

November 7, 2014

COURIER, EMAIL AND RESS

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Greenfield South Power Corporation
Application for Certificate of Public Convenience and Necessity
Board File No. EB-2014-0299**

This letter is further to our correspondence dated November 5, 2014 and a reply to the letter from the Applicant's legal counsel dated November 6, 2014.

Given that Union did not receive the supplementary evidence until late in the day on November 5, in our November 5 letter Union requested additional time to file evidence and advised that at the time it was not able to indicate how much additional time it required to file evidence.

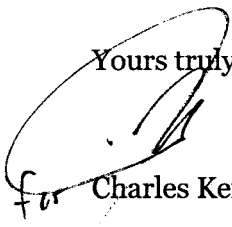
Union has now had an opportunity to review the evidence and assess the time it requires to appropriately respond. The supplementary evidence is extensive and contains a number of propositions (found both in the supplementary evidence of the Applicant and the evidence of Mr. John Todd in support of the Applicant) that are supported by various calculations. As such, Union is in the process of reconciling any calculations and considering the validity of the various propositions and assertions made. It is expected that this assessment would be completed early next week. Union would then write its evidence based on its assessment of all evidence filed by the Applicant to date. This process, including internal sign-off on the content of the evidence, would be completed by Friday, November 14 - at which time Union will file its evidence.

As a result, Union requests that the Board amend Procedural Order No. 1 as follows:

- Intervenors file evidence by November 14, 2014
- Interrogatories due from all parties on November 21, 2014
- Responses to interrogatories on November 28, 2014.

With respect to the Applicant's proposal on the filing of reply evidence, this right should not be granted at this time. The Procedural Order No. 1 did not contemplate such a right and the Applicant raised no objection to that process either at the time of the Order or on the filing of its supplementary evidence. Nothing has changed since the time of the Procedural Order No. 1 that would warrant the Applicant now having a right of reply evidence built into the schedule. The only change has been the filing of supplementary evidence by the Applicant. The fact that supplementary evidence was filed in a manner not contemplated by that Order should not be the basis for a change in the process (other than the aforementioned change in the schedule). Furthermore, the Board should not grant the right to submit reply evidence unless the Applicant can demonstrate that it did not know of the evidence asserted or could not have anticipated the need to file that evidence as part of its pre-filed evidence and that it relates to an issue that arose in the evidence of another party. The Applicant has no basis to assert this position as this juncture in the proceeding and until the Applicant can establish such a basis it should not be granted a right of reply.

Yours truly,


for Charles Keizer
CK/

cc (by email): Hubert Vogt, Greenfield South Power Corporation
Mike Richmond, McMillan Binch LLP
Miriam Heinz, Ontario Power Authority