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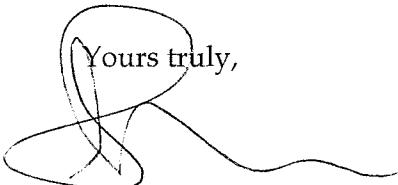
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Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
Yonge-Eglinton Centre
P.O. Box 2319
2300 Yonge Street, Suite 2700
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: wpd White Pines Wind Inc. (the "Applicant")
EB-2013-0339**

Pursuant to Procedural Order No. 6, enclosed please find two copies of the Applicant's Reply to the Submissions of the Alliance to Protect Prince Edward County.

Yours truly,

Ingrid Minott

IM/dl
Encl.

TORONTO

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SYDNEY

IN THE MATTER of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, Schedule B, (the "OEB Act");

AND IN THE MATTER of an Application by wpd White Pines Wind Incorporated for an Order or Orders granting Leave to Construct a new 69 kV transmission line and Associated facilities in Prince Edward County, Ontario.

REPLY TO THE SUBMISSIONS OF THE ALLIANCE TO PROTECT PRINCE EDWARD
COUNTY ("APPEC")

BACKGROUND

wpd White Pines Wind Incorporated ("**wpd White Pines**" or the "**Applicant**") filed an application with the Ontario Energy Board (the "**Board**") on September 18, 2013 under sections 92 and 96 of the OEB Act (the "**Application**") for leave to construct electricity transmission facilities including an underground 69 kV transmission line with a length of 28 km.

On October 23, 2014, wpd White Pines filed a System Impact Assessment Addendum ("**SIA Addendum**") and a Notification of Conditional Approval to Connection Proposal, each dated July 21, 2014. The Applicant also filed a series of email exchanges between the Independent Electricity System Operators (the "**IESO**"), Hydro One Networks Inc. ("**HONI**") and the Applicant wherein HONI indicated that a revised Customer Impact Assessment ("**CIA**") was not required.

Pursuant to Procedural Order No. 6, the Board provided the parties to the proceedings with an opportunity to seek further information and provide submissions in respect to the additional evidence filed on October 23, 2014. On November 26, 2014, Board staff and APPEC filed interrogatories and on December 3, 2014, wpd White Pines filed responses to interrogatories. On December 10, 2014, Board staff and APPEC filed submissions regarding the additional evidence filed by the Applicant on October 23, 2014. These submissions are filed in reply to APPEC's submissions pursuant to Procedural Order No. 6.

1 SUBMISSION

2 The sole allegation made by APPEC is that the correct procedures were not followed with
3 respect to changes to the transmission connection. While APPEC openly concedes that it
4 has no knowledge of the transmission connection process, it nonetheless alleges that HONI
5 failed to take into account changes to the transmission project when completing the CIA. As
6 demonstrated below, APPEC's allegations are irrelevant to the Board's task on a leave to
7 construction application and are purely speculative.

8 The guiding considerations on a leave to construct application are set forth in section 96 of
9 the OEB Act and include an assessment of "the reliability and quality of electricity service."
10 Chapter 4 of the Board's *Filing Requirements for Electricity Transmission Applications* updated
11 July 31, 2014 (the "Filing Guidelines") identifies the type of evidence needed to satisfy this
12 criterion. In particular, section 4.4.6 states that the SIA is evidence that "the applied for line
13 will not affect the reliability of the IESO-controlled grid" based on the IESO's evaluation of
14 the project:

15 All applicants are required to provide evidence to the Board that connection
16 of the applied for line will not affect the reliability of the IESO-controlled
17 grid. This takes the form of an SIA conducted by the IESO as a part of the
18 IESO Connection Assessment and Approval process.

19 The IESO evaluates the design of the project and its impact on the reliability
20 of the integrated power system, and identifies any transmission facility
21 enhancements that may be required in order for the facilities to have no
22 negative effect upon the reliability of the grid. The Applicant must provide a
23 statement confirming that it will implement the Requirements noted by the
24 IESO in the SIA.¹ [Emphasis added.]

25 Section 4.4.7 of the Filing Guidelines requires the filing of a CIA where available to
26 demonstrate that "the applied for facilities will not degrade the electricity service of
27 customers of the transmitter to which the applied for line is connecting":

¹ Ontario Energy Board, *Filing Requirements for Electricity Transmission Applications*, Chapter 4 – Applications under Section 92 of the Ontario Energy Board Act (July 31, 2014) ["Filing Guidelines"], p. 26

1 All applicants are required to provide evidence to the Board that the
2 incorporation of the applied for facilities will not degrade the electricity
3 service of customers of the transmitter to which the applied for line is
4 connecting. This evidence takes the form of the Customer Impact Assessment
5 ("CIA").

