Maypul Layn portion of the transmission line is located within an ANSI**

- 1) The Applicant's project documentation indicates that the proposed transmission route is

located within the Milford Black Creek Valley Area of Natural and Scientific Interest (ANSI), a provincially-significant Earth Science ANSI. This issue is clearly within the scope of the Board's jurisdiction as the Board has previously given weight to the avoidance of an ANSI.

- 2) Appendix B - EB-2012-0382, Application by Enbridge Gas, Decision and Order dated March 20, 2013, pp. 2 - 4
- 3) Appendix C - Ministry of Energy Guide to Provincial Approvals for Renewable Energy Projects, s.4 Natural Heritage
- 4) Appendix D - wpd White Pines Project Description Report, September 2012, Figure 4.0 - Natural Heritage Features

**APPEC Interrogatories 2(a) – (p) - Evidence regarding the construction of the Transmission Line and whether or not the Transmission Line can/will be able to be constructed underground along its length.**

**2(a) - Incomplete/contradictory documentation regarding burying the transmission line**

- 1) APPEC remains uncertain about the Applicant's intention to bury the transmission line. In response to APPEC interrogatory 2(a) the Applicant confirms that the entire transmission line will be located underground, with two exceptions for bridge crossings. However the Applicant's response to APPEC Interrogatory 2(p) states as follows: "In the event that any portion of the transmission line cannot be buried underground, wpd will undertake a full investigation. . ."
- 2) wpd White Pines REA project documentation also does not confirm that the transmission line will be buried:
  - a) wpd White Pines Interconnection Line Effects Assessment, May 2013, s. 1.3.2 Project Components: "Should portions of the interconnection line be installed above ground on new poles. . ."
  - b) wpd White Pines Interconnection Line Effects Assessment Table 3.1: "Subject to confirmation through detailed design, the interconnection line is expected to be installed underground. . ."
  - c) Application, Exhibit A, Tab 1, Sch 1, G. "Community and Stakeholder Consultation": Open House for the White Pines Wind Project Interconnection Line (May 2013) Information Brochures: Project Overview and Interconnection Facility Details: "Subject to confirmation through detailed design. . ."

- 3) In its Application, the Applicant is confirming to the Board that the Transmission Line will be underground with two exceptions. However the Applicant's response to APPEC interrogatory 2(p) and its REA application documentation appears to state different facts.
- 4) Contradictory information regarding exceptions for above-ground infrastructure.
  - a) wpd White Pines' leave to construct application indicates that the transmission line will be located above ground in two locations. The Interconnection Line Effects Assessment contained in the Applicant's REA documentation indicates there are three locations where above-ground infrastructure will be located.
  - b) wpd White pines Interconnection Line Effects Assessment, May 2013, s. 1.3.2.1 and Table 3.1.

**2(b) - The feasibility of burying the entire transmission line along its length**

- 1) wpd White Pines Stage 1 and 2 Archaeological Assessment for the White Pines Wind Project Transmission Line, Milford to Gorsline Road, December 5, 2012 states:
  - a) "In the southern half of the study area Farmington Loam predominates, consisting of a shallow veneer of soil directly overlying bedrock. In virtually the whole of this soils are less than 30 centimetres thick, and often much less." (p. 4)
  - b) "Archaeological testing was conducted wherever undisturbed ground was identified within the road allowance. In practice this meant that of the area was untestable. For instance, along Johnson and Bond Roads, ditching had removed virtually all soils down to bedrock on either side of the roadway." (p. 12)
  - c) 5.3 - Milford to Miller Road: "North of the bridge, this section contained very shallow soils lying directly on the surface of limestone bedrock. Most areas within the road allowance had been highly disturbed through extensive ditching which had removed the soils between the road bed and the edge of the road allowance, exposing the limestone below." (p. 13)
  - d) 7.0 - Results and Conclusions: "It should be noted that subsoil was absent over a large proportion of the study area, with bedrock underlying the topsoil in many areas."
- 2) wpd White Pines Wind Project Natural Heritage Assessment and Environmental Impact Study, May 2012 states:
  - a) "The Ontario Geological Survey mapping indicates that there is a shallow depth of overburden over the bedrock in the White Pines Study Area (Gao et al., 2006)." (p. 3.21)
- 3) "The southern third of Prince Edward County, where the White Pines Study Area is

situated, contains limestone bedrock which is covered by a shallow layer of soil.” (p. 3.24)

