



EB-2011-0027

**NOTICE OF APPLICATION AND HEARING**

**APPLICATION FOR LEAVE TO CONSTRUCT**

**TRANSMISSION FACILITIES FOR**

**SUMMERHAVEN WIND LP**

Summerhaven Wind, LP (the “Applicant” or “Summerhaven”) has filed an application with the Ontario Energy Board, (the “Board”) dated January 27, 2011 under sections 92 and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B. The Applicant has applied for an order of the Board granting leave to construct transmission facilities to connect the Summerhaven Wind Energy Centre (“SWEC”), to be located in Nanticoke, Haldimand County, to the IESO-controlled grid, and an order approving the form of easement agreement provided in the application. Summerhaven is a special purpose vehicle and Limited Partnership, and is a wholly owned subsidiary of NextEra Energy Canada, ULC, which was incorporated as an Alberta corporation in 2006.

Summerhaven Wind, LP entered into a feed-in-tariff (“FIT”) contract with the Ontario Power Authority in April 2010 in respect of the sale of electricity from the windfarm. The work which is the subject of this application involves constructing a new 230 kV single circuit transmission line, running 9 Km, and associated facilities to connect the windfarm to the existing Hydro One transmission line N1M. The associated facilities include a substation at the windfarm end, and a switchyard at the transmission grid end. The switchyard will be owned and operated by Hydro One Networks Inc. The construction of the windfarm is not a part of this application.

A map showing the location of the proposed facilities is included with this Notice.

The wind farm site encompasses 22,583 acres of privately owned land parcels, with the exception of one small portion of county lands. The applicant advises that it is acquiring

the interests needed for the construction of the SWEC and for access to the lands during construction, via a standard form license and option agreement. The Option Agreements were entered into for the purposes of developing the SWEC and its ancillary infrastructure, including the proposed transmission facilities. Summerhaven will construct, own and operate the facilities. The scheduled in-service date is December 2011, and in any event no later than January 2012.

The Board has assigned File No. EB-2011-0027 to this application.

### **How to see Summerhaven Wind, LP's Application**

Copies of the application and the pre-filed evidence in support of the application will be available for public inspection at the Board's offices and at the Applicant's offices and website.

### **Written Hearing**

The Board intends to proceed with this matter by way of a written hearing unless a party satisfies the Board that there is a good reason for not holding a written hearing. If you object to the Board holding a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any submissions objecting to a written hearing must be received by the Board and copied to the applicant within **10 days** of the publication or service date of this notice.

### **How to Participate**

You may participate in this proceeding in one of three ways:

#### **1. Become an Intervenor**

Intervenors participate actively in the proceeding (i.e., submit written questions, evidence, and arguments, and cross-examine witnesses at an oral hearing).

A request for intervenor status must be made by letter of intervention and be received by the Board no later than **10 days** from the publication or service date of this notice. A letter of intervention must include: (a) a description of how you are, or may be, affected by the outcome of this proceeding; (b) if you represent a group, a description of the

group and its membership; and (c) whether you intend to seek an award of costs and the grounds for your cost award eligibility.

You must provide a copy of your letter of intervention to the applicant.

Everything an intervenor files with the Board, including the intervenor's name and contact information, will be placed on the public record, which means that all filings will be available for viewing at the Board's offices and will be placed on the Board's website.

If you already have a user ID, please submit your intervention request through the Board's web portal at [www.errr.ontarioenergyboard.ca](http://www.errr.ontarioenergyboard.ca). Additionally, two paper copies must be submitted to the address set out below.

If you do not have a user ID, visit the Board's website under e-Filing Services and complete a user ID/password request form. For instructions on how to submit documents and naming conventions please refer to the RESS Document Guidelines found at [www.ontarioenergyboard.ca/OEB/Industry](http://www.ontarioenergyboard.ca/OEB/Industry), e-Filing Services.

The Board also accepts interventions by e-mail, at the address below, and again, two additional paper copies are required. Those who do not have internet access are required to submit their intervention request on a CD in PDF format, along with two paper copies.

## **2. Send a Letter with your Comments to the Board**

If you wish to comment on the proceeding without becoming an intervenor, you may submit a letter of comment to the Board Secretary.

All letters of comment sent to the Board will be placed on the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the letter of comment on the public record, the Board will remove any personal (i.e., not business) contact information from the letter of comment (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the letter of comment will become part of the public record.

A complete copy of your letter of comment, including your name, contact information, and the content of the letter, will be provided to the applicant and the Hearing Panel.

Your letter of comment must be received by the Board no later than **30 days** from the publication or service date of this notice. The Board accepts letters of comment by either post or e-mail at the addresses below.

### **3. Become an Observer**

Observers do not participate actively in the proceeding but receive documents issued by the Board in the proceeding. There is no fee for observers to receive documents issued by the Board.

A request for observer status must be made in writing and be received by the Board no later than **10 days** from the publication or service date of this notice. The Board accepts observer request letters by either post or e-mail at the addresses below.

All letters requesting observer status will become part of the public record, which means that the letters will be available for viewing at the Board's offices and will be placed on the Board's website.

Before placing the request for observer status on the public record, the Board will remove any personal (i.e., not business) contact information from the request (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the request for observer status will become part of the public record.

Observers may also request documents filed by the applicant and other parties to the proceeding but must request these documents directly from the relevant party. Observers may be required to pay for the costs of reproducing and delivering the material.

Most documents filed in this application will also be available on the Board's website.

**How to Contact Us**

In responding to this Notice, please reference Board file number EB-2011-0027 in the subject line of your e-mail or at the top of your letter. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail address and fax number. 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.

**Need More Information?**

Further information on how to participate may be obtained by visiting the Board's [www.ontarioenergyboard.ca/OEB/Industry](http://www.ontarioenergyboard.ca/OEB/Industry) or by calling our Consumer Relations Centre at 1-877-632-2727.

**IMPORTANT**

**IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR DO NOT PARTICIPATE IN THE HEARING BY FILING WRITTEN SUBMISSIONS IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THIS PROCEEDING.**

**Addresses:**

**The Board:**

Ontario Energy Board  
P.O. Box 2319  
27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto ON M4P 1E4  
Attention: Board Secretary  
Filings:

<https://www.errr.ontarioenergyboard.ca/>

E-mail: [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)

Tel: 1-888-632-6273 (Toll free)

Fax: 416-440-7656

**The Applicant:**

Summerhaven Wind, LP  
c/o NextEra Energy Canada, ULC  
5500 North Service Road, Suite 205  
Burlington ON L7L 6W6  
Attention: Ben Greenhouse,  
Project Director, Development  
E-mail:  
[Ben.greenhouse@nexteraenergy.com](mailto:Ben.greenhouse@nexteraenergy.com)  
Tel: 905-335-4904, extension 13  
Fax: 905-335-5731

**Counsel of the Applicant:**

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**DATED** at Toronto, February 24, 2011

**ONTARIO ENERGY BOARD**

*Original Signed By*

Kirsten Walli  
Board Secretary

