APPENDIX 'H'

CORRESPONDENCE FROM JERICHO AND COUNTY DATED DECEMBER 6, 2013

Hall, Linda

From: Miceli, Jeromy <Jeromy.Miceli@nexteraenergy.com>

Sent: December-06-13 5:51 PM

To: glen.millar@county-lambton.on.ca; jason.cole@county-lambton.on.ca

Subject: Jericho Wind, updated collector crossings package

Attachments: LC Crossing Package.pdf

Glen/Jason,

Attached are engineering drawings for the collector system road crossings in Lambton County. This replaces the crossing drawings previously submitted. Please let me know if you have any questions during your review. Please confirm the receipt of this email.

Jeromy Miceli Project Engineering Manager 700 Universe Blvd. Juno Beach, FL 33408 Cell: (847) 372-6034 Office: (561) 304-5987

NEXT**era** ENERGY

APPENDIX 'I'

REPORT FROM COUNTY STAFF TO COUNTY COMMITTEE DATED JANUARY 15, 2014



INFRASTRUCTURE & DEVELOPMENT SERVICES DIVISION

REPORT TO:	CHAIR AND COMMITTEE MEMBERS
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	Jason Cole, P. Eng., Manager
REVIEWED BY:	Jim Kutyba, P. Eng., General Manager Ronald G. Van Horne, Chief Administrative Officer
MEETING DATE:	January 15, 2014
SUBJECT:	Jericho Wind, Inc. (NextEra) Road Use Agreement

BACKGROUND

At its meeting on February 6, 2013, County Council supported the following motion from the November 21, 2013 Committee A.M. meeting:

#9: Case/Veen: That staff be authorized to negotiate with the various wind farm proponents regarding installation of utilities placed within, or adjacent to, the County road allowance to protect the long-term viability of the County road network.

Jericho Wind, Inc. (NextEra Energy Canada) has approached the County to use certain roads to facilitate collection and transmission for the Jericho Wind Energy Centre. A Road Use Agreement between the two parties is substantially complete. The County of Lambton's agreement was developed based on the recent Road Use Agreements between the County of Middlesex and two separate NextEra subsidiaries (Bornish Wind L.P. and Kerwood Wind Inc.).

The County of Lambton agreement with Jericho has progressed to the point where the last outstanding items are submission of the detailed agreement schedules and minor legal text revisions. The final agreement will outline the terms and conditions for placement of infrastructure within the County right-of-way.

DISCUSSION

The proposed Jericho Wind Energy Centre is a 150 megawatt renewable energy wind turbine project initiated by Jericho Wind, Inc. under NextEra Energy Canada. The project currently consists of approximately 92 wind turbines in a general area from Highway 402 to Lake Huron, between Forest and the eastern County boundary. Jericho Wind, Inc. first contacted the County in 2011 and has worked with County staff through the design process to identify impacts to the County road network from construction of the wind tower

sites, buried collection lines and overhead transmission lines throughout the project area. Jericho Wind, Inc. is currently seeking Renewable Energy Approval under the Ministry of Environment and Leave to Construct from the Ontario Energy Board (OEB). Construction is scheduled to begin in 2014, pending approvals. The County has applied and been granted intervener status for the Jericho OEB Leave to Construct submission (EB-2013-0361).

As noted above, the Road Use Agreement is substantially complete and will govern the short and long-term use of County road allowances for infrastructure associated with the Jericho Wind Energy Centre. The intent of the agreement is to recognize the County's jurisdiction over the road allowance and ensure the proposed wind energy project does not unduly burden the County's operations as a road authority. The prime purpose of the agreement is to allow the County to continue to maintain and operate roads impacted by the wind turbine project in a safe and efficient manner as well as protect for future improvements to the road.

The term of the agreement is set for thirty (30) years with an option of two separate ten (10) year extensions. In general, the agreement deals with the following items:

Overhead Transmission Lines

Transmission lines will be constructed to connect the Jericho Wind Energy Centre to the provincial network. As part of the Jericho project, there are transmission lines proposed along, or near, County Road 6 (Thomson Line) from the transformer station east of Jericho Road, easterly to the County boundary. A road use fee of \$4,000 per kilometre per year has been established to offset costs for administration, coordination, and other future considerations associated with the transmission lines in the road allowance. This fee is similar to that negotiated by NextEra within other recent County agreements in this region.

The County has also identified the planned expansion and widening of County Road 6 and, where possible, transmission poles and appurtenances have been designed to be placed off the existing road allowance and beyond the future roadway construction. Where this cannot be achieved, Jericho will be required to relocate any conflicting infrastructure in a timely manner, at no cost to the County, prior to the roadway upgrades.

Collection Lines

Collection lines transmit electricity from the individual wind turbines to the facility's transformer station. Although these lines could be overhead or buried, for this project buried collection lines are proposed along or crossing numerous County road allowances. These lines will be constructed in a manner to minimize future impacts to roadway construction.

The conditions and fees for these lines are similar to that outlined in By-Law 13 of 2008 for the County's Pipeline and Utility Agreement, with the exception to the term of the agreement. A fee structure of \$1,000 per crossing or \$1,500 per kilometre is set over a five year period. As part of the Jericho agreement, the fee will be reestablished every five years based on reasonable updates to the County's Pipeline and Utility Agreement.

Ontario One Call

Besides provincial legislation, under the agreement, Jericho Wind, Inc. will be required to register all facilities within the road allowance with Ontario One Call and actively participate in that program. Although the County also requires submission of design and as-built drawings of infrastructure within the road allowance, Ontario One Call will be the primary contact for all utility locate operations.

By-Law and Permit Compliance

The agreement reinforces the requirement for Jericho and its subordinates to obtain permits and comply with all other County By-Laws with respect to the use of the road allowance, including entrances, oversized loads, and signs.

In addition to the above considerations, the agreement also includes terms pertaining to restoration and repair of municipal infrastructure, insurance, securities, etc.

FINANCIAL IMPLICATIONS

The revenue associated with the execution of this agreement will be included as part of the Public Works Roads - Operating budget following the effective date. No revenue is currently included in the 2014 County Budget.

CONSULTATIONS

The County of Lambton Legal Services Department and the County of Middlesex were consulted as part of this report.

STRATEGIC PLAN

Application of Area of Effort #3: "To undertake a broad based community development initiative that enriches the quality of life and the future prospects of Lambton County by developing collaborative initiatives that respond to the following needs:

Policies that enhance and protect municipal infrastructure."

Jericho Wind, Inc. (NextEra) Road Use Agreement (page 4)

January 15, 2014

CONCLUSION

The Road Use Agreement for Jericho Wind, Inc. recognizes the County's jurisdiction over the road allowance and ensures the proposed Jericho Wind Energy Centre project will not unduly burden the County's operations or future plans as the road authority. This agreement establishes suitable protection and compensation to the County and is consistent with the treatment of other private corporation with infrastructure within the municipal road allowance.

RECOMMENDATION

That the Warden and the Clerk be authorized to execute a Road Use Agreement between The Corporation of the County of Lambton and Jericho Wind, Inc. along with all other necessary documentation, with respect to the to the use, installation, construction, maintenance, operation, and decommissioning of certain Transmission and Collection Infrastructure on, over, under and within the County Road Allowances.

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APPENDIX 'J' MINUTES FROM JANUARY 15, 2014 COUNTY COMMITTEE MEETING

MINUTES COMMITTEE A.M.

(Infrastructure & Development Services/Public Health Services/Cultural Services) January 15, 2014

A meeting was held at the County Building at 9:00 a.m. on the above date.

Present

Chair J. Foubister, Warden Todd Case. Members: K. Marriott, S. Arnold, M. Bradley, E. Davis-Dagg, D. McGugan, L. MacKenzie, J. McCharles and Deputy Warden B. MacDougall. Various staff were present including the following General Managers: Mr. J. Kutyba, General Manager, Infrastructure & Development Services, Mr. A. Taylor, General Manager, Public Health Services, Mr. R. Tremain, General Manager, Cultural Services, Mr. D. Cribbs, General Manager, Corporate Services and Mr. R. G. Van Horne, Chief Administrative Officer.

Absent

None.

Declarations of Pecuniary Interest

Councillor Davis-Dagg declared a pecuniary interest with respect to the Infrastructure & Development Services Division correspondence item PW 02-15-14 and the report dated January 15, 2014 regarding Jericho Wind, Inc. (NextEra) Road Use Agreement as the Councillor own lands on which windmills are or may be located.

Nominations

The CAO/Deputy Clerk was elected Chair to allow him to preside over the elections of a Chair and Vice-Chair.