- 4) “Milford- Black Creek Valley Provincially Significant Earth Science ANSI is a subglacial tunnel valley that originates at the McMahon Bluff landform, approximately 4 km east of the Study Area (Gorrell, 1991). The valley extends from the Bluff south and west along Black Creek (see Figure 1, Appendix A). From the McMahon Bluff to the town of Milford the valley landform consists of a plateau of up to 20 m high surrounded by a narrow, steep ridge up to 5 m higher (Gorrell, 1991). West of Milford the valley ridge and plateau disappear but a channel in the bedrock is found through the valley to County Road 24. A second segment of the Earth Science ANSI occurs along the north side of Army Reserve Road to the east of Simpson Road.” (p. 3.32 )
- 5) “Lee et. al. (1998) defines alvar communities as “bedrock controlled sites on more or less level expanses of limestone.” pp. 4.21 “The soils of the alvar communities in the Study Area were typically 14 to 30 cm in depth comprised of fine textured soils with no development of soil horizons.” (p. 4.27)
- 6) “The portion of the Earth Science ANSI that the Project Location occurs within is broadly described as a “channel of bedrock” (Gorrell, 1991).” (p. 6.51)

**2(c) - Inadequate measures to ensure that construction will not affect the landowners' use and enjoyment of their properties**

- 1) The Applicant indicates installation and dismantling of the interconnection line will be undertaken in close proximity to residential properties located along the municipal right-of-way. (see Interconnection Line Effects Assessment, May 2013, Table 3.1)
- 2) Dust and noise from construction of underground lines lasts three to six times as long as installing an overhead line. The practice of “undergrounding” transmission lines requires extensive digging, clearing and grading. The limestone bedrock, either exposed or covered by a thin layer of soil (refer to APPEC Interrogatory 2(b)) indicates the need for extensive drilling.
- 3) The Applicant’s Interconnection Line Effects Assessment, May 2013, Table 3.1 states: “Potential exists for interference with local utilities”. Table 3.1 also notes, in this regard, that the interconnection line will cross two existing electrical transmission lines. Power outages have serious impacts on businesses and people whose homes serve as their workplace and is an issue the Board has clear jurisdiction as it relates directly to the quality of electricity supplied to consumers.
- 4) Incomplete documentation regarding inventory of residential water wells along the length of the route and attention to impacts to residential wells during the construction process. Impacts include but are not limited to physical damage (vibration impact from drilling, etc.), water quality and water supply. Prince Edward County is subject to prolonged

periods of drought. Dewatering activities before and during periods of drought could have a serious impact on the residential water supply. The Applicant has obtained MOE well records for the wind project study area but has not done so for the transmission line route.

**2(d) - Evidence regarding lack of relevant detail in wpd White Pines Application for Leave to Construct on type of transmission line and intended method of construction including required maintenance and reliability of same over the lifetime of the transmission line**

- 1) OEB Filing Requirements for Transmission and Distribution Applications, May 2012 Exhibit D: Project Details: “transmission line details, including conductor type, ratings”
- 2) It is APPEC's understanding that the lifetime expectancy of cable without protection and affected by water/moisture is 15-25 years.

**2(e) - Lack of specificity regarding construction of underground transmission line. APPEC does not agree with the Applicant that this question is outside the scope of the Board's jurisdiction under section 96 of the Act**

- 1) Appendix E - OEB Filing Requirements for Transmission and Distribution Applications, May 17, 2012 Chapter 4, Exhibit C: Project Planning
- 2) Appendix F - EB-2013-0246, Hydro One Networks' Section 92, Niagara Region Wind Generation Connection Project – Application and Evidence: Exhibit B, Tab 5, Schedule 1 and Schedule 2

**2(f) - Lack of provisions to inventory landscape features along the length of the transmission line, including trees**

**2(g) - Transmission line cable maintenance/reliability**

- 1) If vaults are not to be used it remains unclear whether the Applicant intends to install manholes instead. In the event that neither will be installed, APPEC wishes to ascertain how problems occurring along the transmission line will be identified, diagnosed and repaired.

