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May 25, 2016

VIA RESS, EMAIL AND COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700
P.O. Box 2319
Toronto ON M4P 1E4

Dear Ms. Walli:

Re: EB-2016-0143 – Request to vary leave to construct approval re Smithville Modification

On April 1, 2016, FWRN LP and NR Capital General Partnership (the “**Applicants**”),¹ filed a motion with the Ontario Energy Board (the “**Board**”) pursuant to Rule 40.01 of the Board’s *Rules of Practice and Procedure* for the Board to vary the LTC Order in the manner described in the motion. More specifically, in response to a request of the Municipality of West Lincoln, the Applicants are proposing to modify the route of the transmission line in the area of the Municipality of West Lincoln in order to avoid the transmission line being located in proximity to an area proposed for future urban expansion (the “**Smithville Modification**”).

The purpose of this letter is to (i) make a request of the Board in respect of timing of the Board’s decision on this motion and (ii) provide clarification information relevant to the motion.

Request in respect of timing

The Applicants received on May 6, 2016 the approval of the Ministry of the Environment and Climate Change (“**MOECC**”) in respect of the Renewable Energy Approval amendment (the “**REA Amendment**”) required for the Smithville Modification. Moreover, the Applicants’ transmission line is currently over 65% built. Finally, as the Board is aware, FWRN LP is party to a FIT contract with the Independent Electricity System Operator and must adhere to the timelines under that contract.

¹ As the transfer of transmission assets described in FWRN LP’s application for leave to transfer in EB-2015-0290 has not yet occurred (i.e., FWRN LP will soon be transferring the transmission assets to NR Capital General Partnership, but has not yet done so), the leave to construct is still held by FWRN LP and therefore FWRN LP is filing this application jointly with NR Capital General Partnership, to whom it will soon be transferring the leave to construct.

In light of the above, the Applicants hereby respectfully request that the Board issue a decision in regards to this motion on or as close as possible to May 26th, 2016.

Clarification information

Clarification regarding property on which a portion of Smithville Modification route is proposed:

The Applicants understand that the map filed with the motion is not entirely clear in regards to the private property on which the Applicants propose to locate a portion of the line and in respect of which they have secured land rights from the landowner. This property is PIN 46055-0085, as indicated in the first map at Schedule "A" hereto which provides a detailed view of the unopened road allowance area.

Moreover, the area identified as PIN 46055-0086 (which area is north of the private property on which the Applicants propose to locate a portion of the line) will also have a small portion of the transmission line running above it. This area (i.e., PIN 46055-0086), is a Hydro One property and the Applicants will obtain the necessary approval from Hydro One to have the transmission line run above this small property.

Clarification regarding provincially significant wetland under which the transmission line will run pursuant to the Smithville Modification route

In addition to the above clarification, the Applicants understand that it is also not entirely clear where the Smithville Modification route crosses underneath a provincially significant wetland. The area where the Smithville Modification route crosses underneath a provincially significant wetland is (i) within the unopened road allowance, which road allowance belongs to the Municipality of West Lincoln and (ii) within the private property on which the Applicants propose to locate a portion of the line and in respect of which they have secured land rights from the landowner. The Smithville Modification route goes underground for approximately 240 meters to avoid directly crossing Hydro One's transmission lines and to avoid the provincially significant wetland area. Please see Schedule "A" for (i) a map with a detailed view of the unopened road allowance area and (ii) a map with a view of the entire Smithville Modification route with the provincially significant wetlands around the unopened road allowance indicated on the map.

Please contact the undersigned if you have any questions in regards to the foregoing.

Yours truly,

McCarthy Tétrault LLP

Per:

