



CLEARVIEW

August 26, 2014

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

Dear Ms Walli,

Subject: wpd Fairview Wind Incorporated – New application for an order to determine the location of distribution facilities within Road Allowances EB-2014-0226

On August 21, 2014, the Township of Clearview received notice of the above matter. The notice indicated that in order to seek intervenor status in this matter, the municipality must submit a written request by September 2, 2014.

As our Council does not meet until the evening of September 8, 2014, the municipality had filed a request for an extension to the submission date. In the absence of a reply to that request, the municipality is filing this request.

The Township of Clearview hereby files a request to:

- Obtain intervenor status as the proposed project directly impacts our road infrastructure; and,
- Have a hearing conducted on the basis of oral rather than written evidence.

As a preliminary matter we note that:

- Although Notice of the proposed Public Hearing is to be forwarded to the Clerk of the municipality, it was forwarded to the Deputy Clerk;
- The municipality has never declined to reach an agreement with the proponent, nor to discuss the proposed

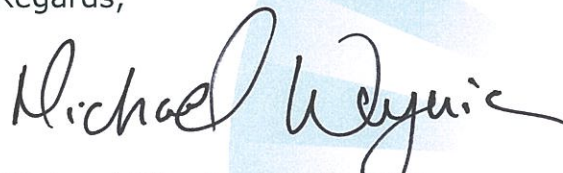
infrastructure requirements, but has indicated that doing so should occur at the appropriate time and when fundamental details regarding the project have been finalized and when fundamental concerns regarding this project have been responded to by the MOE and the proponent;

- The project has not received a required REA approval and the proponent made its request for a hearing prior to an EBR posting regarding significant modifications to its proposed project;
- There is no obligation for the municipality to reach an agreement with a proponent of an energy project on the utilizations of its infrastructure prior to such a project receiving approval;
- The proponent has not, in fact, entered into a final agreement with another municipal road authority on which a significant portion of its transmission structure is to be located; and,
- The proponent has refused to provide the municipality with an accurate Municipal Consultation Form which would provide the municipality with a formal opportunity to respond on these very matters through the Province's prescribed process for doing so.

The municipality is requesting intervenor status at an oral hearing as it intends to submit evidence, cross-examine witnesses and make arguments as well as potential motions. The municipality may also seek costs in this matter.

The municipality will be engaging legal representation regarding this matter and will provide relevant contact information when those arrangements have been finalized.

Regards,



Michael Wynia, MCIP, RPP
Director of Community Planning and Development
mwynia@clearview.ca

cc Jaclyn D'Angelo, wpd