

November 14, 2014

RESS, EMAIL & COURIER

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

Attention: Ms. K. Walli, Board Secretary

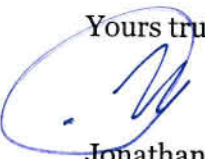
Dear Ms. Walli:

**Re: Windlectric Inc. - Application for Leave to Construct Transmission Facilities
(EB-2014-0300) - Affidavit of Service**

We are counsel to Windlectric Inc. ("Windlectric") in respect of its application for leave to construct transmission facilities (EB-2014-0300). Further to the Letter of Direction issued by the Board on October 15, 2014, please find enclosed the Affidavit of Service of Ms. Kerrie Skillen.

Please note that the Affidavit of Service contains personal information, consisting of the names and addresses for individuals that have been served. As such, in accordance with Rule 9A of the Board's Rules of Practice and Procedure, a non-confidential version of the Affidavit of Service is being filed on RESS and both non-confidential and confidential versions are being filed by courier with the Board in accordance with its established procedures. Exhibit 'C' of the Affidavit, which contains the names and addresses of individuals that have been served will therefore be excluded in its entirety from the non-confidential version in order to protect the personal information of those individuals that have been served.

Yours truly,



Jonathan Myers

Tel 416.865.7532
jmyers@torys.com

cc: Mr. A. Tsopelas, Windlectric Inc.

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Sched. B);

AND IN THE MATTER OF an application by Windlectric Inc. for an Order or Orders pursuant to Section 92 of the *Ontario Energy Board Act, 1998* (as amended) granting leave to construct transmission facilities in Loyalist Township in the County of Lennox and Addington, Ontario.

AFFIDAVIT OF SERVICE

I, Kerrie Skillen, of the Town of Milton, in the Province of Ontario, **MAKE OATH AND SAY:**


1. I am an employee of Stantec Consulting Ltd., which has been retained by Windlectric Inc. to provide various consulting services. In my role as Project Manager for the Amherst Island Wind Energy Project with Stantec Consulting Ltd., I have been responsible for overseeing the delivery, service and publication of the Notice of Application and Hearing issued on October 15, 2014 by the Ontario Energy Board (the "Board") in EB-2014-0300 in respect of Windlectric's application for leave to construct transmission facilities (the "Notice") and, as such, have personal knowledge of the matters herein deposed.
2. Further to Sections 1 and 3 of the Board's Letter of Direction dated October 15, 2014 (the "Letter"), I can confirm that:
 - (a) on October 16, 2014 a search of title was carried out by Torys LLP to confirm the current registered property owners and encumbrancers with lands or interests in lands directly affected by the proposed transmission facilities; and
 - (b) on October 31, 2014 Torys LLP filed a pdf version of the complete Notice with the Board, with November 17, 2014 inserted as the date that is 10 calendar days from the actual date of publication.
3. Further to Section 2 of the Letter, I oversaw and arranged for the completed Notice, together with the corresponding map, to be published in the November 6, 2014 edition of the Kingston Whig-Standard, being the English language newspaper having the highest circulation, according to the best information available, in Loyalist Township in the County of Lennox and Addington.
4. Further to Section 4 of the Letter, I oversaw and arranged for:

- (a) a copy of the completed Notice (a copy of which is attached hereto as **Exhibit 'A'**), together with a copy of the Application (a copy of which is attached hereto as **Exhibit 'B'**), to be served by registered mail or courier on November 5, 2014 to each of the persons referred to in Sections 4(a) - (j) of the Letter, as evidenced by the post office registration and courier receipts attached hereto as **Exhibit 'C'**.

5. Further to Sections 5 and 7 of the Letter, I can confirm that:

- (a) Windlectric Inc. has posted a copies of the Notice and the Application and pre-filed evidence on its project website at www.amherstislandwindproject.com as of November 6, 2014 and has made these documents available for public perusal at its offices upon request; and
- (b) Windlectric Inc. provided copies of the Notice, Application and pre-filed evidence to Loyalist Township and the County of Lennox and Addington on November 6, 2014 and has requested that they make these documents available for public perusal at each of their respective offices.