#1: Arnold/Case: That John McCharles be nominated for Chair of this Committee.

Carried.

The nominee declined the honour.

#2: Marriott/Foubister: That Steve Arnold be nominated for Chair of this Committee.

Carried.

The nominee declined the honour.

#3: Davis-Dagg/Bradley: That Jim Foubister be nominated for Chair of this Committee.

Carried.

The nominee allowed his name to stand.

#4: Bradley/McGugan: That Jim Foubister be appointed as Chair of this Committee for 2014.

Carried.

#5: McCharles/McGugan: That Kevin Marriott be nominated as Vice-Chair of this Committee.

Carried.

The nominee allowed his name to stand.

#6: Arnold/McGugan: That Kevin Marriott be appointed as Vice-Chair of this Committee.

Carried.

Appointments To The Audit Committee

The following Councillors agreed to sit on the Audit Committee in addition to the Warden:

Steve Arnold John McCharles Elizabeth Davis-Dagg Mike Bradley

Appointment To The Lambton County Agricultural Advisory Committee

<u>#7:</u> McCharles/Davis-Dagg: That Kevin Marriott be appointed to the Lambton County Agricultural Advisory Committee for 2014 (one-year term).

Carried.

Appointment to the Agricultural Hall of Fame Committee

#8: Bradley/McGugan: That Bill Bilton be reconfirmed as the appointee to the Agricultural Hall of Fame Committee.

Carried.

INFRASTRUCTURE & DEVELOPMENT SERVICES DIVISION

Correspondence to Receive and File

<u>PD 02-12-14</u> A letter from John DeMars, Clerk, Township of St. Clair dated December 10, 2013 regarding Source Protection R.M.O. Services. St. Clair Township Council is requesting that the County of Lambton consider providing Source Water Protection and RMO/RMI services on a similar basis to those already provided on a contractual basis

to those affected municipalities wishing to participate. Mr. DeMars feels that this service could supplement the service offered by LAWSS and could lead to increased funding and offer certain economies of scale.

<u>PW 02-15-14</u> A letter from Ms. Carol McKenzie, Clerk, The Municipality of Lambton Shores to Mr. Jim Kutyba, General Manager, Infrastructure & Development Services dated November 25, 2013 regarding a resolution passed at a recent Council meeting. The resolution requests a report from Lambton County Council on the proposed transmission facilities along Thomson Line for the Ontario Energy Board File No. EB-2013-0361.

#9: Bradley/Arnold: That correspondence PD 02-12-14 and PW 02-15-14 be referred back to staff for further reports.

Carried.

Reports Requiring a Motion

Report dated January 15, 2014 Regarding County of Lambton Gateway Sign

#10: Arnold/Davis-Dagg: That the recommendation suggested for the report dated January 15, 2014 regarding County of Lambton Gateway Sign be amended so that staff be requested to bring a further report back to Committee regarding the costing of the options being considered so it now reads:

That the County adopt the model utilized by other communities whereby the Sarnia-Lambton Economic Partnership develops/manages the County municipal gateway sign project along Highway 402 once the recommendations of the Community Branding exercise currently being undertaken are known and that Public Works staff assist wherever possible after bringing back a further report regarding the costing of the options being considered.

Carried.

Report dated January 15, 2014 Regarding County Road 26 (Mandaumin Road) Intersection Treatment

#11: Case/McCharles:

a) That the previous reports dated October 16, 2013 and November 20, 2013 regarding Transverse Rumble Strips - Mandaumin Road CR #26 be lifted from the table.

- b) That a red flashing beacon be mounted on the STOP sign when the transverse rumble strips are removed on the County Road 26 (Mandaumin Road) southbound approach at the County Road 22 (London Line) intersection.
- c) That the operation of the County Road 26/22 intersection be monitored for safety concerns resulting from the removal of the transverse rumble strips and installation of red flashing beacon at the southbound approach to the intersection.

Carried.

Report dated January 15, 2014 Regarding Jericho Wind, Inc. (NextEra) Road Use Agreement

#12: Bradley/McCharles: That the report be tabled to allow for a further report from staff regarding the terms and details of the agreement.

Carried.

OTHER BUSINESS

Highway 40 Expansion

#13: Arnold/McCharles: That the Warden, staff and industry representatives be asked to meet with the Minister of Transportation and Ministry Officials regarding the completion of the expansion to four lanes of Highway 40 from Wellington Street to Indian Road.

Carried.

Woodlands Conservation By-Law

A discussion was held regarding Council's consideration of the proposed Woodlands Conservation By-Law. It was agreed that the proposed By-Law would first be considered by Council at its regular meeting in March, and that it would then be sent to a meeting of the public for further input at a special meeting to be held in April. Lastly, the By-Law would be directed back to County Council for its final consideration in May.

PUBLIC HEALTH SERVICES DIVISION

Correspondence to Receive and File

<u>LPH 02-11-14</u> A memorandum from Dr. Arlene King, Chief Medical Officer of Health dated December 16, 2013 regarding dental programs for low-income children and youth.

The province will integrate six publicly-funded dental programs currently provided through Healthy Smiles Ontario, the Children in Need of Treatment program, Ontario Works, the Ontario Disability Support Program, Assistance for Children with Severe Disabilities and preventive services within the *Ontario Public Health Standards*, 2008, into one seamless program for children and youth aged 17 and under from low-income families beginning August 2015.

The province will also increase access to oral health services by expanding eligibility for the Healthy Smiles Ontario program, starting in April 2014. The new integrated program demonstrates the commitment of the Ontario Government to reduce poverty, reduce inequities and increase access to oral health care in Ontario.

<u>LPH 02-14-14</u> An email from Kate Manson-Smith, Assistant Deputy Minister, Health Promotion Division, Ministry of Health and Long-Term Care dated January 3, 2014 regarding *Skin Cancer Prevention Act (Tanning Beds), 2013* - Regulatory Registry Posting. The plain language version of the draft regulation under the *Skin Cancer Prevention Act (Tanning Beds), 2013* has been posted to the regulatory Registry for a 45 day period. Comments will be accepted until February 18, 2014.

<u>#14:</u> Davis-Dagg/McCharles: That correspondence LPH 02-11-14 and LPH 02-14-14 be received and filed.

Carried.

Information Reports

#15: McGugan/MacKenzie: That the following Information Reports from the Public Health Services Division be received and filed:

- a) Information Report dated January 15, 2014 Regarding Change in Ambulance Dispatch Governance Update and Correspondence EMS 02-13-14.
- b) Information Report dated January 15, 2014 Regarding Healthy Community Partnership Sustainable Food Community Conversations.

Carried.

OTHER BUSINESS

Councillor McCharles inquired as to off load times with ambulances at local hospitals.

CULTURAL SERVICES DIVISION

Information Reports

<u>#16:</u> Case/Davis-Dagg: That the following Information Reports from the Cultural Services Division be received and filed:

- a) Information Report dated January 15, 2014 Regarding JNAAG Admission Fees Review.
- b) Information Report dated January 15, 2014 Regarding Taking Stock JNAAG Year 1 in Review.

Carried.

<u>Adjournment</u>

#17: Marriott/Davis-Dagg: That the Chair declare the meeting adjourned with the next meeting to be held on Wednesday, February 19, 2014 at 9:00 a.m. at the County Buildings, Wyoming, Ontario.

Carried.

Time: 10:35 a.m.

Jim Foubister
Chair

Ronald G. Van Horne
Secretary

APPENDIX 'K'

REPORT FROM COUNTY STAFF TO COUNTY COMMITTEE DATED FEBRUARY 19, 2014



INFRASTRUCTURE & DEVELOPMENT SERVICES DIVISION

REPORT TO:	CHAIR AND COMMITTEE MEMBERS
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	Jason Cole, P. Eng., Manager
REVIEWED BY:	Jim Kutyba, P. Eng., General Manager Ronald G. Van Horne, Chief Administrative Officer
MEETING DATE:	February 19, 2014
SUBJECT:	Jericho Wind, Inc. (NextEra) Road Use Agreement - Update

BACKGROUND

The following motion of Committee A.M. dated January 15, 2014, was passed at County Council on February 12, 2014 regarding correspondence PW 02-15-14 (attached):

#9: Bradley/Arnold: That correspondence PW 02-15-14 be referred back to staff for further reports.

And, the following motion of Committee A.M. dated January 15, 2014 was passed at County Council on February 12, 2014 regarding a report on the Jericho Wind, Inc. (NextEra) Road Use Agreement:

#12: Bradley/McCharles: That the report be tabled to allow for a further report from staff regarding the terms and details of the agreement.

