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**ONTARIO ENERGY BOARD**

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July 9, 2007

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

Attn: Ms. Kirsten Walli  
 Board Secretary

*EB-2007-0034*

OEB BOARD SECRETARY	
File No:	Sub File: 9
Panel	PN, BR, CC, DC.
Licensing	EZ, RC.
Other	
00/04	

Dear Ms. Walli

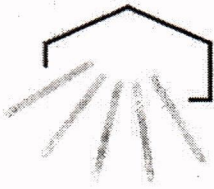
**RE: Procedural Order No. 2  
 Canadian Renewable Energy Corporation  
 Wolfe Island Wind Plant Transmission Facilities  
 OEB File No. EB-2007-0034**

In reference to Procedural Order No.2 Utilities Kingston/City of Kingston is requesting additional information from the applicant pertaining to Section 3(a) and 3 (b) of the Application and Section 4.0 of the pre filed evidence entitled *Proposed Transmission Facilities*.

This request is consistent with our response to Procedural Order 1 dated April 5, 2007 and our correspondence dated May 24, 2007.

In particular we remain concerned about the proximity of a buried 230 kv transmission line to various infrastructure found within easements and road right of ways that lie adjacent to or cross the proposed route. In addition to the request for a Pipeline Interference Study which we understand from the applicant is being undertaken we have the following issues:

- a. What information will be provided that demonstrates that the proposed transmission facility will not now or in the future cause premature failure and or corrosion of our pipeline infrastructure?
- b. What measures does the applicant propose to address worker safety issues for our crews who may be working on immediately adjacent pipeline infrastructure to the transmission line during fault conditions?
- c. We have identified the requirement for new pipeline infrastructure to be located along the east side of Sunny Acres Road where watermain infrastructure exists from the Water Treatment Plant to Front Road. What is the proposed off set distance (horizontal) from the existing watermain? That distance needs to be sufficient to enable excavations



that do not require support systems in order to construct a new 900 mm header pipe, located to the east of the existing pipe and of a sufficient distance to ensure compliance with item a) and b) above.

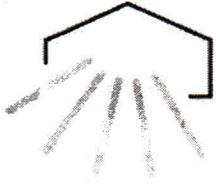
d. What is the separation distance (horizontal) between the proposed transmission line and existing pipeline infrastructure located between Bath Road and the CN Railway tracks? Again that distance needs to be sufficient to enable excavations that do not require support systems in order to undertake repair or replacement of that pipe and sufficient to address item a) and b) above.

e. The City of Kingston continues to prefer that the route exclude its road rights of ways and easements. Where a crossing or use is unavoidable, it is anticipated that any issues will be resolved through the Site Plan Approval Process, communication and consultation. It is recognized that the impact to the Municipal right of way remains unaltered by the Amended Application as the crossings of Front Road and Bath Road have not been relocated as illustrated on mapping within the Applicant's filings. The City continues to state that it is appropriate to ensure that the infrastructure of third parties - which is located within our municipal right of ways either by agreement or imposition through the Federal telecommunications law - is also considered in this Application and the ultimate design. As the owners of the right of way in question, the City is obligated to raise the potential for any interference on these entities resulting from the installation of the transmission cable within their vicinity. Further, we reiterate Utilities Kingston's concern for the effects of the power line on the infrastructure of the City of Kingston. As a result and in continued response to Order No. 1, a comprehensive Interference Study was requested to detail the effect of the power line on interests of Utilities Kingston. The fact of the presence of significant third party infrastructure strengthens our support for the request for this comprehensive Interference Study. Please confirm that the Interference Study will consider the impact on third party infrastructure found within the right of way.

f. The City of Kingston again points out that the alternative route "Proposed Bored Transmission Line", along Gardiners Road and Bath Road, has a greater potential to interfere with traffic during construction, and other existing or future municipal infrastructure within the right of way. From the perspective of minimizing potential interference the "Proposed Trenched Transmission Line" is preferable. Please clarify what is proposed.

g. Also, with respect to Gardiners Road being a major crossing point of the CN Main Railway for vehicle traffic and various underground infrastructure, inclusive of sewers, watermain and telecommunications, it is important to minimize any interference in this corridor.

h. Finally, the City of Kingston also notes that it is not named as being represented by the Intervenor, Utilities Kingston. Utilities Kingston is the manager of the City's utility



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assets through a management service agreement and is acting as representative in this proceeding to ensure all issues relevant to the City are before the tribunal. If the Ontario Energy Board determines that separate rather than joint intervention is required, the City is prepared to do so but understands and asserts at this time that our interests and representations continue to be made through Utilities Kingston.

Sincerely,

Jim Miller, Manager Technical Services

Cc. Alan McLeod, Senior Legal Counsel  
Hal Linscott, Director & City Solicitor  
Jim Keech, President and CEO  
Kim Brown, Infrastructure Engineer  
Robert Miller, CREC  
Sharon Wong, Blake Cassel