SWORN BEFORE ME at the Town of
Milton this 13th day of November, 2014.


A Commissioner for taking Affidavits

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Kerrie Skillen

Kathleen Dawn Chafe
a Commissioner, etc.,
Regional Municipality of Halton
Corporation of the Town of Milton

Exhibit "A"

Notice of Application

Windlectric Inc.

This Exhibit "A" referred to in the affidavit of Kerrie Skillen
sworn before me this 13 day of November, 2014.



A Commissioner for taking Affidavits

Kathleen Dawn Chafe
a Commissioner, etc.,
Regional Municipality of Halton
Corporation of the Town of Milton

Windlectric Inc. has applied to the Ontario Energy Board to build a high-voltage transmission line.

Learn More.

Windlectric Inc. is asking the Ontario Energy Board for permission to construct approximately 5.9 kilometres of 115 kilovolt electricity transmission line and associated facilities. The transmission line would connect Windlectric Inc.'s Amherst Island Wind Energy Project to the provincial power grid.

Windlectric Inc. is also asking the Ontario Energy Board to approve the form of four agreements it has offered to landowners to use their land for routing or construction of the proposed line.

A map of the proposed route for the transmission line is printed below.

Windlectric Inc.'s application to the OEB concerns construction of the proposed transmission line only. It does not concern the construction or operation of the Amherst Island Wind Energy Project itself.

The OEB is an independent and impartial public agency. It will hold a public hearing to consider Windlectric Inc.'s requests. During this hearing, the OEB will consider evidence and arguments by Windlectric Inc. and by individuals, municipalities and others whose interests would be affected.

The OEB hearing will consider specific issues determined by law. The *Ontario Energy Board Act, 1998* specifies the issues the OEB is to consider in making its decision. If you wish to participate in the OEB hearing, it is important for you to understand what these issues are:

As required by the *Ontario Energy Board Act* the OEB will consider three issues:

- The interests of consumers with respect to prices and the reliability and quality of electricity service;
- The promotion of the use of renewable energy sources in a manner consistent with the policies of the Government of Ontario; and
- The form of agreement that Windlectric Inc. offers to landowners affected by the route or location of the transmission line.

The OEB hearing is not the only approval process required before a line is built. For example, most transmission lines are subject to the Ministry of the Environment and Climate Change's Renewable Energy Approval process. The Board's review will only address the three factors outlined above and will not address other factors, such as, environmental, health, aesthetics or property value impacts.

BE INFORMED

You have the right to information regarding Windlectric Inc.'s application. You can read Windlectric Inc.'s application on the OEB's website (See below under "Learn More").

HAVE YOUR SAY

If you would be affected by the proposed transmission line, you may want to take a more active role in the hearing. You can:

- Send the OEB a letter with your comments, which will be considered during the hearing; or
- Ask the OEB for permission to be an active participant in the hearing (an intervenor). Intervenors can provide evidence, argue their positions and submit relevant questions to be answered by Windlectric Inc. (interrogatories). To be an intervenor, a party must be affected by the transmission line in a way that relates directly to at least one of the issues the OEB will consider. If you wish to be an intervenor, the OEB must receive your request by November 17, 2014.

LEARN MORE

To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to read the documents related to this case, please select the file no. **EB-2014-0300** from the list on the OEB website: www.ontarioenergyboard.ca/noticelc. You can also phone Rudra Mukherji at 1-888-632-6273 extension 608.

Oral and Written Hearings

There are two types of OEB hearings – oral and written. Windlectric Inc. has applied for a written hearing. The OEB is considering this request. If you think an oral hearing is needed, you can write to the OEB to explain why by November 17, 2014.

Privacy

If you write a letter with your comments, your name and the content of your letter will be put on the OEB's public record and the OEB website. However, your personal telephone number, address and email address will be removed. If you are a business, all your information will be public. If you apply to become an intervenor, all your information will be public.

