



CLEARVIEW

November 27, 2014

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Subject: **wpd Fairview Wind Inc. EB-2014-0226**

Further to Procedural Order No. 1 from the Ontario Energy Board, please find set out below response to the interrogatories of the the Ontario Energy Board Staff.

Response to Board Staff Interrogatories:

1.0

Question/Request:

Does the absence (in the Township interrogatories) of defined objections to the specifics of the applicant's plan imply that there are no technical objections to the plan?

Response:

No, the absence of defined objections relates to the absence of information regarding particulars of design which the Township referred to in its interrogatories and to which the applicant has further failed to respond to.

2.0

Question/Request:

Please confirm that the Township has consulted counsel for advice on this matter.

Response:

The Township does not consider questions with respect to legal advice to be appropriate.

3.0

Question/Request:

Does the Township understand that, if the decision of the Board includes a location for the distribution facilities, that it will be within the roadway, and that the applicant would be allowed to proceed with construction of the facilities?

Response:

The applicant has refused to provide information regarding the precise location and details of the facilities (as evident in the response to our interrogatories) making it unclear as to what they are seeking to have approved. It is the Township's understanding that if a general route is approved, but not a precise location, then the precise location will be a matter for agreement between the Township and the distributor.

4.0

Question/Request:

Does the Township understand that this hearing is the forum in which the differences with Fairview about the location must be resolved?

Response:

Yes.

5.0

Question/Request:

Does the Township recognize that peripheral issues such as the Wind Generators and the Renewable Energy Act ("REA") hearings etc. are out of the scope of this limited application and will not prevent dealing with the matter of the location of the distribution facilities within the roadway?

Response:

We are aware of the Board's position.

6.0

Question/Request:

Does the Township acknowledge that if the REA environmental hearing were to decide that the Clearview roadway was not an environmentally sound route, then, regardless of the results of the Board's decision in this matter, the REA decision would prevail?

Response:

Yes.

Regards,

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cc

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