

Ron Cornelis
5066 Aberarder Line
Aberarder, ON
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November 30, 2014

Ms Kirsten Walli
Secretary, Ontario Energy Board
Box 2319, 27th Floor
2300 Yonge Street
Toronto M4P 1E4
boardsec@ontarioenergyboard.ca

Dear Ms Walli:

RE: Reconsideration of Procedural Order #1 November 19 2014 Cedar Point Wind Energy Project OEB File Number EB-2014-0295 Denying Intervenor Status to Ron Cornelis

In PO#1, the Board ruled as follows:

The concerns cited by ... Mr. Cornelis in his request for intervenor status do not relate to the question of the location of the Suncor's distribution facilities within the Town road allowances and therefore to the mandate of the Board in this case

I respectfully disagree. My view is that the concerns generally referenced in my letter requesting Intervenor status are within the scope of this Hearing – namely, the determination of the location of electricity distribution facilities within the road allowances owned by the Town of Plympton Wyoming. Those concerns were:

1. the route (specifically, where in the road allowances the Applicant proposes to place its distribution facilities – location in the assigned corridor with respect to the travelled portion of the road and property lines);
2. construction activities (specifically, located overhead, underground or both);
3. potential impact on me (specifically, as a resident of the Town of Plympton Wyoming and a user of the road allowances contemplated in this matter – locations that may or may not interfere with my enjoyment of the road allowances, including but not limited to the road allowance along Aberarder Line).

Below, please find the interrogatories that I intended to post as an Intervenor.

I believe that each interrogatory comes within the Board's scope for this hearing, namely:

The Board's jurisdiction in this matter is strictly limited to determining the location of the distribution facilities within the road allowances where there is disagreement. The question for this case is therefore not whether the applicant may locate its distribution facilities within the road allowances, but rather, where specifically within the road allowances the distribution facilities will be located.

By allowing the interrogatories to be asked, the Board will enable me to better understand where, if any, disagreement on the location of the distribution facilities exists.

Therefore, I respectfully request that the Board review its decision to deny me intervenor status as set forth in PO#1, considering in its review the clarification above and the interrogatories below and grant me Intervenor status. In the alternative, please provide the Board's rationale for defining my proposed interrogatories as beyond the scope of this Hearing.

Thank you for your consideration of my request.

Sincerely,

Ron Cornelis

Phone: 519- 899-2251

Email: ron.cornelis@wait-pw.ca

Interrogatories of Ron Cornelis for the Cedar Point Wind Energy Project EB-2014 -0295.

Interrogatory 1

Ref #1: Ex B

Tab 2

Schedule 1

Page 2 of 4

29 Subject to technical considerations, the Distribution System line
30 will primarily be buried to a minimum depth of 1 meter by means of trenching or, where being
31 installed underneath watercourses, woodlots or roads, by means of directional drilling. There
32 may be occasional locations where the collection lines are placed above ground on wood,
33 concrete or steel poles in the event that a physical obstruction is discovered during construction.

Ref #2: Ex B

Tab 1

Schedule 1

Appendix A

49The Distribution System will also occupy
50 approximately 22.615 km of streets and highways ("Road Allowances") that are owned by the
51 Town, as more particularly described in Exhibit B, Tab 5, Schedule 1 (the "**Road Allowances**").
52 Maps illustrating the proposed location of the entire Distribution System are provided.

REF #3: Ex B

Tab 5

Schedule 1

Appendix A

*List of Plympton-Wyoming Streets and Highways for Cedar Point II Wind Energy Project
Distribution System Locations September 5 2014*

Preamble

At the first reference, Suncor outlines two methods for locating distribution facilities generally in the road allowances – underground and overhead. The second reference is the map that identifies locations of the proposed distribution system. The third reference provides in table form, *The Distribution System Within Plympton Wyoming Streets and Highways*, which describes, among other things, relevant road allowance, side of road allowance and approximate length of line.

