

**Ontario Energy
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**Commission de l'énergie
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BY E-MAIL

December 12, 2014

Michael Wynia
Township of Clearview
217 Gideon St.
P.O. Box 200
Stayner ON L0M 1S0

Dear Mr. Wynia:

**Re: wpd Fairview Wind, Incorporated (“Applicant”)
Revised Application to Establish the Location of Distribution Facilities
within Municipal Road Allowances
Board File No. EB-2014-0226 (“Application”)**

The Board acknowledges receipt of your email of December 4, 2014..

As the Board indicated in its Procedural Order No. 1 the Board’s mandate, according to subsection 41(9) of the *Electricity Act*, 1998, c.15, Schedule A (the “Act”) is limited to determining the location of the distribution facilities within municipal road allowances.

The Board has also previously stated that the Act does not require that all necessary approvals, such as the Renewable Energy Approval (REA), be obtained prior to the filing of an application under subsection 41(9) or Board decision on the matter.

This means that the ERA process and the Board’s consideration of the Application may run concurrently. The Board recognizes that the REA process could find that there are environmental issues with respect to the location of the distribution facilities and could result in the parties having to re-examine the location of distribution facilities which may have been determined in a Board decision. However, the Board believes that concurrent REA and OEB proceedings are the

most efficient process and the ongoing REA proceeding should not prevent the Township from fulfilling its obligations to express its views regarding the proposed distribution system route in the Application which is a matter within the Board's mandate.

In any event, as the Board has noted, in order to proceed with construction of the distribution system, the Applicant will need to obtain all legally required permits and other approvals, which would include the REA.

As indicated in the Board's Procedural Order No. 2, each of the Applicant and the Township will have an opportunity to make submissions with respect to the Application. The submission stage of the proceeding provides the Township with an opportunity to make specific arguments as to why the Applicant's proposal should not be adopted. If the Township continues to believe that it cannot participate in the Application process because of another ongoing procedure, then it should raise this matter in its submission, which is due on December 19, 2014.

The Board panel that is hearing the Application will, in the course of its deliberations and decision-making process, consider all of the submissions that are filed.

Yours truly,

Original Signed By

Kirsten Walli
Board Secretary

cc. Jaclyn D'Angelo, Jesse Long, Ian McRae of wpd Fairview
Counsel for Fairview, Ingrid Minott, Stikeman Elliott
Clerk of Clearview Township
Counsel for Clearview K. Stavrakos, Gowlings