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February 12, 2016

Ms. Kirsten Walli, Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
27th Floor  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

**Re: SP Belle River Wind LP - Section 81 Notice of Proposal**

Please find attached SP Belle River Wind LP's ("**Belle River Wind**") Notice of Proposal made pursuant to section 81 of the *Ontario Energy Board Act, 1998* (the "**OEB Act**").

On January 7, 2016, Belle River Wind filed an application with the Ontario Energy Board (the "**Board**") pursuant to section 92 of the *Ontario Energy Board Act, 1998* (the "Act" or "**OEB Act**") for leave to construct transmission facilities in the Town of Lakeshore in the County of Essex (EB-2016-0008). The proposed transmission facilities are required to connect up to a 100 MW wind farm (the "**Wind Farm**") located within the Town of Lakeshore in the County of Essex to the IESO controlled grid. The Wind Farm is being developed pursuant to a Green Energy Investment Agreement between the Government of Ontario and Samsung C&T Corporation and Korea Electric Power Corporation.

Belle River Wind's affiliate SP Armow Wind Ontario LP is a licenced electricity generator (EG-2014-0269). Armow Wind owns and operates a 180 MW wind farm in Kincardine, Ontario. Because Belle River Wind will be an affiliate of a generator that is acquiring an interest in the proposed transmission facilities, it is filing this Notice of Proposal pursuant to Section 81 of the OEB Act.

Section 81 of the OEB Act is meant to provide the regulator with notice of any transaction that involves entities operating in both the competitive (i.e., generation) and monopoly (i.e., distribution and transmission) parts of the electricity sector in Ontario. The restructuring of the

Ontario electricity market a decade ago is premised on the principle of “open access” by generators to Ontario’s transmission and distribution systems. Proper implementation of this principle requires the clear separation of the competitive and regulated functions in the electricity sector. Section 81 of the OEB Act provides the OEB with the ability to oversee and review transactions that have the potential to impact upon the separation of the competitive and monopoly businesses.

The proposed transaction will not adversely impact the separation of monopoly and competitive functions in the Ontario electricity sector. Belle River Wind will only transmit electricity for the purpose of conveying electricity from the Wind Farm to the IESO-controlled grid.

Confidentiality:

We have filed both a non-redacted confidential copy and a redacted public copy of the Notice of Proposal. The redacted information pertains to the 2015 energy output (MWh) of Armow Wind and the anticipated energy output of both Belle River Wind and Armow Wind. The basis for requesting that this information be treated as confidential is that it is commercially sensitive and could jeopardize Belle River Wind and its partners' competitive position. The reasons for this are:

1. Belle River Wind is currently in negotiations with road authorities to access road allowances for the proposed transmission line that is the subject of EB-2016-0008. The power purchase agreement for the Wind Farm is a public document. Therefore, with the anticipated energy output of the Wind Farm and the pricing in the power purchase agreement, the road authorities could determine the anticipated sales (\$) of the Wind Farm. Armed with this information, the road authorities will have confidential information with which they may use to negotiate higher prices for road access.
2. Belle River Wind's partners are involved in other wind projects that are of similar capacity and relatively close to the Wind Farm. The sales information described in paragraph #1 above could be extrapolated and used by stakeholders (i.e. landowners, road authorities, etc.) to demand higher access prices.

For these reasons, we request that the redacted information be treated confidentially in accordance with the Board's *Practice Direction on Confidential Filings*.

Sincerely,



Andrew Taylor