

OEB Board Staff Interrogatories to APAI

Interrogatory #1 of 3

Question/Request (iv)

If feasible, please submit a credible schedule or schedules, and provide the underlying assumptions.

Response (iv)

APAI Summary of Amherst Island Wind Energy Project Schedule (See Attachment 1)

SCHEDULE NOTES AND ASSUMPTIONS

(Note: Windlectric has not filed a construction schedule (Gantt chart) for this project as of February 2015; therefore APAI has made the following assumptions.)

Assumptions:

If Windlectric cites duration e.g. (18 to 24 months) the higher number has been used.

If and when there is an ERT, it is assumed there will be a stay of construction.

Line 1. These are dates published by OPA as the three year FIT Contract Agreement dates.

Line 2. IESO has advised Suppliers they may have a default extension to their MCOD of 18 months, which for this project would expire on August 22, 2015.

Line 3. We have been advised that Windlectric has made application for an additional adjustment to its Contract Date of 115 days, presumably under the Force Majeure framework for FIT Contracts. If approved by IESO, the revised Contract Expiry Date would be December 18, 2015.

Line 4. Windlectric is reporting a Renewable Energy Approval (REA) is anticipated by Q2/2015. APAI has advised the Applicant it intends to file for an Environmental Review, and estimates a six-month process.

Line 5. If a Notice to Proceed (NTP) is issued by Q4/2015, actual Dock Construction could be completed by May 2016, subject to having received all approvals by agencies having jurisdiction, this schedule has some lakebed construction during the freeze up period.

Line 6. The Dock Construction must be completed before Road Construction and Construction of the Transmission Facilities can commence, as an estimated 11,000 truckloads of required aggregate, concrete and gravel will need to be shipped via barges from the Mainland. **Note:** This schedule projects a start of Road Construction that may be affected by the Grassland Bird Habitat protected season in Q2/2016.

Line 7. Transmission Facilities. Windlectric has advised in Page 1 of 35 of Exhibit B that it estimates a summer of 2015 start on the Transmission Facilities. **Note:** It is considered the Transmission Line and Associated Facilities cannot be constructed until **after** the dock and after partial road construction have been completed. A more likely scenario would therefore be a summer of 2016 start.

Line 8. Construction of the actual **Wind Energy System** is estimated to occupy approximately 16 months, and could start in Q2/2016.

Line 9. An allowance of 108 days has been made for **System Commissioning**. Note: This may be optimistic, based on the experience of the 5-turbine project nearby Ernestown Windpark.

Line 10. APAI'S **Estimated Commercial Operation Date** reflects a Best Case Scenario; and as a Notice to Proceed (NTP) has not yet been issued, this date does not reflect any delays that may arise from the Schedule of Issues and Conflicts below, most of which are tied to certain events or seasons.

Available information reported by Loyalist Township Council in: Status of Windlectric Inc. Renewable Energy Approval dated January 7, 2014, states Windlectric is allowed to be 18 months late on its Commercial Operation Date which is February 25, 2014. Windlectric has apparently also requested an extension of 115 days due to the protracted period to achieve REA approval. If this was approved, the new expiry date for this FIT contract is December 18, 2015.

Construction Scheduling Issues and Conflicts (See Attachment 2)

The issues identified in the Construction Scheduling of Issues and Conflicts document may have a significant bearing on the Project Schedule as it limits access to Island project sites and roads during certain periods of the year.

Species-at-Risk – Birds, Amphibians and Fish. Access to fields and meadows is restricted for the protection of threatened species of birds and amphibians at certain times each year. Similarly, certain species of fish are endangered and this may impact the Dock Construction schedule.

Ferry Capacity. Amherst Island's side-loading Ferry, the Frontenac II, is assigned to Wolfe Island by MOT between 1 April 2015 and 1 July 2015. The replacement ferry, Quinte Loyalist, is very small, is also side-loading, and cannot accommodate any large construction vehicles.

Half-Load Restrictions. The annual half-load restrictions on the Island's 60km road network are real and necessary, as the majority of Island roads are very soft, gravelled and sub-standard design.

Channel Ice. The Bay of Quinte freezes over each winter, between mid-January and late-March. There is no icebreaker capacity and the ferry maintains its channel by operating 20-hours daily. The installed Bubbler Systems only functions in the area nearest the ferry terminals.

Stage 3 Archaeology. Stage 3 Archaeology Assessment is required at the Mainland cable landing site and two of the proposed dock sites.

Marine Safety and Logistics.

(Letter from Algonquin Power to Agatha Garcia Wright June 5, 2014, in Modification Report # 1 Appendix B, p.107-108 of 119 pages)

<http://amherstislandwindproject.com/REA%20Minor%20Amendment/REA%20-%20Amendment%20Modification%20Report%20Appendices%20Only.pdf>

“The marine safety and logistics component of the project is unique among wind energy projects in Ontario and is expected to extend the construction period compared to other similarly sized wind projects.”

Judicial Review. APAI is seriously considering launching a Judicial Review on incompleteness of the Windlectric Application in the event of an ERA. It is not clear how this will impact the ERT schedule and the Construction Schedule.

School Bus Restrictions. Windlectric has undertaken that there will be “no movement of components or materials during regular school bus activity hours”. (January 2013 Town Hall Presentation) Local residents report the Elementary School bus leaves Stella at 07:20 and arrives at the school at 08:15; leaves the school at 14:50 and returns at 15:30. The High School bus leaves Stella at 06:15 and arrives at the Ferry at 07:00; the return trip is from 16:00 to 17:00, every school day.

Amherst Islanders (People) Issues. Many Islanders have made observations to the MOE that Windlectric and its engineering consultants have treated Amherst Island as if it is an uninhabited industrial site or a “green field”. The fact that 406 full time residents make their home here, many of whom are descendants of the original settlers of 6 generations ago, and have to attempt to get on with their lives through two years of hell. This inevitably will have a serious impact on any construction schedule.

No one appears to seriously consider the impact on island inhabitants’ schedules that will result from the overwhelming magnitude of this project which is so completely out of scale with a small island. Construction schedules have reflected a six-day workweek.

Construction of a major infrastructure project on this very small island will very seriously impact the quality of life of the approximately four hundred residents for a minimum of two years; large construction vehicles travelling on narrow, gravelled, two-hundred year old country lanes will make the customary bicycling, jogging, walking, x-country skiing and bird-watching unsafe, if not impossible, due to noise, dust and loose gravel. The developer estimates approximately eleven thousand two-way trips to deliver aggregate, gravel and cement to the various project sites during construction; this in addition to the delivery of equipment, cranes, bulldozers, and giant turbine component delivery vehicles.

The lack of sidewalks will seriously delay construction schedules around the hamlet as children travelling to and from school must be accommodated daily. The Hamlet of Stella is not served by a school bus, so children walk to and from school on the pavement. Many of the narrow country lanes do not permit two commercial vehicles or farm implements to pass without pulling over, or off the road, from time to time.

Livestock, mostly sheep, travel the roads year-round and are guaranteed to cause delays. This is a major industry. There are, at times, up to ten-thousand sheep on the various farms. They are moved along the island roads, in flocks of several hundred, from one grazing pasture to another, “on-the-hoof”, throughout most of the year except mid winter, escorted by just their owners and several sheepdogs.

In Conclusion

Information reported by Loyalist Township Council in: Status of Windlectric Inc. Renewable Energy Approval dated January 7, 2014, states that Windlectric is allowed to be 18 months late on its Milestone

Commercial Operation Date (MCOB), which was February 25, 2014. Windlectric has also requested an extension of 115 days due to the protracted period to achieve REA approval. If this is approved, the new expiry date for this FIT contract is now December 18, 2015. That revised date is now clearly impossible to achieve.

APAI's Estimated Earliest Commercial Operation Date, which is a "Best Case Scenario", and does not take in consideration any of the potential scheduling conflicts raised above, is December 31, 2017.

To achieve even that date, IESO/OPA would have to grant this developer a further full two years or longer extension, despite assertions by Premier Wynne and the Minister of Energy that "no further extensions to FIT1 Contracts would be allowed".

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