1a. Please provide an expanded table listing of the Road Allowances with additional columns to specify the following:

- corridor positioning of the underground distribution within the road allowance, within a 2 metre range e.g. "1 - 3 m from the north edge of the roadway".
- where changes, if any, have been made from preliminary drawings

- construction type – overhead or underground for each segment and crossing.
- 1b. Has Suncor located utilities and other obstacles which have to be avoided? For example, location of anticipated obstructions and the possible location of any proposed above ground location of poles as well as any and all other relevant locational information, such as the location of other utility infrastructure (for example, Bell, HONI, Union Gas).
- 1c. How does Suncor propose to ensure the integrity of other utilities in the road allowances are not affected?
- 1d. Where HONI distribution poles are located in the road allowances proposed for the distribution facility, has Suncor determined whether it will locate its distribution facility using that existing infrastructure? If not, please provide the rationale.

Interrogatory #2

REF #1: Exhibit B

Tab 2

Schedule 1

Page 2 of 4

44 3) When locating lines within road allowances, the Applicant shall install the lines
45 within 1m of the property limit of the right of way, unless unknown obstacles are
46 discovered. In such a case the location shall be as far from the travelled portion of the
47 road as possible.

2. Please provide Suncor's position regarding implementing as a general principle the installation of distribution lines within 1 metre of the property limit of the right of way.

Interrogatory #3

REF: Exhibit B

Tab 3

Schedule 1

Appendix A

OEB Decision and Order in EB-2010-0253

45 The Board also notes that Grey Highlands' submissions focused on Plateau's status as a distributor, its rights under section 41 of the *Electricity Act* and the Board's authority or jurisdiction to make a determination under subsection 41(9) of the *Electricity Act*, but made no

submissions regarding any alternative or preferred location for the Distribution Facilities within the Road Allowances.

46 In terms of determining the location of the Distribution Facilities, the Board has therefore considered the only evidence provided in this proceeding with respect to proposed location for the Distribution Facilities and that evidence has been provided by Plateau.

47 In the absence of any competing proposal, the Board accepts Plateau's proposed location of the Distribution Facilities within the Road allowances in Grey Highlands.

Preamble

In this Decision and Order, the Board states that it was prepared to consider “an alternative or preferred location” had such been submitted by Grey Highlands.

3. Has Suncor received an alternative or preferred location from the Town of Plympton Wyoming? If yes, please provide the details of that alternative and Suncor’s response.

Interrogatory #4

Ref #1:Exhibit B

Tab 2

Schedule 1

Page 3 of 4

55 3. Renewable Energy Approval

56 Suncor has received a renewable energy approval for the Project. Renewable Energy Approval
57 Number 6914-9L5JBB ("REA") was issued by the Ministry of the Environment to Suncor on
58 August 22, 2014.

4.1 Is this REA currently under appeal?

4.2 Does Suncor anticipate that a successful appeal may impact the location of its distribution facilities? If yes, please explain the potential impact.

4.3 Has Suncor determined that it will begin construction of the distribution facilities before an ERT Appeal Decision and Order, if relevant, occurs? If yes, please explain the rationale for such an approach.

Interrogatory #5

Exhibit B

Tab 4

Schedule 1

57 On June 6, 2014, as a result of the meeting with the Town staff on June 5, 2014, Suncor
58 committed to the following, with respect to its Distribution System as set out in Exhibit B, Tab
4,

59 Schedule 1, Appendix G:

60 (a) Crossings of Municipal Road allowances will be installed by directional drilling the
61 cables beneath in conduit at least 1.5m below the invert of the ditch and 2.5 m below the
62 centre line of the travelled portion of the road;

63
64 (b) Crossing of Municipal Drains located within the Municipal road allowances will be
65 installed by directional drilling the cables in conduit at least 1.5m beneath the invert of
66 the municipal drain.

67
68 (c) When locating cables within the road allowance, Suncor shall install the cables within 1
69 m of the property limit of the right of way, unless unknown obstacles are discovered. In
70 such a case, the location shall be as far from the travelled portion of the road as possible.

5. Please provide Suncor's current position on the above commitments.