The information provided in this update report addresses items outlined in correspondence PW 02-15-14 and provides additional information regarding the terms and details of the Draft Road Use Agreement between The Corporation of the County of Lambton and Jericho Wind, Inc.

DISCUSSION

Jericho Wind, Inc., a wholly owned subsidiary of NextEra Energy Canada, ULC, is currently seeking approval for the construction of the Jericho Wind Energy Centre, located in the Municipality of Lambton Shores and the Township of Warwick. County staff have worked with the proponent to develop a Road Use Agreement for transmission and collection lines associated with the Jericho project to be located within County road allowances. Since the January 15, 2014 Committee A.M. meeting, the Draft Road Use Agreement has been finalized to a state where County staff and NextEra are satisfied that

the terms and schedules are complete. The Draft Road Use Agreement was posted to the County's website on January 30, 2014 and notification of same was forwarded to Lambton County Councilors via County Update e-mail. The draft Road Use Agreement can be accessed at the following link:

http://www.lambtononline.ca/home/residents/publicworks/roads/renewable%20energy%20projects/jerichowindenergycentre/Pages/default.aspx

Jericho Wind, Inc. currently has two submissions awaiting approval for the construction of the wind project:

- 1. The first application is for a Renewable Energy Approval (REA) with the Ministry of Environment (MOE) and deals with the environmental and health aspects associated with the construction of the wind towers, collection lines, transmission lines and associated facilities. Submissions for this project are posted on the Environmental Registry under EBR Registry Number 011-9647. The submission was posted on July 17, 2013 and an amendment was posted on December 4, 2013. The 45 day comment period for this project has now passed.
- 2. The second is a Leave to Construct Application with the Ontario Energy Board (OEB) for 15.7 km. of transmission line and associated facilities in Lambton County and Middlesex County (Application Number EB-2013-0361). This is required in order to deliver the electricity produced by the Jericho Wind Energy Centre to the provincial power grid. The County applied to the OEB for Intervenor Status based on the impacts of the transmission line on the road allowance and was subsequently granted that request. The deadline for further parties to request Intervener Status has now expired.

The County requested Intervenor Status on the Jericho Leave to Construct Application during negotiations of the Road Use Agreement to ensure that, if an amicable agreement could not be obtained, the County could bring its concerns to the OEB for consideration in the proceeding. The current version of the Road Use Agreement addresses the concerns that staff have brought forward to NextEra during negotiations and are outlined in the January 15, 2014 report. If Committee A.M. and Council support the recommendation to execute the Road Use Agreement, the County will withdraw its application for Intervener Status on the Jericho transmission line.

If Committee A.M. and/or Council elect to reject the Draft Road Use Agreement, the County will be required to use the OEB hearing to have its concerns considered as part of the approval process. The County will be bound by the OEB's ruling regarding matters that may impact the rights of the road authority, utility placement, future arrangements and compensation. The timeline for the OEB hearing requires the County to submit any intention to file evidence by February 21, 2014 and file submissions with the Board by March 6, 2014. A negotiated RUA is preferable from both a cost and time perspective for both parties.

In the Correspondence PW 02-15-14, the County was asked to provide a report regarding the concerns raised by Mr. Albert Schoeley on behalf of Margaret and Werner Schoeley, landowners along the proposed transmission route. The County is able to respond to those concerns relating to the County road allowance (Items 2 (a), (b), and (c)), as follows:

- 2 (a) The Draft Road Use Agreement specifically addresses future improvement and widening of the road allowance along the transmission route. If the County requires the relocation of any portion of the transmission line for road improvements and widening, Jericho Wind Inc. is responsible for carrying out the relocations at their expense.
- 2 (b) The County has not had any indication that the Jericho transmission line has utilized a road allowance wider than the existing 20 m (66 ft.) on County Road 6 (Thomson Line) west of County Road 79 (Arkona Road). All negotiations and designs prepared as part of the Draft Road Use Agreement and the County's review of the Leave To Construct Application reflect the existing road allowance.
- 2 (c) The design height and roadside clearances associated with the placement of the proposed Jericho transmission line correspond with the Highway Traffic Act (HTA), Ministry of Transportation Roadside Safety Manual and Geometric Design Manual. The clearance height of the transmission lines is also governed by the Electrical Safety Authority, which for transmission lines, is more restrictive than clearances required in the HTA. The conditions of the road allowance following construction of the transmission lines will be similar to those required on any other County road of similar nature.

The remaining questions, which deal with increasing costs of electricity as a result of wind power projects, electromagnetic field impacts on livestock, and stray voltage associated with transmission facilities, are outside the scope of the County to address.

FINANCIAL IMPLICATIONS

The Draft Road Use Agreement includes reasonable compensation for anticipated work and costs related to the placement of Jericho transmission lines and collection lines within the County right-of-way. The amount of compensation was based on the County's existing By-Law 13 of 2008 pertaining to utilities constructed within the right-of-way and similar Road Use Agreements prepared by other municipalities. Although the yearly fees vary due to payment terms, the County will receive, on average, approximately \$25,000 annually from Jericho for facilities located on County road allowance, with opportunity for future adjustments.

The road use payments associated with the execution of this agreement will be included as part of the Public Works Roads - Operating budget following the effective date. No revenue is currently included in the 2014 County Budget.

CONSULTATIONS

The County Solicitor and senior staff at the County of Middlesex were consulted as part of this report.

STRATEGIC PLAN

Application of Area of Effort #3: " To undertake a broad based community development initiative that enriches the quality of life and the future prospects of Lambton County by developing collaborative initiatives that respond to the following needs:

• Policies that enhance and protect municipal infrastructure."

CONCLUSION

The Draft Road Use Agreement between The Corporation of the County of Lambton and Jericho Wind, Inc. addresses the concerns brought forward by County staff regarding the placement of transmission lines and collection lines for the Jericho Wind Energy Centre.

If the decision to enter into the agreement is deferred, Jericho Wind, Inc. will exercise its rights under the Ontario Energy Board and *Electricity Act* and request that the OEB make a ruling as part of their Leave to Construct Application regarding placement of their facilities within the County road allowance. If brought before the OEB many of the County's protections and conditions with respect to Jericho's operations negotiated under the Draft Road Use Agreement will be subject to the OEB's discretion and may be jeopardized.

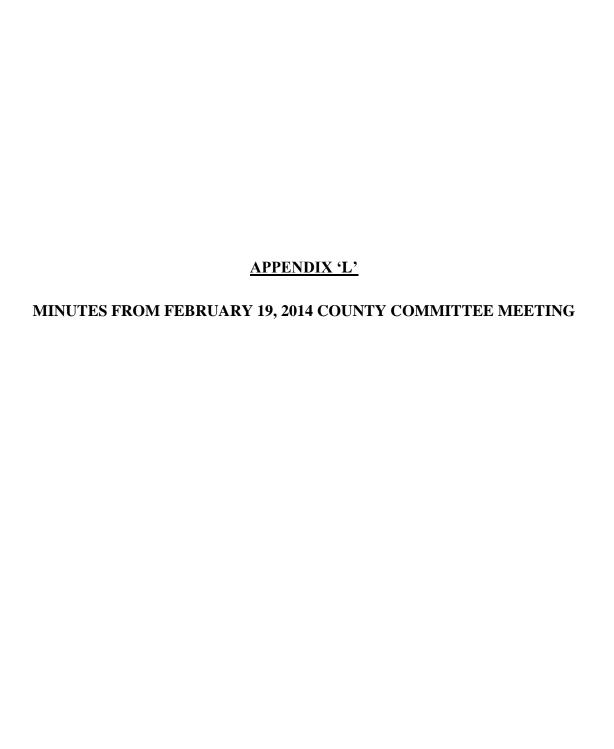
The Draft Road Use Agreement allows the County, as a road authority, to maintain the rights that would typically be granted when dealing with any other 'non-renewable energy' utility requesting use of the road allowance. In addition, the agreement protects for future road improvements and offers reasonable compensation for additional costs associated with the new utilities in the road allowance. For these reasons, and considering the risks and potential short and long term costs of the alternative, entering into the Road Use Agreement is considered to offer the best arrangement and business case for the County of Lambton.

Should the OEB turn down the Jericho Wind Leave to Construct Application for their project, the County will have protected its interest and established a benchmark for other renewable energy projects planned within its borders.

RECOMMENDATIONS

a) That Motion #12 of Committee A.M. dated January 15, 2014 regarding the Jericho Wind, Inc. (NextEra) Road Use Agreement Report be lifted from the table.

