

**Ontario Energy  
Board**  
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Toronto ON M4P 1E4  
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**Commission de l'énergie  
de l'Ontario**  
C.P. 2319  
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2300, rue Yonge  
Toronto ON M4P 1E4  
Téléphone: 416-481-1967  
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**BY E-MAIL ONLY**

January 23, 2015

Mr. Eric K. Gillespie  
Counsel  
c/o Dr. Elizabeth Salmon  
10 King Street East, Suite 600  
Toronto, ON M5C 1C3  
[egillespie@gillespiewlaw.ca](mailto:egillespie@gillespiewlaw.ca)

Dear Mr. Gillespie:

**Re: wpd Sumac Ridge Incorporated  
Application under section 41(9) of the Electricity Act, 1998  
Board File Number EB-2013-0442**

The Board confirms receipt of your letter dated December 18, 2014.

In your letter you have asked for copies of evidence filed in this proceeding. Please visit the Board's website at [http://www.rds.ontarioenergyboard.ca/webdrawer/webdrawer.dll/webdrawer/search/rec?sm\\_udf10=EB-2013-0442&sortd1=rs\\_dateregistered&rows=200](http://www.rds.ontarioenergyboard.ca/webdrawer/webdrawer.dll/webdrawer/search/rec?sm_udf10=EB-2013-0442&sortd1=rs_dateregistered&rows=200) to view copies of all evidence filed by wpd Sumac Ridge Incorporated and any other related correspondence.

You have further requested confirmation from the Board that Dr. Salmon is eligible to apply for cost awards. The Board has determined that Dr. Salmon is eligible to apply for an award of costs under its *Practice Direction on Cost Awards* (the "Practice Direction"), however suggests that Dr. Salmon review the Practice Direction carefully for further information about the types of costs and disbursements that may be claimed. In particular, while individual intervenors that represent their own interests may claim for wage or salary losses incurred as a result of participating in a hearing and may, in appropriate circumstances, be eligible for an honorarium at the discretion of the Board, fees are not generally permitted to be claimed by individuals under the Board's Tariff.

The Board also notes that being eligible for recovery of costs is not a guarantee of recovery of any costs claimed. Cost awards are made by way of Board order at the conclusion of the proceeding. Attention should therefore also be paid to section 5 of the

Practice Direction which lists the things the Board may consider in determining the amount of any cost award.

The Practice Direction and related forms are available on the Board's website at [www.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca).

With respect to your stated intention to file a motion for an order of the Board for further information in relation to IR responses filed September 18, 2014, the Board notes that a considerable amount of time lapsed from wpd Sumac Ridge Incorporated's filing of responses until your notification to the Board that you intend to file a motion. Circumstances that would justify the hearing of such a motion would need to be extraordinary to overcome the expectation of a reasonable response time. The Board will consider the reasons for your proposed late filing if you provide them by January 30, 2015. Please advise sooner if you withdraw your intention to file a motion.

Yours truly,

*Original signed by*

Kirsten Walli  
Board Secretary

c: Dr. Elizabeth Salmon  
Jesse Long, wpd Sumac Ridge Incorporated  
Patrick Duffy and Ingrid Minott, Counsel, Stikeman Elliott LLP