**2(h) - As above**

**2(i) - Incomplete construction documentation and consultation**

- 1) Incomplete documentation re: inventory/review of existing culverts and information regarding number and location of new culverts required, if any. Lack of consultation

with community and stakeholders regarding impact of construction of transmission line, including culvert installation on residential wells, i.e., sediment transport and increase in turbidity. Noting in point form on consultation reports that these effects are temporary in nature is not an adequate response.

**2(j) - Lack of attention to construction details**

- 1) At the present time Applicant is unable to say whether transmission lines and collector lines on Royal Road and Maypul Layn Road will be buried in the same trench or whether two trenches will be needed. This indicates lack of diligence to the community and stakeholders to preserve heritage maple trees on Maypul Layn Road.

**2(k) - Portions of transmission line located on forced roads**

- 1) The Applicant was informed in early 2013 that portions of the transmission line route are located on forced roads. In this regard, the Municipality only owns the travelled portion of Maypul Layn Road and other former forced roads such as Crowes Road. Please note the Applicant's evasive response to Interrogatory 2(k).

**2(l) - Public Safety Concerns**

- 1) OEB Filing Requirements for Transmission and Distribution Applications, May 17, 2012, Chapter 4, Exhibit E: Design Specifications and Operational Data states: "The application must provide a description of any applicable codes, standards, and regulations that are applicable to the project. It must also... demonstrate that the proposed transmission facilities will be safe and reliable."
- 2) A report commissioned by ORCGA (Ontario Regional Common Ground Alliance) entitled "Societal Costs of Damage to Buried Infrastructure due to Excavation in Ontario During 2000 – 03" attached as Appendix G, indicates societal costs of accidental excavation, digging include: health costs, evacuation costs, emergency services costs, environmental costs. The Applicant has responded to APPEC Interrogatory 2(l) that ribbon will be placed along the transmission line to notify others of the line's location. The placement of ribbon would involve 66 kilometres or more in total of ribbon (28 kilometres along the length of the transmission line and at least 38 kilometres of collector lines if ribbon is also placed on new access roads on leased land).

**2(m) – 2(n) – Decommissioning**

- 1) Transmission lines that have been placed on public property such as municipal right-of-ways create a potentially unfunded liability where taxpayers could be burdened with the cost of decommissioning. The expense involved to remove underground transmission lines is many times that of dismantling overhead lines.

- 2) It is APPEC's understanding that the lifespan of XLPTE cable that is laid "as is" (not enclosed in a metal sheath or fibreglass casing) is 15 – 20 years. In order to repower the White Pines renewable energy generation facility either a new cable or an above-ground transmission line needs to be constructed. Critical technical details about the type of cable, manufacturers' details, maintenance, unsuitable conditions for cable, etc. are not provided in the Application.

**2(o) - 2(p) - Inconsistent/contradictory documentation in Application and Applicant's response to APPEC interrogatory 2(o)**

- 1) Application, Exhibit B, Tab 2, Schedule 3: "The majority of the 28 km Transmission Line will run underground along the municipal road allowance from the Collector Substation to the Interconnection Substation.
- 2) Response to APPEC Interrogatory 2(o): "wpd intends to bury the entire transmission line underground as described at Exhibit D, Tab 1, Schedule 1 of the Application. In the event that any portion of the transmission line cannot be buried underground, wpd will undertake a full investigation..."
- 3) As noted above, the Application specifically states that the transmission line will run underground along the municipal road allowance with two exceptions. In response to APPEC's interrogatory the Applicant is indicating that it "intends" to bury the entire transmission line but that it may not be feasible to do so. The Applicant's assurances that the transmission line will be buried along its length with two exceptions cannot be taken at any more than face value. Any leave to construct that is granted at this time is open to revision.
- 4) The Applicant assumed responsibility for portions of the interconnection line along May Road and Fry Road in 2012 (before assuming responsibility for the entire interconnection line). In its REA documentation and in public consultation wpd has consistently indicated that "subject to confirmation through detailed design" portions of the interconnection line along May Road and Fry Road will be buried. In its leave to construct application it appears the Applicant is now confirming that the portions of the transmission line on May Road and Fry Road will be buried.

