



EB-2011-0217

NOTICE OF APPLICATION AND WRITTEN HEARING

**APPLICATION BY SOUTH KENT WIND LP
FOR LEAVE TO CONSTRUCT TRANSMISSION FACILITIES
IN THE MUNICIPALITY OF CHATHAM-KENT**

South Kent Wind LP (the "Applicant") has filed an application with the Ontario Energy Board (the "Board") dated June 14, 2011 under section 92 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B. South Kent Wind LP has applied for an order of the Board granting leave to construct the following Transmission Facilities, all within the Municipality of Chatham-Kent:

- (i) two 34.5 kV/230 kV step-up substations;
- (ii) an approximately 27 km, 230 kV transmission line (the "Corridor Line") that will run between the two step-up substations;
- (iii) an approximately 5.7 km, 230 kV transmission line that will run from a tie-point on the Corridor Line to the Chatham Switching Station owned by Hydro One Networks Inc.; and
- (iv) a fenced-in metering station with two meters to be located adjacent to the Chatham Switching Station.

A map showing the location of the Transmission Facilities is included with this Notice.

The Applicant states that the proposed Transmission Facilities are needed to connect the 270 MW wind farm that is currently being developed in the Municipality of Chatham-Kent to the Independent Electricity System Operator controlled grid.

The proposed Transmission Facilities and the cost of connecting these assets to the Chatham Switching Station will be paid for by the Applicant. The Applicant is also in the process of securing the necessary land rights for this project.

The Board has assigned File No. EB-2011-0217 to this application.

South Kent Wind LP is a limited partnership and its two limited partners are Pattern South Kent LP Holdings LP and Samsung Renewable Energy Inc., each of which holds

a 49.99% interest in the Applicant. South Kent Wind GP Inc., which is indirectly wholly owned by Samsung and affiliates of Pattern, is the general partner of the Applicant and holds a 0.02% interest in the Applicant.

Board Jurisdiction

For a leave to construct application that is filed under section 92 of the *Act*, such as this application, section 96(2) of the *Act* provides that when determining if a proposed work is in the public interest, the Board's jurisdiction is *limited* to consideration of:

- the interests of consumers with respect to price and the reliability and quality of electricity service, and
- where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

Therefore, the Board has no power to review what might broadly be described as “environmental” issues. The generation facility itself (i.e. the wind farm) also is not part of the leave to construct applications and does not fall within the scope of this proceeding.

Any environmental issues related to this project are to be considered through the Renewable Energy Approval (“REA”) process. Please contact South Kent Wind LP directly for information on the REA process.

How to see South Kent 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 at www.southkentwind.com.

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 holding an oral 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. Please refer to the Board's *Practice Direction on Cost Awards* which is available on the Board's website at www.ontarioenergyboard.ca.

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. 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, 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-2011-0217** 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 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
27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4
Attention Board Secretary

Tel (Toll Free): 1-888-632-6273
Fax: 416-440-7656

Filings: www.errr.ontarioenergyboard.ca

Email: boardsec@ontarioenergyboard.ca

The Applicant

South Kent Wind LP
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Toronto, Ontario
M5H 3T4

Attention: Kim Sachtleben

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Fax: (713) 571-8004

Email: kim.sachtleben@patternenergy.com

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Fax: (416) 367-1954
Email: ataylor@energyboutique.ca

DATED at Toronto June 28, 2011
ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary