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BY E-MAIL

March 26, 2015

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
BoardSec@ontarioenergyboard.ca

Dear Ms. Walli:

**Re: Application by Niagara Region Wind Corporation
OEB Staff Interrogatories
OEB File No. EB-2014-0298**

Pursuant to Procedural Order No. 1, please find enclosed OEB staff interrogatories in the above matter.

Sincerely,

Original Signed by

Daniel Kim
Case Manager

- c. Darren Croghan, Niagara Region Wind Corporation
George Vegh, McCarthy Tetrault LLP
Héloïse Apestéguy-Reux, McCarthy Tetrault LLP
Mike Sullivan, Municipality of Wainfleet

Encl.

OEB Staff Interrogatories in EB-2014-0298

Interrogatory No. 1

Ref: Road Allowances

- a. Please provide a listing of the all the road allowances sought by Niagara Region Wind Corporation (NRWC), in the form that was in Appendix A of the OEB's Decision and Order EB-2010-0253 dated January 12, 2011.
- b. Also, please provide an expanded list of the road allowances as requested in the previous question, with an additional column to indicate whether the distribution line will be underground or overhead.
- c. Please confirm that there is no other affected municipality for the road allowances sought by NRWC for the distribution facilities described in this application.
- d. Has NRWC at any time provided the planned distribution route to the Municipality of Wainfleet (Wainfleet)?
- e. Has NRWC located utilities and other obstacles which have to be avoided along the route of the distribution lines?
- f. What construction methods does NRWC propose to use to ensure integrity of other utilities in the roadway is not affected?

Interrogatory No. 2

Ref: Appendix 1/ Schedule A

Preamble: At the above reference, NRWC provided location maps that identify the sections along municipal streets and highways owned by the Wainfleet that it proposes to locate approximately 6 kilometres of overhead and underground distribution lines. For each road allowance listed in response to Interrogatory No. 1, please also provide the requested information.

- a. Please describe in detail (such as number of poles, location of the poles, height of the poles, the minimum, maximum and average distance between the poles, length (in metres) of the portions of the distribution system segments to be overhead and underground, etc.) the distribution facilities that are proposed to be

located on each road allowance listed in response to Interrogatory No. 1 and which are indicated in the location maps.

- b. At what distance from the existing property lines are the poles for the overhead line to be situated? How was this distance determined and why is it an appropriate distance?
- c. Were the locations of the facilities noted in the location drawings determined in consultation with Wainfleet staff?
- d. Were the location drawings provided to Wainfleet for comment/input? What has Wainfleet's response been?
- e. With respect to the facilities that are to be located along each public road, please provide maps and detailed engineering drawings (such as cross sectional drawings and layout) that clearly identify the location of the distribution facilities (such as location of poles, conductors) and other relevant locational information (such as the location of other utility infrastructure).

Interrogatory No. 3

Ref: Unopened Road Allowances

Preamble: According to the location maps, NRWC has indicated that portions of the proposed distribution system are to be on unopened road allowances in Wainfleet.

- a. Please confirm that the above statement is correct.
- b. What is NRWC's view on the unopened road allowances and what is contemplated as public street or high under section 41 of the Electricity Act? Specifically, is it NRWC's position that the OEB has jurisdiction under section 41 of the Act on unopened road allowances? Please provide evidence, if applicable, supporting NRWC's position.

Interrogatory No. 4

Ref: Renewable Energy Approval

Preamble: NRWC indicated that Wainfleet 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.

- a. Has there been any appeal of the decision and if so, when was it appealed and what was concluded, or in the opinion of NRWC, is an appeal still expected?
- b. In NRWC's view, if there is a successful appeal will it impact the location of the distribution facilities that are the subject of this application?
- c. Please provide the most up-to-date Construction Schedule for the complete project. Please identify the date when construction of the facilities (that are the subject of this application) are planned to commence.
- d. What are the risks and ramifications if construction of the proposed facilities is delayed?

Interrogatory No. 5

Ref: Negotiations with Wainfleet

Preamble: NRWC stated that it had exchanged drafts of a road use agreement but had not reached an agreement at the time (of filing of the application). NRWC noted that Wainfleet did not raise issues with respect to the location of the distribution facilities.

- a. Please provide copies of the described communication above regarding the exchange of draft road use agreements and communication supporting Wainfleet not raising any issues with respect to the location of the distribution facilities.
- b. Please provide an update of any communications with Wainfleet which are not already described in the application. Please provide copies of this communication, if any.

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