

January 29, 2015

RESS, EMAIL & COURIER

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

Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli:

**Re: Windlectric Inc. - Application for Leave to Construct (EB-2014-0300) -
Applicant Interrogatories on Intervenor Evidence**

We are counsel to Windlectric Inc. ("Windlectric"), applicant in the above-referenced proceeding. In accordance with Procedural Order No. 2, please find enclosed Windlectric's interrogatories on the intervenor evidence filed by the Association to Protect Amherst Island.

Yours truly,



Jonathan Myers

cc: Mr. A. Tsopelas, Windlectric Inc.
Intervenors

APPLICANT INTERROGATORIES TO APAI

Interrogatory 1

Reference

Confirmation of APAI Record of Meeting with Mr. Bob Maddocks, CAO, Loyalist Township, dated January 16, 2015 re Road Use Permit, as filed by APAI on January 19, 2015.

Preamble

In the referenced letter, Mr. Large of the APAI wrote to Mr. Bob Maddocks, Chief Administrative Officer for Loyalist Township, for the purpose of documenting matters discussed during a January 13, 2015 meeting. The letter asks Mr. Maddocks to confirm his understanding that "There has been no development on the Draft Road Use Agreement since the January 2013 open meeting held on Amherst Island." In response, Mr. Maddocks signed back the letter on January 16, 2015 confirming that such statement is accurate and reflects his conversation with Mr. Large.

Windlectric Inc. has records documenting its active negotiation of the Road Use Agreement ("RUA") with Loyalist Township staff on an ongoing basis since the January 29, 2013 town hall meeting. This includes the exchange, first of numerous draft RUA terms of reference, and later of numerous draft RUAs, between Windlectric or its legal counsel and various predecessors of Mr. Maddocks or the Township's legal counsel. In addition, Windlectric and its representatives have had a number of meetings and conference calls, and exchanged numerous emails with the Township, including its legal counsel, staff and certain of Mr. Maddocks' predecessors. These efforts culminated in Windlectric and Township staff reaching agreement on a final form of RUA on March 27, 2014, which was presented to the Township Council along with a Staff Report to Council during a closed meeting on April 14, 2014. The RUA was again considered during a May 12, 2014 closed meeting of the Township Council, but has not yet been finalized. No substantive issues have been raised by the Township on the form of RUA agreed to with staff as of March 27, 2014.

Questions/Requests

- (a) Please obtain and file a copy of written confirmation from Mr. Maddocks as to whether or not Windlectric's account of the developments on the draft RUA since January 2013, as set out in the Preamble, is accurate.
- (b) Please obtain and file a copy of written clarification from Mr. Maddocks as to the basis for his confirmation in the January 16, 2015 letter that "there has been no development on the Draft Road Use Agreement since the January 2013 open meeting."