This application was filed under sections 92, and 97 of the *Ontario Energy Board Act, 1998 S.O. 1998, c.15, Schedule B.*

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



Filings: <http://www.pes.ontarioenergyboard.ca/eservice>
E-mail: boardsec@ontarioenergyboard.ca
Fax : 416-4407656

**Location Map - Windlectric Inc.
Proposed 115 kV Transmission Facilities**

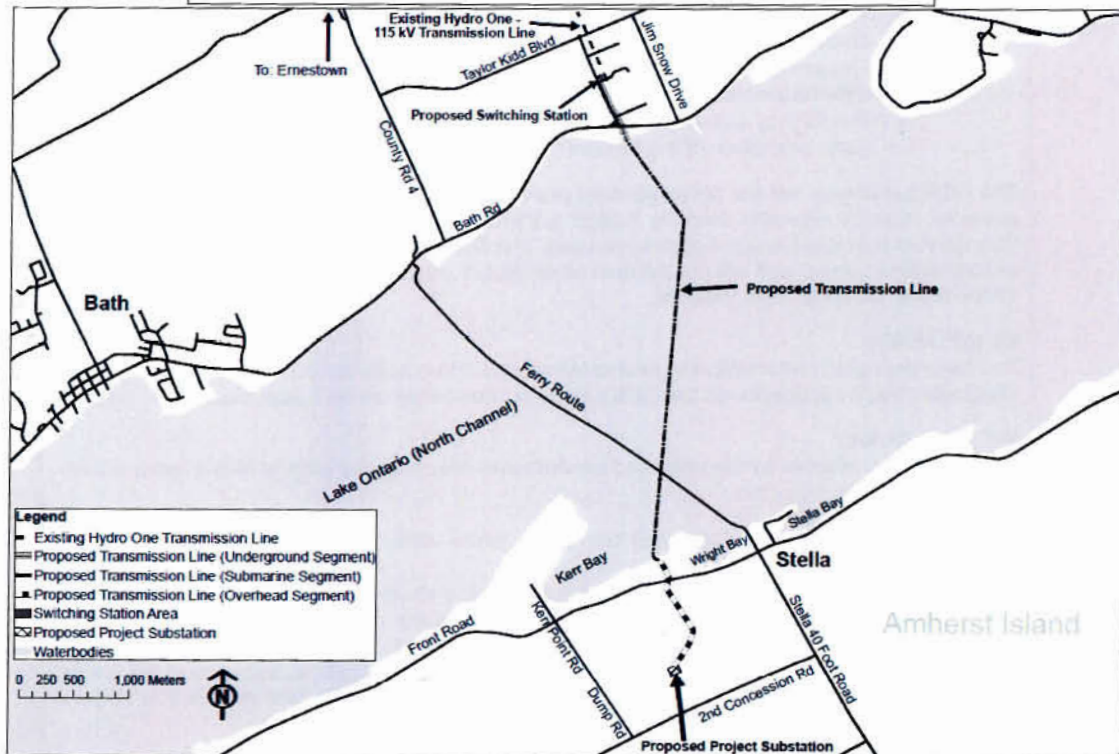


Exhibit "B"

Application

Windlectric Inc.

This Exhibit "B" referred to in the affidavit of Kerrie Skillen sworn before me this 13 day of November, 2014.



A Commissioner for taking Affidavits

**Kathleen Dawn Chafe
a Commissioner, etc.,
Regional Municipality of Halton
Corporation of the Town of Milton**

ONTARIO ENERGY BOARD

IN THE MATTER OF the Ontario Energy Board Act, 1998, S.O. 1998, c. 15 (Sched. B);

AND IN THE MATTER OF an application by Windlectric Inc. for an Order or Orders pursuant to Section 92 of the *Ontario Energy Board Act, 1998* (as amended) granting leave to construct transmission facilities in Loyalist Township in the County of Lennox and Addington, Ontario.