·	Jeric	sho Wind, Inc. (NextEra) Road Use Agreement - Update (page 5) February 19, 2014		
ŀ		That the Warden and the Clerk be authorized to execute the proposed Road Use Agreement with Jericho Wind, Inc. along with all other necessary documentation, with respect to the use, installation, construction, maintenance, operation, and decommissioning of certain infrastructure on, over, under and within County Road Allowances.		



MINUTES COMMITTEE A.M.

(Infrastructure & Development Services/Public Health Services/Cultural Services)

February 19, 2014

A meeting was held at the County Building at 9:00 a.m. on the above date.

Present

Chair J. Foubister, Warden Todd Case. Members: K. Marriott, S. Arnold, M. Bradley, E. Davis-Dagg, A.M. Gillis, D. McGugan, L. MacKenzie and J. McCharles. Various staff were present including the following General Managers: Mr. J. Kutyba, General Manager, Infrastructure and Development Services, Mr. A. Taylor, General Manager, Public Health Services, Mr. R. Tremain, General Manager, Cultural Services, Mr. D. Cribbs, General Manager, Corporate Services and Mr. R. G. Van Horne, Chief Administrative Officer.

Absent

None.

INFRASTRUCTURE & DEVELOPMENT SERVICES DIVISION

<u>Declaration of Pecuniary Interest</u>

Councillor Davis-Dagg declared a pecuniary interest with respect to the Infrastructure & Development Services Division's Items Tabled from Previous Meetings dealing with the report dated January 15, 2014 regarding Jericho Wind, Inc. (NextEra) Road Use Agreement as the Councillor owns lands on which windmills are or may be located.

Correspondence to Receive and File

<u>PW 03-02-14</u> A letter to Jason Cole, Public Works Manager, from John Skinner, Executive Director and CEO, Solid Waste Association of North American (SWANA) advising that the requirements for Certification have been met. Mr. Cole is now SWANA Certified as a Landfill Operations Manager.

#1: Arnold/Davis-Dagg: That Correspondence PW 03-02-14 be received and filed and that a letter of congratulations be sent by the Warden to Mr. Cole.

Carried.

Information Reports

#2: Davis-Dagg/Marriott: That the following Information Reports from the Infrastructure & Development Services Division be received and filed:

- a) Information Report dated February 19, 2014 Regarding Building Services 4th Quarter Statistics 2013.
- b) Information Report dated February 19, 2014 Regarding Planning & Development Services 4th Quarter Statistics and Approval Authority Activity.
- c) Information Report dated February 19, 2014 Regarding Planning & Development Services Work in Progress.
- d) Information Report dated February 19, 2014 Regarding Everbridge Community Notification Network.

Carried.

Councillor Bradley requested a staff report addressing protocols vis-à-vis declaring an emergency either at the local and or County level.

Reports Requiring a Motion

Report dated February 19, 2014 Regarding the Waterfront Trail Project

#3: McCharles/Case:

- a) That the County advise the Waterfront Regeneration Trust that it wishes to participate in the extension of the Waterfront Trail through Lambton County.
- b) That the County advise the Waterfront Regeneration Trust that it is willing to act as the "one-window" for the payment of annual dues to the Trust in the amount of \$2,500 per year.
- c) That the County advise the Waterfront Regeneration Trust that it will supply hardware and labour for the installation of the required Waterfront Trail signage on roads which are under the County's jurisdiction.

Carried.

Report dated February 19, 2014 Regarding the Lambton County Fire Pager and Radio Communications

#4: Case/MacKenzie:

- a) That the Lambton County Fire Chiefs Communications Committee, County Emergency Management Coordinator and County Purchasing staff work with the distributor of communications systems to determine what would be required to install an Analog Simulcast Paging System and Digital Simulcast Radio System to cover the entire County.
- b) That the aforementioned staff develop an RFP to quantify the needs of the County Fire Departments for an Analog Simulcast Paging System and Digital Simulcast Radio System and Canvas suppliers of such systems.
- c) That a further report be brought to the County Emergency Services Committee (Committee A.M.) with recommendations on moving forward.

Carried.

Report dated February 19, 2014 Regarding Road Widening Dedications - Various County Roads

#5: Davis-Dagg/McCharles:

- a) That Part Lot 75, Lake Road East Concession, geographic Township of Bosanquet, Municipality of Lambton Shores, and more specifically described as Part 8 on Plan RD 184 be dedicated as part of County Road 7 (Lakeshore Road).
- b) That Part Lot 45 South Boundary Concession, geographic Township of Bosanquet, Municipality of Lambton Shores, and more specifically described as Part 2 on Plan 25R9965 be dedicated as part of County Road 12 (Townsend Line).
- c) That Part Lot 5, Concession 8, NER, geographic Township of Warwick, Municipality of Lambton Shores, and more specifically described as Parts 1 and 3 of Plan 25R10093 be dedicated as part of County Road 12 (Townsend Line).
- d) That Part Lot 24, Concession 2, geographic Township of Euphemia, Municipality of Dawn-Euphemia, and more specifically described as Parts 1, 2, 3 and 4 on Plan 25R10045 be dedicated as part of County Road 8 (Shetland Road).
- e) That Part Lot 16, Concession 13, geographic Township of Bosanquet, Municipality of Lambton Shores, and more specifically described as Parts 2 and 3 on Plan 25R9325 and Parts 1, 2, and 3 on Plan 25R9445 be dedicated as part of County Road 6 (Thomson Line).
- f) That the appropriate By-Law be presented to County Council for its consideration.

g) That the Warden and Clerk be authorized to register the By-Laws in the local registry office for the purposes of designating the properties in question as part of the County Road System.

Carried.

Items Tabled from Previous Meetings

Motion #12 of the Committee A.M. Minutes dated January 15, 2014 states that the report dated January 15, 2014 regarding Jericho Wind, Inc. (NextEra) Road Use Agreement be tabled to allow for a further report from staff regarding the terms and details of the agreement.

Report dated February 19, 2014 Regarding Jericho Wind, Inc. (NextEra) Road Use Agreement - Update

#6: Bradley/Marriott: That Motion #12 of the Committee A.M. Minutes dated January 15, 2014 regarding Jericho Wind, Inc. (NextEra) Road Use Agreement Report be lifted from the table.

Carried.

<u>#7:</u> Bradley/McCharles That the report dated February 19, 2014 regarding Jericho Wind, Inc. (NextEra) Road Use Agreement - Update be tabled for a 60 day period to allow for on-line public feedback via the County's website.

Carried.

PUBLIC HEALTH SERVICES DIVISION

Correspondence to Receive and File

EMS 03-05-14 A media release from Norm Gale, President, Ontario Association of Paramedic Chiefs (OAPC) regarding a paramedicine announcement. Health and Long-Term Care Minister Deb Matthews is investing \$6 million to support the expansion and development of community paramedicine initiatives across Ontario. The OAPC looks forward to working with the MoHLTC to develop the best implementation plan that will provide maximum benefits from this funding announcement.

<u>LPH 03-07-14</u> An email to Kevin Churchill, Manager, Health Promotion and Program Support dated January 24, 2014 from Kate Mason-Smith, Assistant Deputy Minister, Health Promotion Division, Ministry of Health and Long-Term Care regarding a new program being launched in support of the Healthy Kids Strategy - The Healthy Kids Community Challenge (The Challenge).

The Challenge is being implemented in response to the Healthy Kids Panel's recommendation to adopt a coordinated, community-driven approach to develop healthy communities for kids.

<u>#8:</u> Arnold/Marriott: That Correspondence EMS 03-05-14 and LPH 03-07-14 be received and filed.

Carried.

<u>Information Reports</u>

<u>#9:</u> Bradley/Davis-Dagg: That the following Information Reports from the Public Health Services Division be received and filed:

- a) Information Report dated February 19, 2014 Regarding KinderSTARt Update on Pilot Project Report.
- b) Information Report dated February 19, 2014 Regarding Rethink Your Drinking Campaign: Low-Risk Alcohol Drinking Guidelines Report.
- Information Report dated February 19, 2014 Regarding Sexual Health Program -Update.

Carried.

CULTURAL SERVICES DIVISION

Information Report

Cultural Services Division 4th Quarter Statistics 2013

#10: Bradley/MacKenzie: That the Information Report dated February 19, 2014 Regarding Cultural Services Division 4th Quarter Statistics 2013 be received and filed.

Carried.

Reports Requiring a Motion

Report dated February 19, 2014 Regarding Library Donations

#11: McCharles/McGugan: That these donations be gratefully accepted and thank you letters be sent in accordance with the County's Recognition Policy.

