



EB-2016-0310

Henvey Inlet Wind GP Inc.

**Application for leave to construct transmission facilities
between Henvey Inlet First Nation Reserve No. 2 and
Parry Sound, Ontario**

PROCEDURAL ORDER NO. 1

February 16, 2017

Henvey Inlet Wind GP Inc. (Henvey Inlet GP) on behalf of Henvey Inlet Wind LP (Henvey Inlet Wind) has filed an application with the Ontario Energy Board (OEB) on October 18, 2016 and an amended application on November 30, 2016 under section 92 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B (Act).

Henvey Inlet GP is seeking an order on behalf of Henvey Inlet Wind granting leave to construct approximately 103 kilometers of single circuit overhead 230 kilovolt electricity transmission line and associated facilities to connect the proposed 300 megawatt Henvey Inlet Wind Energy Centre (HIWEC) wind project to Hydro One Networks Inc.'s existing Parry Sound transmission station (the Proposed Transmission Line). Henvey Inlet Wind has also applied under section 97 of the Act for approval of the form of land use agreements and under section 101 of the Act for authorization to construct portions of the proposed transmission facilities upon, under or over a highway, utility line or ditch.

The OEB issued a Notice of Hearing on January 11 and January 13, 2017.

In response to the Notice of Hearing the OEB received intervenor requests from Richard and Anne Kaster and Jeffrey Todd Hull.

On January 7, 2017 Henvey Inlet Wind's solicitor filed a letter responding to the intervenor requests indicating that in Henvey Inlet Wind's view it would not be appropriate for the OEB to grant intervenor status for either party because they do not appear to have raised any concerns that are relevant to the proceeding and have no interests in land that would be directly affected by the proposed transmission facilities.

The OEB has considered the intervenor requests and Henvey Inlet Wind's objection. When the OEB is considering whether an application to construct an electricity transmission line is in the public interest, the OEB is limited by section 96(2) of the Act to the consideration of the interests of consumers with respect to prices and the reliability and quality of electricity service, as well as the promotion of the use of renewable energy sources consistent with the policies of the government of Ontario. The OEB therefore has no authority under the Act to review, consider or adjudicate upon other issues such as issues related to the HIWEC project, the government of Ontario's renewable energy policy or on any matters that might be broadly described as "environmental" in nature.

In their requests for intervenor status, neither the Kastars, nor Mr. Hull has raised issues that relate to price, reliability or quality of electricity service. Further, because the route of the Proposed Transmission Line as described in Henvey Inlet Wind's application (and as confirmed in Henvey Inlet Wind's correspondence of February 7, 2017) does not cross over, under or through the property of either the Kastars or Mr. Hull, they are not landowners that will be offered an agreement, the form of which the OEB will review as part of this proceeding. As such, there is no legal basis upon which to grant standing by way of intervenor status to Mr. and Mrs. Kaster or to Mr. Hull in this OEB hearing.

Accordingly, the OEB denies the requests of Mr. and Mrs. Richard and Anne Kaster and of Mr. Jeffrey Todd Hull for intervenor status in this proceeding.

The list of parties in this proceeding is attached as Appendix A to this procedural order.

This procedural order provides for the filing of interrogatories and interrogatory responses. Parties are reminded to consult sections 26 and 27 of the OEB's *Rules of Practice and Procedure* (as revised April 24, 2014) regarding required naming and numbering conventions and other matters related to interrogatories.

It is necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

THE OEB ORDERS THAT:

1. OEB staff shall request any information and material from Henvey Inlet Wind that is in addition to Applicant's pre-filed evidence with the OEB, and that is relevant to the hearing, by written interrogatories filed with the OEB and served on the Applicant on or before **February 24, 2017**.
2. The Applicant shall file with the OEB complete written responses to the interrogatories on or before **March 10, 2017**.

All filings to the OEB must quote the file number, EB-2016-0310 and be made electronically in searchable / unrestricted PDF format through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>. Two paper copies must also be filed at the OEB's address provided below. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at:

<http://www.ontarioenergyboard.ca/OEB/Industry>. If the web portal is not available parties may email their documents to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Michael Lesychyn at Michael.Lesychyn@ontarioenergyboard.ca and OEB legal Counsel, Ljuba Djurdjevic at Ljuba.Djurdjevic@ontarioenergyboard.ca.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

E-mail: boardsec@ontarioenergyboard.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, February 16, 2017

ONTARIO ENERGY BOARD

By delegation, before: Kristi Sebalj

Original signed by

Kristi Sebalj
Registrar

Appendix A

Procedural Order No. 1

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APPLICANT**Henvey Inlet Wind GP Inc.****Rep. and Address for Service****Jody Law**

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