**APPEC Interrogatories 3(a) – (b) - Incomplete documentation on proposed construction plans and timelines**

**3(a)**

- 1) Construction plans: incomplete documentation in leave to construct including but not limited to estimated schedule for each of the major construction activities (clearing, trenching, culvert construction, laying down cable, backfilling) re: OEB Filing



**3(b)**

- 1) Timelines: incomplete documentation regarding the critical path and timeframe for the completion of construction and operational start-up of the proposed facilities. In this regard Table 1.4 of the White Pines Wind Project Interconnection Line Effects Assessment May 2013 indicates that construction on the interconnection line will start 6 – 12 months after REA approval with COD 6 – 9 months from Start of Construction.

**APPEC Interrogatories 4(a) – (c)**

- 1) The land acquisition agreement that forms part of this Application.

**APPEC Interrogatories 5(a) – (i), 6(a) - Lack of consultation with neighbouring property owners and the potentially serious impact on residences and other buildings, some of which have heritage designation, along the proposed route of the Transmission Line, including those not subject to easements.**

**5(a)**

- 1) Appendix 1 attached to APPEC Interrogatories indicates 166 structures along the proposed transmission line route, a number of which are between 10 m and 40 m from the proposed Transmission Line route. Attached and marked as Appendix H is a copy of this report. Further to this submission, APPEC attaches the following site plans to illustrate the distances noted in Appendix H:
  - a) Appendix I - IL\_site\_plan\_1\_Royal\_Road
  - b) Appendix J - IL\_site\_plan\_2\_Maypul\_Layn
  - c) Appendix K - IL\_site\_plan\_3\_County\_Road\_10
  - d) Appendix L - IL\_site\_plan\_3\_a\_County\_Road\_10\_2\_crowes
  - e) Appendix M - IL\_site\_plan\_3\_b\_Crowes\_Road\_south\_portion
  - f) Appendix N - IL\_Site\_Plan\_4\_Crowes\_Road\_mid\_section
  - g) Appendix O - IL\_site\_plan\_5\_Crowes\_Road\_upper
  - h) Appendix P - IL\_Site\_Plan\_5\_a\_south\_Mowbray
  - i) Appendix Q - IL\_Site\_Plan\_6\_mid\_Mowbray
  - j) Appendix R - IL\_site\_Plan\_7\_Airport\_Lane\_Mowbray
  - k) Appendix S - IL\_site\_plan\_7\_a\_Cty Rd 10 near Mowbray
  - l) Appendix T - IL\_site\_Plan\_7b\_Cty\_Rd\_10\_near\_Ridge
  - m) Appendix U - IL\_site\_plan\_8\_Sandy\_Hook\_Cty\_Rd\_10
  - n) Appendix V - IL\_site\_plan\_8\_a\_Sandy\_Hook\_to\_cloverleaf
  - o) Appendix W - IL\_site\_plan\_9\_Cty\_Rd\_1\_near\_OPP
  - p) Appendix X - IL\_site\_plan\_9\_a\_Cty\_Rd\_1
  - q) Appendix Y - IL\_site\_plan\_10\_May\_Rd

- r) Appendix Z - IL\_site\_plan\_11\_May\_Rd\_Cty\_Rd\_4
- s) Appendix AA - IL\_site\_plan\_12\_Fry\_Rd
- t) Appendix BB - IL\_site\_plan\_13\_Fry\_Rd
- u) Appendix CC - IL\_site\_plan\_14\_Fry\_Rd\_Cty\_Rd\_5

**5(b)**

- 1) The Interconnection Line Heritage Report warns that damage due to vibration may occur for properties inside 40 metres of the construction and has suggested mitigation. In spite of this:
  - a) there is no means for affected owners to be assured the engineer is suitably qualified and available on site for the entire period required;
  - b) there is no requirement for pre and post examination; and
  - c) it is not clear what solutions there are if the vibration level exceeds the maximum recommended nor who is responsible when damage occurs.
- 2) Attached as Appendix DD is a photograph of 748 Fry Road, which is marked as structure #3 on Site Plan 13, Appendix BB, as an example of a house and trees less than 10 m from the route of the proposed buried interconnection line. The front door is virtually at the road allowance. 748 Fry Road is only one of several such examples, as Appendix H shows.
- 3) Attached as Appendix EE is a photograph taken in April 2014 of recent trenching to bury lines on Kingsley Road, which is submitted as evidence that trenching will likely damage houses and destroy trees close to road allowance.