Carried.

Report dated February 19, 2014 Regarding the Creative County Committee Annual Report of 2013

<u>#12:</u> Davis-Dagg/Arnold: That the Creative County Committee Annual Report of 2013 activities be accepted as presented.

Carried.

Adjournment

#13: Bradley/McGugan: That the Chair declare the meeting adjourned with the next meeting to be held on Wednesday, April 16, 2014 at 9:00 a.m. at the County Buildings, Wyoming, Ontario.

Carried.

Time: 9:30 a.m.

Jim Foubister Chair	
Ronald G. Van Horne Secretary	

APPENDIX 'M' LETTER DATED FEBRUARY 28th, 2014 FROM JERICHO TO COUNTY

Jericho Wind, Inc. 390 Bay Street, Suite 1720 Toronto Ontario M5H 2Y2

February 28, 2014

Jason Cole, P.Eng. Manager, Public Works 789 Broadway Street, Box 3000 Wyoming, ON NON 1TO

Dear Mr. Cole:

As you know, Jericho Wind, Inc. ("Jericho") is developing the Jericho Wind Energy Centre (the "Project") in Lambton County. The Project is scheduled to begin construction this spring.

County staff and Jericho have been working together for over one year and have finalized a road use agreement ("RUA") that would determine, among other things, the location of the Project's 34.5 kV distribution lines (the "Distribution Facilities") within County road allowances. (Note that the Distribution Facilities do not include the higher voltage transmission facilities associated with the Project.) In staff's February 19, 2014 report to the Infrastructure & Development Committee ("Committee"), County staff indicated that the current version of the RUA addresses its concerns and presents the best arrangement and business case for the County. We were therefore surprised that the Committee decided not to recommend the authorization of the execution of the RUA but rather to recommend posting the current version for 60 days of public comment.

Jericho does not object to further consultation on certain aspects of the RUA. However, it is necessary for Jericho to reach agreement with the County specifically regarding the location of the Distribution Facilities within County road allowances as soon as possible in order to allow us to meet our contractual obligations under the Feed-in-Tariff contract with the Ontario Power Authority. To facilitate a timely agreement on this specific issue, Jericho therefore requests that the County provide a clear expression of its agreement, by March 12, 2014, regarding the location of the Jericho's Distribution Facilities within the County's road allowances based on the locations set out in the current draft of the RUA.

Reaching agreement between the County and Jericho on this specific point would enable Jericho to avoid filing an application with the Ontario Energy Board under section 41(9) of the *Electricity Act, 1998* to determine the location of the Distribution Facilities within County road allowances. At the same time, even if an agreement was reached by March 12, 2014 regarding the location of the Distribution Facilities, the 60 day public comment period on the RUA could proceed and Jericho would continue to work with the County to execute a RUA. In the event that the County and Jericho cannot reach agreement regarding the location of the Distribution Facilities by March 12, 2014, Jericho will have no choice but to consider filing a section 41(9) application to determine that location . As County staff highlighted in its report to the Infrastructure & Development Committee, Jericho has a right under section 41 to locate the

Project's distribution facilities within County road allowances, and has sought to enter into an agreement with the County to finalize the location of those facilities.

Jericho remains committed to working with the County in developing the Project, and in finalizing all necessary permits and agreements. Please feel free to contact me at your earliest convenience if that can be of assistance in moving these matters forward.

Sincerely

Ross Groffman

Director, Wind Development

cc. A. Wiley, NextEra Energy

A. Pinnock, NextEra Energy

T. Dyck, Torys LLP

APPENDIX 'N'

SUBMISSIONS FROM COUNTY ON JERICHO'S APPLICATION FOR LEAVE TO CONSTRUCT TRANSMISSION LINES

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

AND IN THE MATTER OF an application by Jericho Wind, Inc. for an Order or Orders pursuant to Section 92 of the Ontario Energy Board Act, 1998 (as amended) granting leave to construct transmission facilities in the Municipality of Lambton Shores, Lambton County and the Municipality of North Middlesex, Middlesex County, Ontario.

THE CORPORATION OF THE COUNTY OF LAMBTON'S SUBMISSIONS March 5, 2014

A. INTRODUCTION

- 1. These submissions are filed on behalf of The Corporation of the County of Lambton ("Lambton County") in EB-2013-0361. Lambton County is an upper-tier municipality and consequently a road authority, within the meaning of those terms pursuant to the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended. As such, Lambton County is responsible for the care and maintenance of a public highway system (including the structure, design and placement of all property within the road allowance) within the geographic confines of Lambton County. The Applicant proposes to build electrical transmission infrastructure within road allowances owned and maintained by Lambton County.
- 2. Because of its statutory responsibility for the safe maintenance and provision of certain public highways (road allowances), Lambton County was granted Intervenor Status with respect to this Application.

B. APPLICATION

 The only portion of this Application with which the County of Lambton makes submissions pertains to the proposed electrical infrastructure within road allowances for which the County of Lambton has statutory authority.

C. LEGISLATIVE FRAMEWORK

4. The Applicant's Argument-in-Chief makes no mention whatsoever of public safety, road safety or the legitimate use of road allowances by other third parties. It is Lambton County's position that a conjunctive reading of the *Municipal Act*,

2001 and the Highway Traffic Act is also necessary to fully appreciate the public safety elements of the Province's legislative framework, as appreciated in its appropriate totality. The Municipal Act in particular, makes municipalities responsible for the safe provision of public highways (road allowances) and thus any consideration of the establishment of infrastructure within a road allowance must look to any applicable municipal legislative regime. The County of Lambton pleads that it operates such a legislative regime through the exercise of its permit and by-law processes.

- 5. It is common ground that section 96 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Sched. B, sets out the relevant test for an application under s. 92 of the Act:
 - (1) If, after considering an application under section . . . 92 the Board is of the opinion that the construction, expansion or reinforcement of the proposed work is in the public interest, it shall make an order granting leave to carry out the work.
 - (2) In an application under section 92, the Board shall only consider the following when, under subsection (1), it considers whether the construction, expansion or reinforcement of the electricity transmission line . . . or the making of the interconnection, is in the public interest:
 - 1. The interests of consumers with respect to prices and the reliability and quality of electricity service.
 - 2. Where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.
- 6. The County disagrees with the Applicant's characterization of the law and process with respect to the interaction between the *Ontario Energy Board Act,* 1998 and the *Electricity Act,* 1998, S.O. 1998, c. 15, Sched. A. Essentially, the Applicant's position would result in the Board having little to no power to make any substantive ruling with respect to the placement of electrical infrastructure in a road allowance within the context of this Application.
- 7. By its own admission at paragraph 12 of its Argument-in-Chief document, the Applicant is relying upon rights it argues are established by the *Electricity Act*. The Applicant explains in great detail that s. 41 of the *Electricity Act* gives it the power to construct, repair and maintain electrical infrastructure, even without the consent of the owner.

- 8. Unfortunately, and incorrectly, the Applicant then goes on to argue that while s. 41(9) of the Act says that there shall be agreement between an Applicant and the owner of the highway, and failing agreement the Board shall rule, said section does not apply in this application because of the capacity to follow a different process. If accepted, this argument would lead to the absurd result that in the context of this application, this Board could not impose conditions regarding the placement of electrical transmission infrastructure in the road allowance. Effectively the Applicant argues, without actually using the words, that the only possible role for the Board is to grant this Application, without conditions.
- 9. The County acknowledges the Applicant's considerable rights pursuant to the *Electricity Act*, but rejects the Applicant's self-serving argument that the *Electricity Act's* requirements of agreement or in the alternative the requirement of the Board to impose conditions does not apply. Clearly the Act either governs or it does not; neither party is free to simply pick and choose the sections which provide rights, but then completely disregard the sections which give rights to other interests.
- 10. The Applicant has accurately identified and characterized the existence of two reports written by Lambton County staff, both of which endorse the tentative details of a proposed Road User Agreement ("RUA") as between the County and the Applicant. What the Applicant has failed to mention however is that Lambton County Council, being a democratically elected body which constitutes the guiding mind of Lambton County, has yet to exercise its will to accept, reject or vary the proposed RUA.
- 11. At time of writing, the County's Committee AM has passed a motion that will permit a 60 day period for public commentary on the proposed RUA. This 60 day period can only commence upon ratification by the entire County Council, which is scheduled to occur on March 5, 2014. Accordingly, this aspect of these proceedings is premature and unnecessarily rushed, as there can be no binding vote or debate upon the proposed RUA at County Council until June 4, 2014.
- 12. It is the County's position that the OEB should delay its consideration of the portion of the Application which addresses transmission lines and related infrastructure within public road allowances that are owned and maintained by Lambton County, until such time as County Council has had an opportunity to receive public input, hold a debate (if any) and then consider the staff reports with their attendant recommendations.

