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June 1, 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-2016-0126 – Request to vary leave to construct approval re Highway 3 Bypass

On March 14, 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, at the request of the Ontario Ministry of Transportation, the Applicants are proposing to modify the route of the transmission line in the area of the Municipality of Wainfleet and Haldimand County border such that the transmission line not run along Highway 3 (the “**Highway 3 Bypass**”).

The purpose of this letter is to advise that the Applicants’ Renewable Energy Approval amendment required for the Highway 3 Bypass² has not been appealed to the Environmental Review Tribunal.

Therefore, the Applicants no longer require the condition of approval requested in the Applicants’ letter of May 13, 2016.

In regards to timing of the Board’s decision on this motion, the Applicants respectfully request that the Board issue a decision as soon as possible as the Applicants must complete the

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.

² As previously advised, the Applicants’ Renewable Energy Approval amendment required for the Highway 3 Bypass was issued by the Ministry of the Environment and Climate Change on May 12, 2016.

transmission line in a timely manner in order to adhere to the timelines under FWRN LP's FIT contract with the Independent Electricity System Operator.

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, Counsel to FWRN LP and NR Capital General Partnership
Gael Gravenor, Enercon
Paul Nunes, Corridor Management Officer, Ontario Ministry of Transportation