Signed in the original

Héloïse Apestéguy-Reux
Associate

Cc: Peter Ascherl
Gael Gravenor

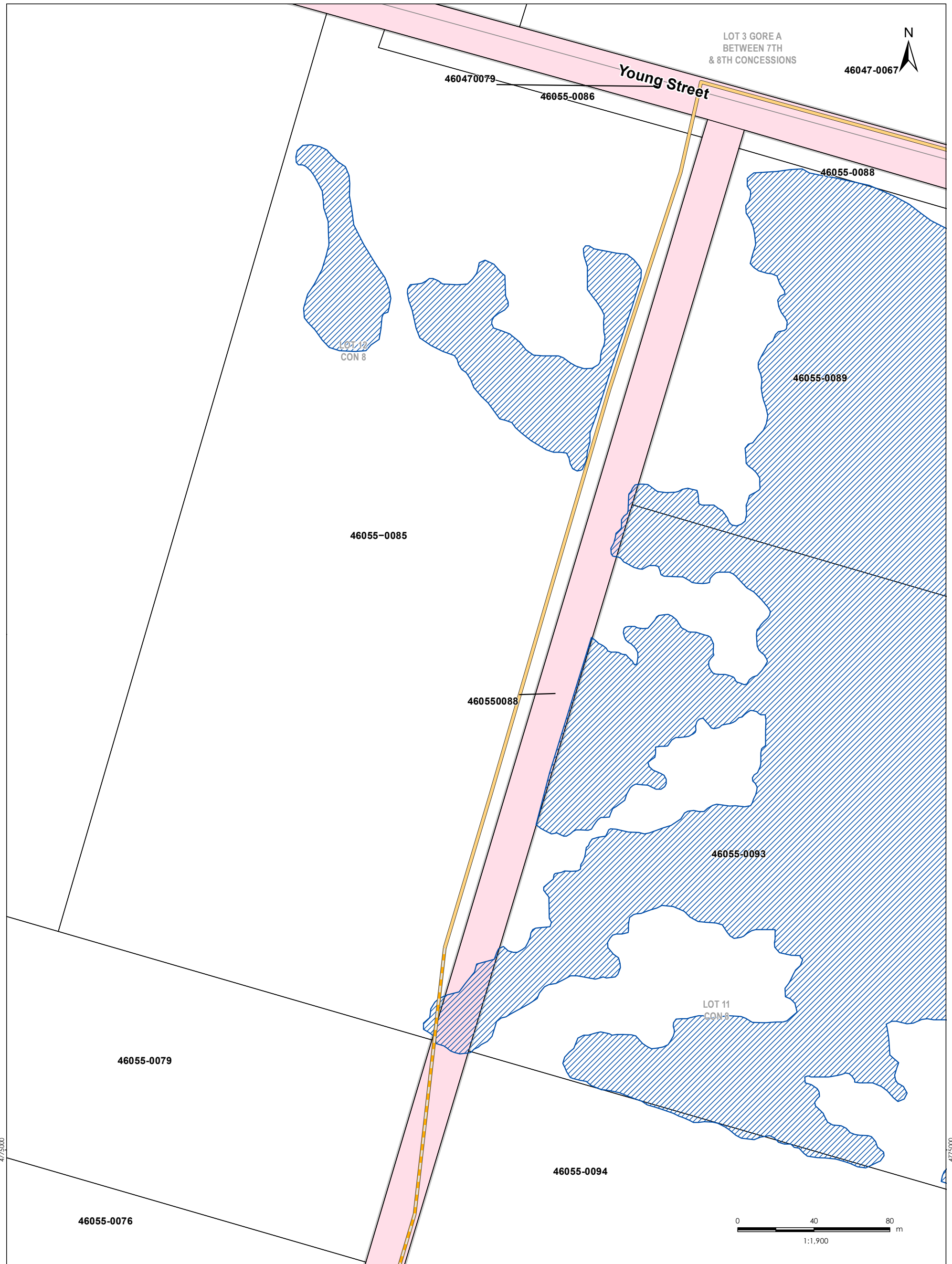
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Schedule "A"

Please see attached

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 Revised: 2016-05-09 By: bcowper



May 2016
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Legend

- Public Road
- Property Boundary
- Modified Alternate Transmission Route**
- Modified Alternate Transmission Route - Above Ground
- Modified Alternate Transmission Route - Underground
- ▨ Wetland - Evaluated (Provincial)

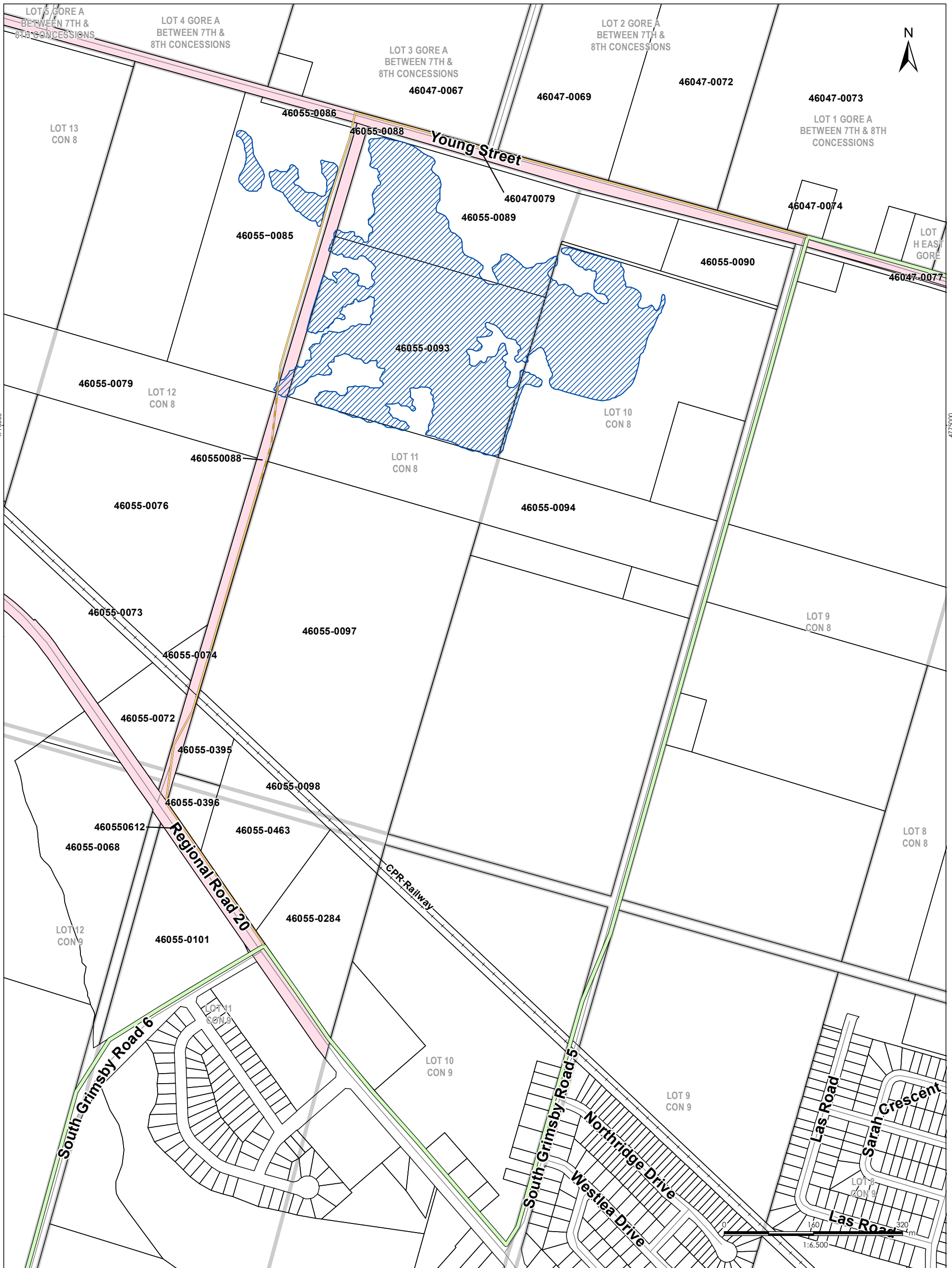
Notes
 1. Coordinate System: NAD 1983 UTM Zone 17N.
 2. Base features produced under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2011.
 3. Smithville By-pass preliminary pole locations are provided by FWRN LP and are subject to change based on final detailed design.

Client/Project
 FWRN LP
 Niagara Region Wind Farm

Figure No.
2

Title
**Transmission Line
 Alternate Route –
 Smithville By-pass**

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 Revised: 2016-05-09 By: bcooper
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May 2016
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Legend

- Public Road
- +— Active Railway
- Property Boundary
- Transmission Line Route (LTC as designed)
- Modified Alternate Transmission Route**
- Modified Alternate Transmission Route - Above Ground
- Underground
- ▨ Wetland - Evaluated (Provincial)

Client/Project
 FWRN LP
 Niagara Region Wind Farm

Figure No.

1

Title

**Transmission Line
 Alternate Route –
 Smithville By-pass**

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