- 13. Lambton County and the Applicant have a realistic opportunity to arrive at a mutually agreeable RUA which amongst other things would govern where and how infrastructure is to be located, and would create mechanisms for the two parties to hold each other accountable.
- 14. It is the County's position that negotiations pertaining to the RUA between the Applicant and Middlesex County began prior to the similar negotiations between the Applicant and Lambton County. Consequently, Middlesex County had adequate time to fully consider the various ramifications of its RUA. Lambton County should be given equal and adequate opportunity to consider the proposed RUA between itself and the Applicant. The OEB would better serve its public interest and regulatory mandate by allowing the parties the full opportunity to come to a meeting of the minds.
- 15. In the alternative, being that the OEB is unwilling to allow the County the opportunity to complete its public, democratic decision-making process, the OEB should at a minimum impose conditions equivalent to all terms contained within the tentative RUA between Lambton County and the Applicant, on the grounds that the tentative RUA establishes locations for infrastructure which have been reviewed by professional engineers and consider both public (traffic) safety and the needs and presence of other utilities within the exiting road allowance.

D. PUBLIC INTEREST CONSIDERATIONS

- 16. The only parties in this Application that actually represent the public interest are the County of Lambton and Middlesex County, given that both are accountable, democratically elected governments. Middlesex County has been able to negotiate a RUA with the Applicant that offers, from the perspective of Middlesex County, protection to all users of the public road allowances, including but not limited to traffic and other utility providers that place infrastructure within the existing road allowances. Lambton County seeks the opportunity to do the same, but has not been granted adequate time in which to do so.
- 17. The Applicant has narrowly defined public interest considerations to include only those factors as identified by the test in section 96(1) of the *Ontario Energy Board Act*. This ignores the fact that the policies of the Government of Ontario must also be considered. Clearly, provincial policies, as codified by statute, including highway safety considerations, as contained in both the *Municipal Act*,

- 2001 and the *Highway Traffic Act*, are of at least equal importance and equal public interest, properly and broadly construed.
- 18. It is acknowledged that traffic safety, highway design and the placement of infrastructure within road allowances are not within the traditional competency of the OEB. It is submitted that this is exactly why municipalities have, pursuant to the *Municipal Act*, the duty and capacity to legislate the manner in which third parties such as utility companies can place infrastructure within the road allowance, and further, is why the OEB typically expects RUAs to be in place prior to exercising final approvals to construct only then can the OEB be satisfied that the public interest with respect to road allowance safety has in fact been appropriately addressed.
- 19. A major public interest consideration which has not been identified in the Applicant's materials is the interest of all other users of the road allowance. One aspect of a municipality's responsibility for a road allowance is to ensure that third party infrastructure (including, but not limited to ditches, drains, hydro poles, gas pipelines, oil pipelines, water pipelines, sanitary sewers and telecommunications infrastructure) can co-exist safely and efficiently within the road allowance it is not only generators and transmitters of electricity that have the right to use the road allowance. In addition, municipalities place guidelines and restrictions on infrastructure in the road allowance so as to ensure that future users also have an opportunity to build as necessary to say nothing of ensuring the municipality's capacity to upgrade or expand the roadways in question.
- 20. While the *Electricity Act* does provide a number of significant rights to the Applicant with regard to its capacity to enter into and use public road allowances, the Act is silent however with regard to how such entry is to occur and what if any rules might govern how or where infrastructure is to be constructed. Lambton County submits that this omission is intentional, as there exists a legislative regime, which is the jurisdiction of municipalities, that addresses these issues. Hence, the agreement and approval that is contained within a RUA is necessary to demonstrate that the public interest, broadly construed, is in fact being met by the Applicant.
- 21. In this instance, the Applicant has clearly indicated that it will rely upon its considerable rights pursuant to section 41 of the *Electricity Act*. It has not indicated however that it will exercise these rights in a prudent manner or show any regard for other users of the road allowance. This omission is exactly why a RUA is necessary, and ironically emphasizes the importance of same.

22. This Application anticipates that a RUA or similar agreement is reached between the Applicant and the applicable road authority. This has the benefit of providing comfort to the OEB that the public interest considerations as they pertain to road safety have been adequately addressed, allowing the Board to consider the other issues, such as prices, reliability and quality of service, which are more traditionally within its scope and mandate. In the case at hand, two RUAs are required for the Board to have this comfort, but only one RUA, between Middlesex County and the Applicant, has been finalized.

E. CONCLUSIONS

- 23. In its Procedural Order #2, dated January 27, 2014, the OEB established a timeline for submissions that seemed appropriate and reasonable at that time. Since then, it has been determined that the County of Lambton's legislative and consultative process will require until June 4, 2014 to be complete. It is suggested that given the importance of the public interest and safety concerns pertaining to the construction and location of infrastructure within public road allowances, and the real potential and capacity of Lambton County and the Applicant to arrive at an agreed RUA, given adequate time, any decision by this Board should be held in abeyance until at least June of 2014.
- 24. In the event that the Board is unable or unwilling to delay its process, the Board should reject the submissions of the Applicant which imply it cannot impose terms with respect to the location of electrical infrastructure within road allowances, and exercise its power and authority pursuant to section 41(9) of the *Electricity Act* to impose conditions identical to those in the proposed RUA between the County of Lambton and the Applicant.

All of which is respectfully submitted this 5th day of March, 2014.

THE CORPORATION OF THE COUNTY OF LAMBTON

By its Counsel

David Cribbs County Solicitor LSUC #49176F

PROPOSED LOCATIONS OF DISTRIBUTION SYSTEM WITHIN ROAD <u>ALLOWANCES</u>

1 6.0 PROPOSED LOCATION OF THE DISTRIBUTION SYSTEM WITHIN THE

2 ROAD ALLOWANCES

- 3 Given that Jericho and the County have not agreed to the location of the Distribution System
- 4 within the Road Allowances, Jericho requests that the Board issue an order pursuant to section
- 5 41(9) of the Electricity Act determining such location as follows:
- The Distribution System shall generally be located in the Road Allowances and the locations listed on Exhibit B, Tab 6, Schedule 1, Appendix A.
- Where practicable, and where it meets all applicable engineering, environmental and health and safety standards, the Distribution System lines shall be more particularly located as shown in the drawings included in Exhibit B, Tab 6, Schedule 1, Appendix B.
- Where practicable, and where they meet all applicable engineering, environmental and health and safety standards, the location aspects of the diagrams shown at Exhibit B, Tab 6, Schedule 1, Appendix C shall be followed in constructing the Distribution System within the Road Allowances.
- 15 For greater certainty, the drawings attached hereto at Appendices B and C are the same drawings
- that were attached as Schedules B11 and B10 of the Proposed Agreement, respectively, with one
- exception: the drawings attached at Appendix B have been highlighted to more clearly show
- which segments of the Distribution System will be located within the Road Allowances.

APPENDIX 'A'

