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BY E-MAIL

March 31, 2015

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Dear Ms. Walli:

**Re: Windlectric Inc.
Application for Leave to Construct Transmission Facilities
OEB File No. EB-2014-0300**

In accordance with Procedural Order No. 3 issued on February 24, 2015, OEB staff filed on March 27, 2015 submissions in the above proceeding.

Respecting Section 97 of the OEB Act, OEB staff submitted that the draft forms of land agreements filed by the applicant in its pre-filed evidence conform with the generic form of agreement at Appendix A of Chapter 4 of the OEB's *Filing Requirements for Electricity Transmission and Distribution Applications* (the "*Filing Requirements*"). In submissions dated March 31, 2015, the Association to Protect Amherst Island (APAI) argued that the applicant's forms of lease and easement agreements do not include any provision pertaining to the Independent Legal Advice (ILA) stipulation. APAI also argued that a specific clause pertaining to decommissioning is not included in the forms of land agreements.

OEB staff notes that the *Filing Requirements* were updated in July 2014 at which time the OEB required that a form of agreement filed in support of a Section 97 application include a provision that both parties have had the option to obtain independent legal advice, and include a prescriptive clause on decommissioning.

OEB staff understands that the land agreements in the present application may have been made prior to the updated *Filing Requirements* being issued and therefore do not include an ILA provision. OEB staff observes that decommissioning is generally addressed in the land agreements. OEB staff further notes that with the exception of the ILA provision and the inclusion of a specific clause adhering to the prescriptions contained in Appendix A of the *Filing Requirements*, the draft forms of land agreements contain in staff's view all the elements described at Appendix A of the updated *Filing Requirements*.

With respect to reply submissions, OEB staff notes that the filing date falls on April 3, 2015, which is a holiday. In accordance with Rule 6.01(b) of the OEB Rules of Practice and Procedure, the due date for reply submissions is therefore April 6, 2015. Given the update in this letter, OEB staff would have no objection to the OEB granting a further extension for the reply submission to April 8, 2015.

Yours truly,

Original Signed By

Leïla Azaïez
Case Manager

c. All Parties