APPLICATION

1. Windlectric Inc. ("**Windlectric**" or the "**Applicant**") is a corporation established, under the federal laws of Canada, for the purposes of developing, owning and operating the Amherst Island Wind Energy Project in Loyalist Township, in the County of Lennox and Addington, Ontario.
2. Windlectric is a wholly-owned subsidiary of the Algonquin Power Co. ("**Algonquin Power**"), which is in the business of developing, owning and operating clean and renewable energy generation facilities. Algonquin Power owns direct or indirect equity interests in 19 hydroelectric, 7 wind, 6 thermal, 1 solar and 1 steam generating facilities in Canada and the United States, having a total installed capacity of approximately 1,100 MW. In addition, it currently has approximately 450 MW of contracted wind and solar projects under development. In Ontario, Algonquin Power has interests in 3 hydroelectric, 2 thermal and 1 solar generation facilities.
3. The Applicant hereby applies to the Ontario Energy Board (the "**Board**") pursuant to Section 92 of the *Ontario Energy Board Act, 1998* (the "**Act**") for an order or orders granting leave to construct the following transmission and interconnection facilities:
 - (a) a substation located on Part Lots 31, 32 and 33, Concession 1, on Amherst Island in Loyalist Township, in the County of Lennox and Addington, at which power from the 34.5 kV collection system associated with the Amherst Island Wind

Energy Project will be transformed from 34.5 kV to 115 kV by means of one 115/34.5 kV, 50/67/84 MVA transformer (the “**Project Substation**”);

- (b) an approximately 5.9 km single circuit 115 kV transmission line, including overhead, underground and submarine segments, connecting the Project Substation to the Switching Station (described below) (the “**Transmission Line**”); and
 - (c) a 115 kV switching station located on Part Lots 23, 24 and 25, Concession 1, in Loyalist Township in the County of Lennox and Addington, adjacent to the existing Hydro One Networks Inc. (“**Hydro One**”) circuit Q6S (the “**Switching Station**”).
4. The facilities described in paragraph 3 are collectively referred to in this Application as the “**Proposed Transmission Facilities**”.
 5. The Applicant further requests approval of the Board pursuant to Section 97 of the Act for the forms of land agreements it has previously offered to directly affected landowners.
 6. Moreover, the Applicant requests approval of the Board pursuant to Section 101 of the Act for authority to construct portions of the Proposed Transmission Facilities upon, under or over a highway, utility line or ditch.
 7. The Applicant is developing and planning to construct and operate a 75 MW wind generation facility, known as the Amherst Island Wind Energy Project, on Amherst Island in Loyalist Township, in the County of Lennox and Addington, pursuant to a contract under the Ontario Power Authority’s Feed-in Tariff (“**FIT**”) Program (the “**Generation Project**”). The Applicant requires the Proposed Transmission Facilities to enable it to convey electricity to the Independent Electricity System Operator (“**IESO**”) controlled grid from the Generation Project, consistent with its obligations under its FIT contract, the objectives of the FIT Program and the renewable energy policies of the Province of Ontario.
 8. The Applicant proposes to locate each of the Project Substation and the Switching Station on private lands and has entered into options to lease the relevant properties.

9. The Applicant proposes to locate the Transmission Line overhead along private properties and across one road on Amherst Island, by means of a submarine cable across a portion of Lake Ontario between Amherst Island and the mainland near the Village of Bath, and underground along private properties and beneath one road on the mainland.
10. With respect to the overhead portions of the Transmission Line on Amherst Island, Windlectric has entered into options to lease or for easements on the relevant properties. With respect to the underground portions of the Transmission Line on the mainland, Windlectric has entered into an option to lease for the relevant properties. To permit the submarine crossing through a portion of Lake Ontario, Windlectric intends to apply for a Work Permit and a Land Use Permit from the Ontario Ministry of Natural Resources.
11. Windlectric is in the late stages of negotiating a road use agreement with Loyalist Township in respect of the road crossing on Amherst Island. For the road crossing on the mainland, Windlectric requires an encroachment permit from the Ministry of Transportation. Windlectric has also commenced negotiations with the Ontario Ministry of Transportation for a Crossing Agreement due to the need for the submarine portion of the Transmission Line to traverse a ferry crossing route and related infrastructure which prevents ice build-up in this area. In addition, Windlectric has taken steps to coordinate with Hydro One Networks Inc. concerning the two locations where the Transmission Line would cross Hydro One's existing distribution facilities perpendicularly.
12. The Applicant received a final System Impact Assessment ("SIA") Report from the IESO dated April 18, 2012. The SIA Report concludes that, subject to certain requirements set out therein, the proposed connection is expected to have no material adverse impacts on the reliability of the integrated power system. The IESO issued a Notification of Conditional Approval for Connection concurrently with the SIA Report.
13. The Applicant received a final Customer Impact Assessment ("CIA") Report from Hydro One dated April 16, 2012. The CIA Report concludes that the Generation Project can be incorporated via the Proposed Transmission Facilities without adverse impacts on Hydro One's customers in the area.