LIST OF AFFECTED ROAD ALLOWANCES

Distribution Facility	Functionality	Degree of Necessity	Relevant Road Allowance	Side of Road Allowance	Approximate Length of Line Segment
	Transmit wind turbine generated				2043m
	electricity to transformer substation	Essential	Thomson Line from Kinnaird Road to Army Camp Road	SOUTH	
	Transmit wind turbine generated	Essential	Thomson Line across Army Camp Road	ACROSS	19m
Ü	electricity to transformer substation		, .		Length included in above
	Transmit wind turbine generated	Essential	Thomson Line from Army Camp Road to Approx. 660m east of Jericho Road	SOUTH	2733m
	electricity to transformer substation				
	Transmit wind turbine generated	Essential	Across Thomson Line approx. 868m east of Jericho Road	ACROSS	20m
Ů	electricity to transformer substation		. ,		
	Transmit wind turbine generated	Essential	Thomson Line from west Property limit of Substation to Southeast Corner of	SOUTH	1067m
C	electricity to transformer substation		Northville Road		
	Transmit wind turbine generated	Essential	Thomson Line across Northville Road	ACROSS	36m
0.000	electricity to transformer substation	255CHCCC	Thomson and devoso North me Note	TOTO O	Length included in above
	Transmit wind turbine generated	Essential	Across Thomson Line approx. 17m east of Northville Road	ACROSS	18m
0.000mg 1	electricity to transformer substation	255CHCA1	The cost of the co	TOTO O	
	Transmit wind turbine generated	Essential	Across Thomson Line approx. 31m east of Northville Road	ACROSS	18m
6.033mg 5	electricity to transformer substation	255CHCAI	The cost of the co	ACKOSS	
	Transmit wind turbine generated	Essential	Across Thomson Line approx. 44m east of Northville Road	ACROSS	18m
or ossuing o	electricity to transformer substation	255CHCCC	The cost of the co	TOTO O	
	Transmit wind turbine generated	Essential	Thomson Line fromNorthville Road approx. 64m east	NORTH	64m
oegment I	electricity to transformer substation	255CHCCC	Thomson and thomson the road approve our case		
	Transmit wind turbine generated	Essential	Thomson Line from Arkona Road west to approx. 104m	SOUTH	104m
8	electricity to transformer substation			300111	
	Transmit wind turbine generated	Essential	Thomson Line across Arkona Road	ACROSS	30m
0.000mg /	electricity to transformer substation	255CHCA1	Thomson and devoso and hold	TOTO O	
	Transmit wind turbine generated		Army Camp Road across Thomson Line	ACROSS	19m
	electricity to transformer substation			TOTO O	
	Transmit wind turbine generated	Essential	Army Camp Road from Thompson Line to Ravenswood Line	EAST	2033m
segment o	electricity to transformer substation	Essercial	Army Camp Road from a nompson Line to Kavenswood Line	LAG I	
Crossing 9	Transmit wind turbine generated	Essential	Ravenswood Line across Army Camp Road	ACROSS	18m
	electricity to transformer substation	2000 Citi	Navenswood Line act 088 At my Camp Noad	ACIOCO	
	Transmit wind turbine generated	Essential	Across Northville Road approx. 607m south of Kennedy Line	ACROSS	26m
	electricity to transformer substation				
	Transmit wind turbine generated	Essential	Northville Road from Kennedy Line to approx. 643m south of Kennedy Line	WEST	634m
oce	electricity to transformer substation		To the total total Relinedy Line to approx. 915th 30dth of Relinedy Line		

					,
Segment 8	Transmit wind turbine generated electricity to transformer substation	Essential	Northville Road from approx. 643m south of Kennedy Line to approx. 400m north of Ravenswood Line	WEST	844m
Crossing 11	Transmit wind turbine generated electricity to transformer substation	Essential	Across Northville Road approx. 390m north of Ravenswood Line	ACROSS	25m
	electricity to transformer substation				
Crossing 12	Transmit wind turbine generated electricity to transformer substation	Essential	Across Northville Road approx. 316m north of Decker Road	ACROSS	26m
Segment 9	Transmit wind turbine generated electricity to transformer substation	Essential	Northville Road from approx. 400m north of Ravenswood Line to north side of Thomson Line	EAST	2460m
Segment 10	Transmit wind turbine generated	Essential	Northville Road from south west side of Thomson Line to approx. 430m south of	EAST	2104m
	electricity to transformer substation		Farmers Line		
Crossing 13	Transmit wind turbine generated	Essential	Across Northville Road approx. 430m south of Farmers Line	ACROSS	26m
_	electricity to transformer substation				
Segment 11	Transmit wind turbine generated	Essential	Northville Road from approx. 825m north of Cedar Point Line to approx. 282m	EAST	543m
	electricity to transformer substation		north of Cedar Point Line		
Segment 12	Transmit wind turbine generated	Essential	Northville Road from approx. 47m north of Cedar Point Line to approx. 1040m	WEST	3416m
	electricity to transformer substation	Listenda	north of Townsend Line		
Crossing 14	Transmit wind turbine generated electricity to transformer substation	Essential	Across Northville Road south side of Cedar Point Line	ACROSS	24m
Crossing 15	Transmit wind turbine generated electricity to transformer substation	Essential	Across Northville Road approx. 600m south of Cedar Point Line	ACROSS	25m
	electricity to transformer substation				
Crossing 16	Transmit wind turbine generated	Essential	Across Northville Road approx. 630m south of Jura Line	ACROSS	24m
	electricity to transformer substation				
Crossing 17	Transmit wind turbine generated	Essential	Across Northville Road approx. 1017m south of Jura Line	ACROSS	24m
	electricity to transformer substation				
Crossing 18	Transmit wind turbine generated electricity to transformer substation	Essential	Across Northville Road approx. 1070m north of Townsend Line	ACROSS	24m
	electricity to transformer substation				
Segment 13	Transmit wind turbine generated	Essential	Northville Road from approx. 200m north of Townsend Line to approx. 25m north	WEST	175m
elec	electricity to transformer substation		of Townsend Line		
Crossing 19	Transmit wind turbine generated	Essential	Across Northville Road approx. 25m north of Townsend Line	ACROSS	24m
	electricity to transformer substation				
Crossing 20	Transmit wind turbine generated		Across Townsend Line approx. 30m east of Nauvoo Road	ACROSS	14m
	electricity to transformer substation				
Segment 14	Transmit wind turbine generated	Essential	Nauvoo Road from approx. 350m south of Townsend Line to Birnham Line	EAST	2760m
	electricity to transformer substation				
		-		-	

