



EB-2014-0337

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

AND IN THE MATTER OF a request by East Durham Wind, Inc. for the Board to review and vary its Revised Decision and Order in EB-2013-0233 establishing the location of East Durham Wind Inc.'s distribution facilities within certain road allowances owned by the Municipality of West Grey pursuant to subsection 41(9) of the *Electricity Act* 1998, S.O. 1998, c. 15, Schedule A, as amended;

**NOTICE OF HEARING
AND
PROCEDURAL ORDER NO.1**

East Durham Wind, Inc., ("East Durham") filed a request dated November 3, 2014 (the "Request") pursuant to section 41.01 of the Board's *Rules of Practice and Procedure* ("Rules"), requesting that the Board vary its Revised Decision and Order in EB-2013-0233 ("2013 Decision") which was issued on December 23, 2013. A copy of the Request was provided to the Municipality of West Grey (the "Municipality") and to Karen and Syd Parkins ("the "Parkins"), intervenors in the 2013 Decision.

In the 2013 Decision the Board established the location of East Durham's proposed distribution facilities ("Distribution System") within approximately 9.1 km of road allowances owned by the Municipality. The current Request is for the Board to initiate a review of the 2013 Decision and to approve modifications to the location of the Distribution System, in accordance with the modifications described in the Request and maps appended to the Request.

The Board has the jurisdiction, under s.43.01 of its Rules and section 21.2 of the *Statutory Powers Procedures Act*, R.S.O. 1990, Chapter S.22, to initiate a review of all or part of a decision or order and confirm, vary, suspend or cancel a decision or order.

The Board will review the 2013 Decision on the basis of information provided in East Durham's Request, and will restrict the scope of the review to the modifications proposed in the Request.

The Board has assigned File No. EB-2014-0337 to this proceeding.

The Board will consider submissions from the Municipality of West Grey and the Parkins, parties in the earlier EB-2013-0233 proceeding, and Board staff, to the extent that they wish to participate, and provided the submission falls within the scope of this review.

To see a copy of the Request and any other documents filed with or issued by the Board in this proceeding, interested parties should visit the Consumer page of the Board's website and enter the case number EB-2014-0337 in the "Find an Application" box. A copy can also be seen at the Board's office and at the applicant's office at the addresses indicated below, or on the applicant's website:

<http://www.nexteraenergycanada.com/projects/durham.shtml>.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. If the Municipality of West Grey and Karen and Syd Parkins wish to be parties in this proceeding, they shall notify the Board and East Durham by November 26, 2014.
2. The Municipality of West Grey and Karen and Syd Parkins, if they wish to participate in this proceeding, and Board staff may request any relevant information and documentation that is in addition to the Request already filed, by written interrogatories filed with the Board and served on East Durham, no later than December 3, 2014.
3. East Durham shall file with the Board complete written responses to all interrogatories received and serve them on the other parties no later than December 11, 2014.
4. East Durham shall file its submission and serve it on the other parties on or before December 13, 2014.
5. Intervenors and Board staff shall file any submissions with the Board and serve them on the other parties, no later than December 19, 2014.

6. East Durham shall file its reply submission and serve it on the other parties on or before December 22, 2014.

DATED at Toronto, November 21, 2014
ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

ADDRESSES

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