



**association to protect  
AMHERST ISLAND**

*Without prejudice to all our rights*

Jan. 21, 2015

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

**File No. EB-2014-0300**

**Attn: Ms. K. Walli, Board Secretary**

Dear Ms. Walli:

**Re: Windlectric Inc. Proposed Amherst Island Wind Energy Project  
APAI REQUEST FOR COST ELIGIBILITY**

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I am writing to respectfully request the Board's indulgence as we submit this request for cost eligibility. We acknowledge that this request is late in coming. We did not request a cost award at the time we filed the application for Intervenor status for three reasons:

- we are novices to hearings and legal processes; our limited experience includes attending a number of ERTs and court cases associated with renewable energy projects;
- we were focused on meeting the deadline for filing the Intervenor request;
- we reviewed the Practice Direction on Cost Awards and had concerns regarding Cost Powers, Sect. 2.01 *(d) costs against a party*, and *(e) the costs of the Board to be paid by a party or parties*. Likewise in Section 5, *Failure to Comply* of the Ontario Energy Board Rules of Practice and Procedure, we had concerns regarding section *(c) order the party to pay costs*.

We have sought clarification on Cost Awards from Board Staff who were very helpful in explaining the details. In addition, we have a better understanding of the work involved in participating as an Intervenor in a proceeding and the importance of legal advice and assistance. Working as a group, our participation is more effective and we hope more beneficial to the OEB. At the same time, managing a group takes time and resources. It is for these reasons that we are making this request for cost eligibility.

We very much appreciate that the OEB fosters participation through cost awards. We believe that APAI could be eligible for a cost award for the following reasons:

- APAI represents the direct interests of 350 members who are ratepayers of services regulated by the Board.

- The majority of our members live on Amherst Island. APAI's participation will provide the Board with a unique perspective on what it means to live on a small island that has few services and is connected to the mainland with a ferry. APAI believes this perspective offers a reality check and is important to the proceeding and to the Board's decision-making processes.

We believe that APAI has participated responsibly in the process thus far and that the Board has a better understanding of the issues before them as a result of this participation. We have combined efforts to address the issues cohesively and will cooperate fully with the other parties.

Access to the following services would greatly facilitate and benefit APAI's participation:

- legal advice and assistance for the duration of the proceeding;
- photocopying, transcript preparation, courier costs
- travel and accommodation costs directly related to APAI's participation in the event that the Board decides that processes will be held outside Lennox-Addington County
- costs associated with participation of experts
- other unanticipated and eligible costs

APAI respectfully requests that the Board consider this request.

Yours truly,

Laurie Kilpatrick  
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