

**BISCEGLIA & ASSOCIATES**  
**PROFESSIONAL CORPORATION**  
**BARRISTERS - AT - LAW**

**VIA EMAIL - BoardSec@ontarioenergyboard.ca**

March 8, 2017

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

Dear Madam:

**RE: Henvey Inlet Wind LP - Application to the Ontario Energy Board to Build a  
High-Voltage Transmission Line  
File No. EB-2016-0310**

Please find enclosed our client's Notice of Motion, served upon you pursuant to the *Rules of Practice and Procedure* of the Ontario Energy Board, as revised.

Yours very truly,

  
**EMILIO BISCEGLIA**  
EB/ht  
Encl.

cc: Client  
cc: Jonathan Myers via email: [jmyers@torys.com](mailto:jmyers@torys.com)  
(Torys LLP, counsel for Henvey Inlet Wind GP Inc. and Henvey Inlet Wind LP)

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15 (Sched. B);

**AND IN THE MATTER OF** an application by Henvey Inlet Wind GP Inc. on behalf of Henvey Inlet Wind LP for an Order or Orders pursuant to Section 92 of the *Ontario Energy Board Act*, 1998 (as amended) granting leave to construct transmission facilities between Henvey Inlet First Nation Reserve No. 2 and Parry Sound, Ontario.

**NOTICE OF MOTION**

**THE MOVING PARTY**, Jeff Hull, will make a motion to the Ontario Energy Board.

**THE MOTION WILL BE HEARD** in writing.

**THE MOTION IS FOR:**

1. An Order requesting the Ontario Energy Board to review its Procedural Order No. 1 dated February 16, 2017;
2. An Order allowing the Moving Party, Jeff Hull, intervenor status in this proceeding;
3. If necessary, leave to bring the within motion;
4. If necessary, an Order validating service made, or dispensing with service, as appropriate, and/or an order extending and/or abridging the time ordinarily prescribed for serving and filing the materials to be used on this motion;
5. Costs of this motion on a substantial indemnity basis, if opposed; and
6. Such further and other relief as counsel may request and the Board may permit.

**THE GROUNDS FOR THE MOTION ARE:**

1. The route of the Proposed Transmission Line crosses over, under or through the property of Jeff Hull, and therefore, he is an affected landowner;
2. Procedural Order No.1 dated February 16, 2017 is based on an error in fact;
3. Rules 17, 40, 41, 42, and 43 of the *Rules of Practice and Procedure*, Ontario Energy Board, as revised; and
4. Such further and other grounds as counsel may advise and the Board may permit.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of this motion:

1. The Affidavit of Jeff Hull, and the exhibits referred to therein, to be provided at a later date; and
2. Such further and other material as counsel may advise and this Board may permit.

March 8, 2017

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