**5(c)** - No compensation for damage is contemplated by wpd White Pines.

**5(d)**

- 1) In the Application under the heading “Agency and Municipal Consultation” the Applicant defends its Preferred Route. According to the Applicant, it selected the Preferred Route “because it minimizes the potential adverse environmental impact” (Exhibit B, Tab 4, Schedule 1). After noting concerns about Maypul Layn Road the Applicant notes that it “confirmed its intention to run the Transmission Line along Maypul Layn Rd and explained that this route was less intrusive on the landscape and would be preferred by the municipality and the community.”
- 2) The “Preferred Route” is preferred by no one other than the Applicant and, perhaps, landowners that have optioned land and are not eager to locating a high-voltage transmission line on their own lands.

- 3) For its project at Ostrander Point, Gilead Power Consultation Report (May 2011) s. 2.3 states: “[A] proposed transmission line was re-routed... to avoid a stand of Maple trees along Maypul Layn Road... Gilead elected to move that section of the transmission line west to run along an existing municipal easement.” Why was the Applicant unable to move that section of the transmission line if Gilead was able to do so?
- 4) As noted in Interrogatory 2(j), the Applicant does not know at this time whether the collector line and the transmission line can be buried in the same trench. If safety concerns necessitate burying the lines in separate trenches this further increases the risk to the roots intertwined beneath the road surface.
- 5) The Applicant rejected Alternative A for reasons that are ultimately not compelling. It notes that Alternative A involves environmental features including a large wetland area. This might be compelling to anyone who was not aware that the Applicant had located several wind turbines and access roads in wetland areas and near environmental features. Turbine 29 is 21m from Big Sand Bay, a provincially-significant wetland; “wetland 6” is 82 metres from the access road to T18-20; “wetland 11” is approximately 500m north of a heronry in the Provincial Wildlife Area, etc.
- 6) The Applicant goes on to consider that Walmsley Road would have added significant length to both the Transmission Line and the Collector System “resulting in high levels of line electricity losses and decreased efficiency” It rejects this option that “would make inefficient use of the renewable energy output of the Wind Project and would ultimately have a material adverse economic impact on the Applicant with regard to its obligation under its FIT contract”.
- 7) In other words wpd White Pines designs a wind project that involves a 7800 hectare study area, proceeds to locate 29 wind turbines randomly across the length of South Marysburgh, is required to construct a 28 kilometre transmission line to connect the wind project to the IESO grid - and is then concerned that the Walmsley Road route would add significant length “resulting in high levels of line electricity losses and decreased efficiency.”

**5(e)**

- 1) APPEC's request for information about hydro poles is entirely appropriate in view of concerns raised in Interrogatories 2(a), 2(b) and 2(o).

**5(f)**

- 1) North of 606 Crowes Road and south of the S-curve, there is a long section of gravel road with mature trees along both sides and arching tree canopy and no existing electrical infrastructure. Although this treed section of road is equivalent in heritage value to Maypul Layn Road, these trees are not identified for protection either.

- 2) Attached as Appendix FF is a photograph of trees along a section of Crowes Road, showing that no infrastructure currently exists in this location. Even without leaves, the integrity of the tree canopy is evident and the trees line both sides of the road up to the road's edge consistently for a long stretch. These trees have not been inventoried by Stantec or the Applicant.
- 3) Attached as Appendix GG is a map created by Stantec for the Applicant (cropped Tile 6) showing location of tree canopy along Crowes Road.

**5(g)**

- 1) Burying transmission lines requires trenching through tree roots. It would seem unlikely that the heritage trees on Maypul Layn Road and Crowes Roads could survive. There is uncertainty over the depth of the transmission line. At least three different depths are indicated in the Applicant's project documentation. The depth of the transmission line is not stated in the Application.