6 The CIA report is to be completed by the transmitter to which the applicant's
7 transmission facilities are proposed to be connected. A transmitter shall carry
8 out a CIA for any proposed new or modified connection where:

- 9 • the connection is one for which the IESO's connection assessment and
10 approval process requires a system impact assessment; or
- 11 • the transmitter determines that the connection may have an impact on
12 existing customers.² [Emphasis added.]

13 There can be no dispute that the Applicant has complied with sections 4.4.6 and 4.4.7 of the
14 Filing Guidelines – wpd White Pines followed the IESO Connection Assessment and
15 Approval process, obtained the SIA, CIA and SIA Addendum, and received a letter from
16 HONI confirming that the CIA remains valid. The Applicant has therefore provided the
17 required evidence to demonstrate that the transmission project will not affect reliability of
18 the IESO grid or degrade the electricity service of HONI's customers in satisfaction of
19 section 96.

20 Notably, APPEC has submitted no evidence that questions the impact of the project on
21 reliability or quality of electricity service; instead APPEC relies upon speculative allegations
22 of procedural irregularities in the connection process. However, a leave to construct
23 application is not intended as an inquiry into the connection procedures followed by the
24 IESO and HONI – each of these entities is an independent actor and it must be presumed
25 that they have acted appropriately in issuing their respective approvals.

26 Accordingly, the Board should accept transmission connection approvals issued by the IESO
27 and HONI as being *prima facie* valid absent compelling evidence to the contrary. An
28 intervenor should not be permitted to expand the scope of a leave to construction
29 application by speculating about what the connection process might or should be, or about

² Filing Guidelines, *supra* note 1, pp. 26-27

1 what information the IESO and/or HONI considers relevant for the purposes of their
2 determinations. If the Board were to do otherwise, it would find itself enmeshed in a
3 detailed review of the CIA and SIA application process rather than focusing on whether the
4 considerations enumerated in section 96 have been satisfied.

5 In this case, APPEC has not presented compelling evidence that brings the validity of the
6 connection approvals into question. APPEC takes issue with the fact that the SIA addendum
7 indicates that a change – the installation of a “10 MVar @ 115 kV inductor at LV side of
8 230/69 kV” – is not listed in the CIA confirmation letter from HONI. APPEC has put forth
9 no evidence to demonstrate that this change has any impact upon or is in any way relevant
10 to the CIA. Nor is APPEC able to substantiate its allegation that this change was not
11 considered by HONI in issuing the CIA confirmation letter.

12 The uncontested evidence before the Board is that the Applicant applied to the IESO for an
13 amended SIA in respect of proposed changes to the transmission project on July 24, 2013.³
14 The IESO informed the Applicant that the IESO would notify HONI in the event that an
15 amended CIA was required. It must be presumed that the IESO communicated to HONI the
16 proposed changes to the transmission project that were relevant to HONI’s determination of
17 whether an addendum to the CIA was required and that HONI took those changes into
18 account. On that basis, HONI issued a letter to the Applicant confirming that the CIA
19 remains valid and that the project will not have an adverse impact on the quality of
20 electricity service.

21 CONCLUSION

22 The Applicant has demonstrated that approval of the Transmission Project is in the public
23 interest, will not adversely affect the reliability and quality of electricity service in the
24 province and is consistent with the Ontario government’s promotion of the use of renewable

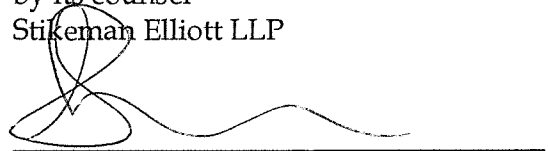
³ As stated in the Applicant’s Response to Further Interrogatories filed on December 3, 2014, these changes consisted of: (i) a change in the location of the internal substation, which resulted in a change to the electrical configuration from a two collector system to a three collector system; (ii) a change to length of the transmission line for 24 km to 28 km; and (iii) a change from an aboveground transmission line to a below ground transmission line.

- 1 energy sources. The Applicant accordingly requests that the Board approve this Application
- 2 pursuant to section 92 and 96 of the OEB Act.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

DATED at Toronto, Ontario, this 17th day of December, 2014

wpd White Pines Wind Incorporated
by its counsel
Stikeman Elliott LLP

A handwritten signature in black ink, appearing to be 'Patrick Duffy', written over a horizontal line.

Patrick Duffy
Ingrid Minott