



**EB-2014-0139**

**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 Jericho  
Wind, Inc. for an Order or Orders pursuant to section  
41(9) of the *Electricity Act 1998*, S.O. 1998, c. 15,  
Schedule A, as amended, establishing the location of  
Jericho Wind, Inc.'s distribution facilities within certain  
road allowances owned by Lambton County.

**PROCEDURAL ORDER  
NO.2**

**June 9, 2014**

Jericho Wind, Inc. ("Jericho") filed an application dated March 18, 2014 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 for an order or orders of the Board establishing the location of approximately 26 kilometers of Jericho's proposed distribution system ("Distribution Facilities") within certain public streets, highways and right-of-ways owned by the Corporation of the County of Lambton ("Lambton County"). The Board assigned File No. EB-2014-0139 to this application.

Jericho is in the process of developing a 150 megawatt wind farm called Jericho Wind Energy Centre (the "Project"), in the Municipality of Lambton Shores and the Township of Warwick in Lambton County, and in the Municipality of North Middlesex in Middlesex County, Ontario. Jericho's application for Renewable Energy Approval ("REA") from the Ministry of the Environment was received on April 14, 2014. The Project is being developed pursuant to a contract with the Ontario Power Authority under the Feed-in-Tariff program.

The Board issued a Notice of Application and Written Hearing (the "Notice") on March 31, 2014, and Jericho filed an affidavit of service dated April 11, 2014 indicating that it has served the Notice as directed by the Board.

On March 28, 2014, Lambton County filed a letter with the Board requesting intervention status, dismissal and adjournment of the proceeding, and an oral hearing. On April 9, 2014, Jericho filed a letter with the Board responding to Lambton County's March 28 letter.

On May 8, 2014, the Board issued Procedural Order No.1 granting intervention status to Lambton County, and setting a schedule for a response by Lambton County to Jericho's April 9 letter and an interrogatory phase for the parties. Lambton County did not respond to Jericho's April 9 letter and did not submit interrogatories to Jericho.

On May 28, 2014, Jericho filed with the Board responses to Board staff interrogatories, but the cover letter was stamped as "CONFIDENTIAL", without formally asking for such treatment. The Board initially did not post Jericho's interrogatory responses on its website in compliance with the Board's RESS Document Guideline. On June 6, 2014, the Board posted on its website Jericho's May 28 responses to the interrogatories following receipt of a letter from Jericho dated June 5 clarifying that the May 28 cover letter was inadvertently marked "Confidential", and that the interrogatory responses were sent to Lambton County on May 29, 2014.

The Board has decided that it is appropriate to continue this proceeding by way of a written hearing.

#### **THE BOARD ORDERS THAT:**

1. Jericho Wind, Inc shall file its argument-in-chief with the Board and deliver it to Lambton County on or before **June 16, 2014**.
2. Lambton County and Board staff can file their submissions, if any, with the Board and deliver same to Jericho Wind, Inc on or before **June 24, 2014**.
3. Jericho shall file with the Board and deliver to Lambton County its reply submission on or before **June 30, 2014**.

All filings to the Board must quote file number EB-2014-0139, be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties shall use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca).

If the web portal is not available, parties may email their documents to the address

below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

**ADDRESS**

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4  
Attention: Board Secretary  
E-mail: [Boardsec@ontarioenergyboard.ca](mailto:Boardsec@ontarioenergyboard.ca)  
Tel: 1-888-632-6273 (toll  
free) Fax: 416-440-7656

**DATED** at Toronto, June 9, 2014

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary