



EB-2014-0298

Niagara Region Wind Corporation

**Application for an Order establishing a location for distribution
facilities on public road allowances owned by the Municipality of
Wainfleet, Ontario.**

PROCEDURAL ORDER NO. 1

March 18, 2015

Niagara Region Wind Corporation (NRWC) filed its original application dated September 17, 2014 with the Ontario Energy Board (OEB), under subsection 41(9) of the *Electricity Act*, 1998, c.15, Schedule A (Act) for an order or orders establishing a location for distribution facilities it proposes to locate within certain road allowances owned by the Municipality of West Lincoln (West Lincoln), the Niagara Region, and the Municipality of Wainfleet (Wainfleet). On December 18, 2014, NRWC filed an amended application which noted that the NRWC had subsequently entered into road use agreements with West Lincoln and the Niagara Region. NRWC therefore withdrew its application filed on September 17, 2014. The amended application requested an order from the OEB to establish a location of the distribution facilities NRWC proposes to locate within certain road allowances owned by Wainfleet as described in Schedule A of the application.

The OEB issued its Notice of Application (Notice) and Letter of Direction to NRWC on October 1, 2014. On March 4, 2015 NRWC filed redacted versions of affidavits that were originally filed on January 30, 2015 and February 27, 2015 confirming service of the OEB's Notice.

No requests for intervention were received.

Township of Wainfleet

In its application, NRWC noted that Wainfleet indicated that it would not communicate with NRWC in respect of a road use agreement until NRWC had been granted a Renewable Energy Approval (REA) for the Niagara Region Wind Farm. Wainfleet has not filed any correspondence with the OEB in relation to the current application.

I note that establishing the location of distribution facilities pursuant to section 41(9) of the *Electricity Act, 1998* is not contingent on the outcome of other processes, such as REA approval. It is neither necessary nor appropriate for the OEB to defer the hearing of this application for this purpose.

Wainfleet has been served with Notice of the current application and hearing before the OEB, but has not, to this point, provided any indication of its intention to participate.

Form of Hearing

NRWC has requested a written hearing. No submissions were received that requested that the OEB hold an oral hearing in this case.

I have therefore made provision for a written hearing, subject to the OEB ordering otherwise during the course of the proceeding.

I consider it necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

IT IS THEREFORE ORDERED THAT:

1. OEB staff shall request any relevant information and documentation from NRWC that is in addition to the evidence already filed, by written interrogatories filed with the OEB and served on NRWC by **March 26, 2015**.
2. NRWC shall file with the OEB complete written responses to all interrogatories by **April 2, 2015**.

3. Unless otherwise ordered by the OEB, OEB staff shall file its submission with the OEB, and copy NRWC by **April 24, 2015**.
4. Unless otherwise ordered by the OEB, NRWC shall file any reply submission with the OEB by **May 1, 2015**.

All filings to the OEB must quote the file number, EB-2014-0298, be made through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

ADDRESS

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

E-mail: Boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (toll free)
Fax: 416-440-7656

DATED at Toronto, March 18, 2015

ONTARIO ENERGY BOARD

Original Signed By

Kristi Sebalj
Registrar

APPENDIX A

PROCEDURAL ORDER NO. 1

APPLICANT AND LIST OF PARTICIPANTS

OEB FILE NO. EB-2014-0298

DATED: March 18, 2015

**Niagara Region Wind Corporation
EB-2014-0298**

APPLICANT & LIST OF PARTICIPANT

March 18, 2015

APPLICANT

Rep. and Address for Service

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Corporation**

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**Niagara Region Wind Corporation
EB-2014-0298**

APPLICANT & LIST OF PARTICIPANT

March 18, 2015

Participant Address for Service

Municipality of Wainfleet

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Corrected March 18, 2015

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