**6(a)**

- 1) The cable may be installed in fiberglass ducts or it may be directly buried in the ground. If the latter option is chosen, concerns about stray voltage need to be taken seriously as this has a direct bearing on the quality and reliability of the electricity provided by the Applicant to consumers and has been an issue before the Board on many occasions. Other attenuating factors include depth the transmission and collector lines are buried and the total length of the transmission line. To the best of APPEC's knowledge this is the first time in Ontario that a renewable energy developer has proposed to construct a high voltage transmission line of this length underground. A stray voltage detection program should be undertaken.

**The Applicant's account of the alternatives considered in the Application**

- 1) In Exhibit B, Tab 4, Schedule 1 section 2, - 69 kV line, the Applicant advises the Board that subsequent to submitting its REA application to the MOE for review it was advised that HONI would not enter into a joint use agreement for a 69 kV line on its distribution poles.
- 2) The Applicant offers evidence in its Application that it was endeavouring to enter into a joint use agreement with Hydro One for a 69 kV line. However, the REA project documentation submitted in September 2012 indicates that "an interconnection line will carry the 34.5 kV electricity to a substation to be built near the Picton Transformer Station" (wpd White Pines Wind Project - Project Description Report, September 2012, Section 3.3.3 Electrical Interconnection).
- 3) Also, further to the above, the IESO's Connection Assessment and Approval Process

Final Report (October 28, 2011) for the White Pines Wind Generation Station indicates that the White Pines Wind Farm will be connected to Hydro One... owned 230 kV circuit... in the proximity of the existing Picton Transfer Station.

- 4) Clearly the Applicant attempted to negotiate a joint use agreement with Hydro One and was unsuccessful. It is important to note, however, that negotiations with Hydro One for joint use of the line, if successful, would have resulted in the project modification.
- 5) The Applicant is claiming in its Application that a project modification was required after negotiations with Hydro One proved unsuccessful. In fact, the Applicant merely followed through on the terms of the renewable energy generation facility as stated in the 2011 IESO Final Report, i.e., to construct a transmission line that would connect the White Pines Wind Generation Station to a Hydro One owned circuit in the proximity of the Picton Transfer Station. Therefore, the Applicant should accept some responsibility for submitting incomplete REA documentation to the MOE in September 2012.
- 6) Please note that the IESO Connection Assessment and Approval Process Final Report (October 28, 2011) is shown on the Exhibit List "H Impact Assessment" but that it does not appear in the leave to construct application.
- 7) In Exhibit B, Tab 4, Schedule 1 - Transmission Alternatives Considered - 2. 69 kV Line the Applicant states:
  - a) "During the early stages of the planning and design process for the Wind Project, the Applicant entertained discussions with HONI regarding the possibility of connecting the Wind Project to the IESO-controlled grid by running a 69 kV transmission line overhead and attaching the line to HONI's existing distribution poles."
  - b) "On September 14, 2012, the Applicant submitted its REA application to the MOE for review in accordance with Regulation 359/09, which application provided for an overhead transmission line and joint use of HONI's distribution poles together with Gilead Power."
  - c) "Subsequently, HONI advised the Applicant that it would not enter into a joint use agreement for a 69 kV line on its distribution poles... Correspondence exchanged between the Applicant and HONI with respect to HONI's termination of negotiations for a 69 kV transmission line joint use agreement is included at Appendix "B" to this Schedule."
- 8) The Municipality has passed a motion adopting a report from the Committee of the Whole dated April 10, 2014, attached here as Appendix HH, in which it held that, among other issues, the Applicant was incomplete and deficient as well as lacking in appropriate

mitigation measures in its Heritage Assessment Report. The Minutes of the Council meeting are attached as Appendix II.

- 9) In addition, the Board's jurisdiction regarding the Applicant's ability to provide good quality and reliable electricity to the electricity consumers of Ontario requires that it should bear in mind the cost to those consumers of renewable energy sources such as the project this Transmission Line seeks to connect to the provincial grid. Attached as Appendix JJ is a report on the additional costs to the consumer from projects such as the one at issue here.

**Date:** May 26, 2014

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