14. Windlectric is subject to the requirements of the Renewable Energy Approval (“REA”) process under Ontario Regulation 359/09 under the *Environmental Protection Act*. The final REA submission package for the Generation Project was submitted to the Ministry of the Environment on April 18, 2013 and was deemed complete on January 2, 2014. Based on the Ministry’s six-month service standard, the Applicant therefore anticipates that its REA will be issued in Fall 2014. The REA contemplates that the project will include transmission facilities and routing that is consistent with the Proposed Transmission Facilities and the routing described in this Application.
15. Subject to receipt of its REA, as well as other necessary permits and approvals, Windlectric plans to commence construction of the Proposed Transmission Facilities in the summer of 2015. Construction is expected to take approximately 8-12 months to complete. The Proposed Transmission Facilities would then be commissioned and would be ready for service by approximately Spring 2016.
16. The cost of the Proposed Transmission Facilities will be borne by the Applicant. As such, the project will not affect electricity transmission rates in Ontario.
17. The evidence in support of this Application has been prepared in accordance with the requirements set out in the Board’s *Filing Requirements for Electricity Transmission Applications - Chapter 4, Applications Under Section 92 of the Ontario Energy Board Act*, as amended July 31, 2014.
18. The Applicant requests that copies of all documents filed with or issued by the Board in connection with this Application be served on the Applicant and it’s counsel as follows:

The Applicant:

Windlectric Inc.
c/o Algonquin Power Company
2845 Bristol Circle
Oakville, ON L6H 7H7

Attention: Mr. Alex Tsopelas
Tel: 905-829-6388

Fax: 905-465-4514
Email: alex.tsopelas@algonquinpower.com

The Applicant's Counsel:

Torys LLP
Suite 3000
79 Wellington St. W.
Box 270, TD Centre
Toronto, ON M5K 1N2

Attention: Mr. Charles Keizer
Tel: 416-865-7512
Fax: 416-865-7380
Email: ckeizer@torys.com

- and -

Mr. Jonathan Myers
Tel: 416-865-7532
Fax: 416-865-7380
Email: jmyers@torys.com

19. Additional written evidence, as required, may be filed in support of this Application, which may be amended from time to time prior to the Board's final decision.
20. The Applicant requests that the Board proceed by way of written hearing, pursuant to Section 34.01 of the Board's *Rules of Practice and Procedure*.

Dated at Toronto, Ontario, this 19th day of September, 2014.

WINDLECTRIC INC.

By its counsel

Torys LLP



Jonathan Myers

Exhibit "C"

Post Office Registration and Courier Receipts

Windlectric Inc.

This Exhibit "C" referred to in the affidavit of Kerrie Skillen
sworn before me this ____ day of November, 2014.



A Commissioner for taking Affidavits

Kathleen Dawn Chafe
a Commissioner, etc.,
Regional Municipality of Halton
Corporation of the Town of Milton

**[INTENTIONALLY DELETED - FILED IN ACCORDANCE WITH THE ONTARIO
ENERGY BOARD'S *PRACTICE DIRECTIONS ON CONFIDENTIAL FILINGS*]**