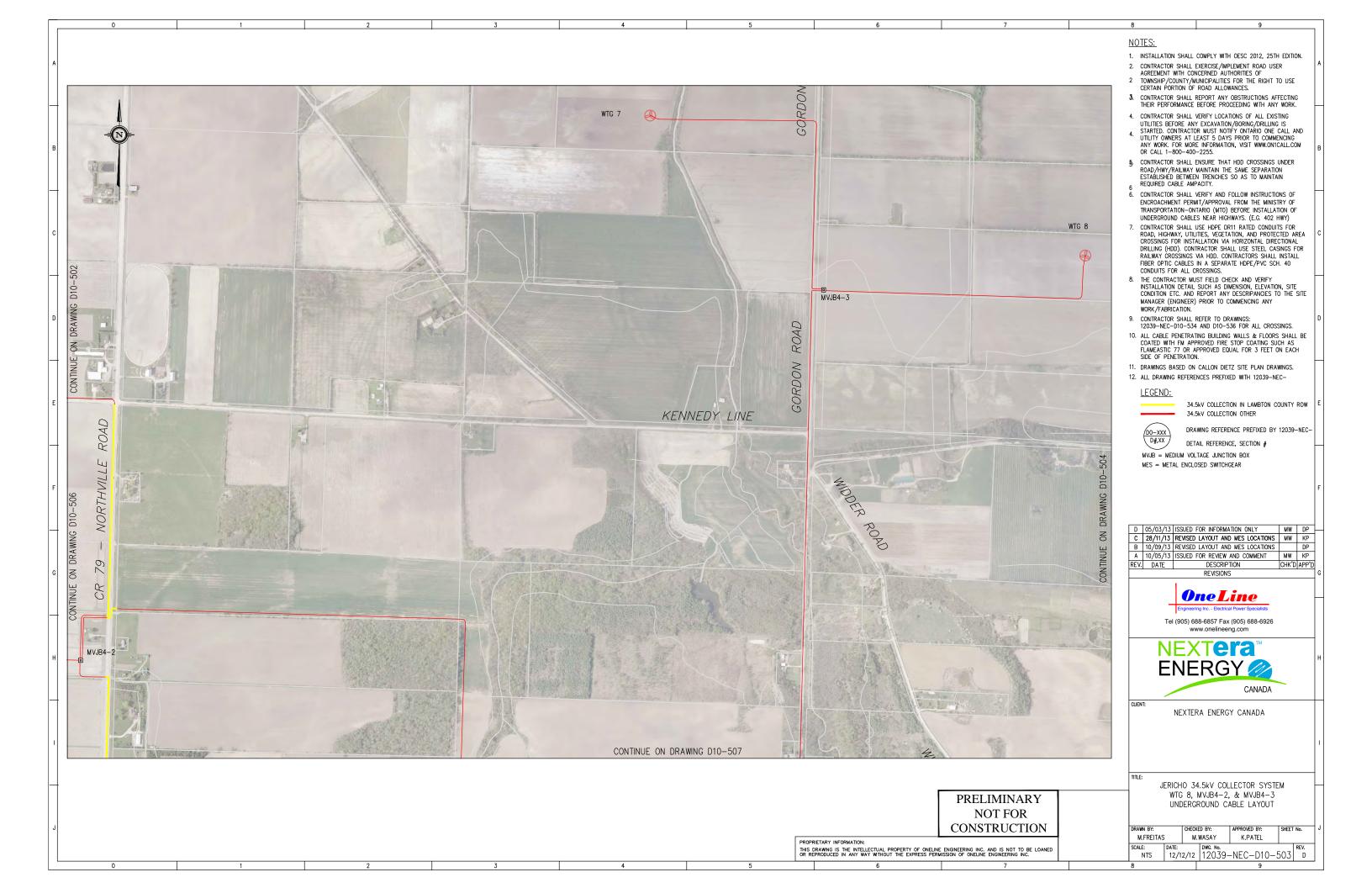
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Segment 15	Transmit wind turbine generated electricity to transformer substation	Essential	Arkona Road from approx. 220m south of Decker Road to approx. 240m south of Ridge Road	EAST	1265m
					400
Crossing 21	Transmit wind turbine generated electricity to transformer substation	Essential	Arkona Road across Elginfield Road(Thomson Line)	ACROSS	120m
					Length included in above
Crossing 22	Transmit wind turbine generated electricity to transformer substation	Essential	Across Arkona Road approx. 430m north of Farmers Line	ACROSS	26m
	electricity to transformer substation				
Segment 16	Transmit wind turbine generated	Essential	Arkona Road from approx. 600m south of Farmers Line to approx. 800m north of	WEST	234m
Ü	electricity to transformer substation		Cedar Point Line		
Cogmont 17	Transmit wind turbine generated	Essential	Arkona Road from approx. 590m north of Cedar Point Line to south east corner of	EAST	634m
Segment 17	electricity to transformer substation	Essentiai	Cedar Point Line	EAST	
	Transmit wind turbine generated				24m
Crossing 23	electricity to transformer substation	Essential	Across Arkona Road approx. 590m north of Cedar Point Line	ACROSS	
					26m
Crossing 24	Transmit wind turbine generated electricity to transformer substation	Essential	Across Arkona Road approx. 740m north of Cedar Point Line	ACROSS	
					248m
Segment 18	Transmit wind turbine generated electricity to transformer substation	Essential	Arkona Road from approx. 790m south of Cedar Point Line to approx. 1038m south of Cedar Point Line	EAST	240111
Crossing 25	Transmit wind turbine generated electricity to transformer substation	Essential	Across Arkona Road approx. 1038m south of Cedar Point Line	ACROSS	22m
	electricity to transformer substation				
Segment 19	Transmit wind turbine generated	Essential	Arkona Road from Jura Line to approx. 1000m south of Jura Line	WEST	1000m
	electricity to transformer substation		,		
	Transmit wind turbine generated		Arkona Road from approx. 1200m south of Jura Line to approx. 1572m south of		372m
Segment 20	electricity to transformer substation	Essential	Jura Line	WEST	
	Transmit wind turbine generated				24m
Crossing 26	electricity to transformer substation	Essential	Across Arkona Road approx. 1572m south of Jura Line	ACROSS	
					24m
Crossing 27	Transmit wind turbine generated electricity to transformer substation	Essential	Across Townsend Line approx. 450m east of Kinnaird Road	ACROSS	
					2163m
Segment 21	Transmit wind turbine generated electricity to transformer substation	Essential	Townsend Line from approx. 450m east of Kinnaird Road to approx. 510m east of Army Camp Road	SOUTH	2103111
	creedicity to transformer substation				
Segment 22	Transmit wind turbine generated electricity to transformer substation		Townsend Line from Northville Road to approx. 30m east of Nauvoo Road	NORTH	457m
	electricity to transformer substation				
Crossing 28	Transmit wind turbine generated		Townsend Line across Nauvoo Road	ACROSS	9m
3-4	electricity to transformer substation				Length included in above
Sagment 22	Transmit wind turbine generated	nit wind turbine generated Eccential	Tourneand Line from approxy 20m east of Conden Book and Africa	COUTH	456m
Segment 23	electricity to transformer substation	Essential	Townsend Line from approx. 30m east of Gordon Road approx. 456m west.	SOUTH	
			<u> </u>		

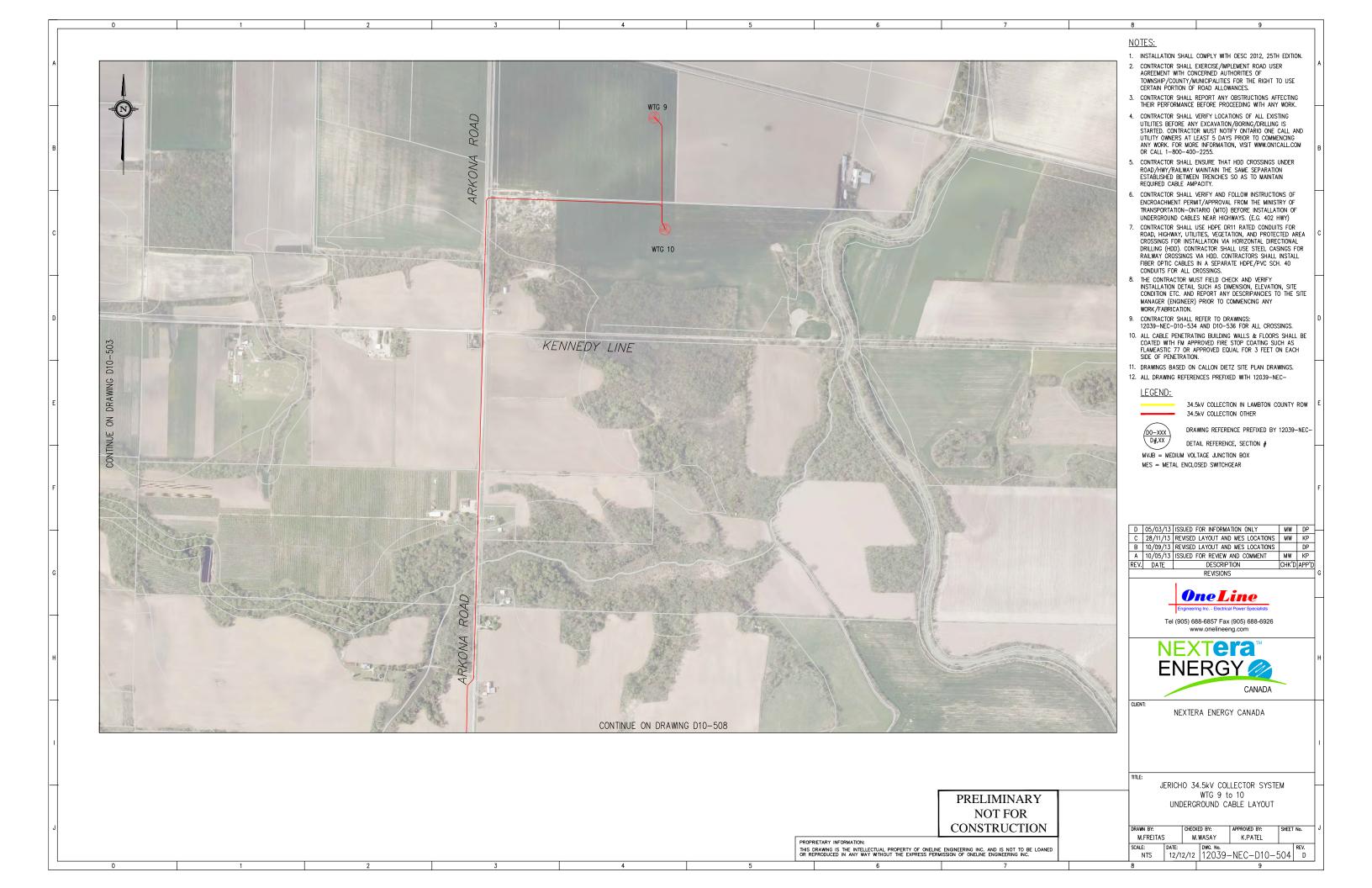
	Transmit wind turbine generated electricity to transformer substation	Essential	Townsend Line approx. 1017m east of Nauvoo Road	ACROSS	26m
	Transmit wind turbine generated	Essential	Townsend Line approx. 30m east of Gordon Road	ACROSS	24m
Grossing 50	electricity to transformer substation	Essential	Townsella Ellie approx. Join east of dotaon road		
0 124	Transmit wind turbine generated		Townsend Line from Quaker Road to approx. 354m east	NORTH	354m
Segment 24	electricity to transformer substation				
G : 24	Transmit wind turbine generated electricity to transformer substation		m 11: 427 + 60 1 D 1	ACROSS	26m
		Essentiai	Townsend Line approx. 437m east of Quaker Road		

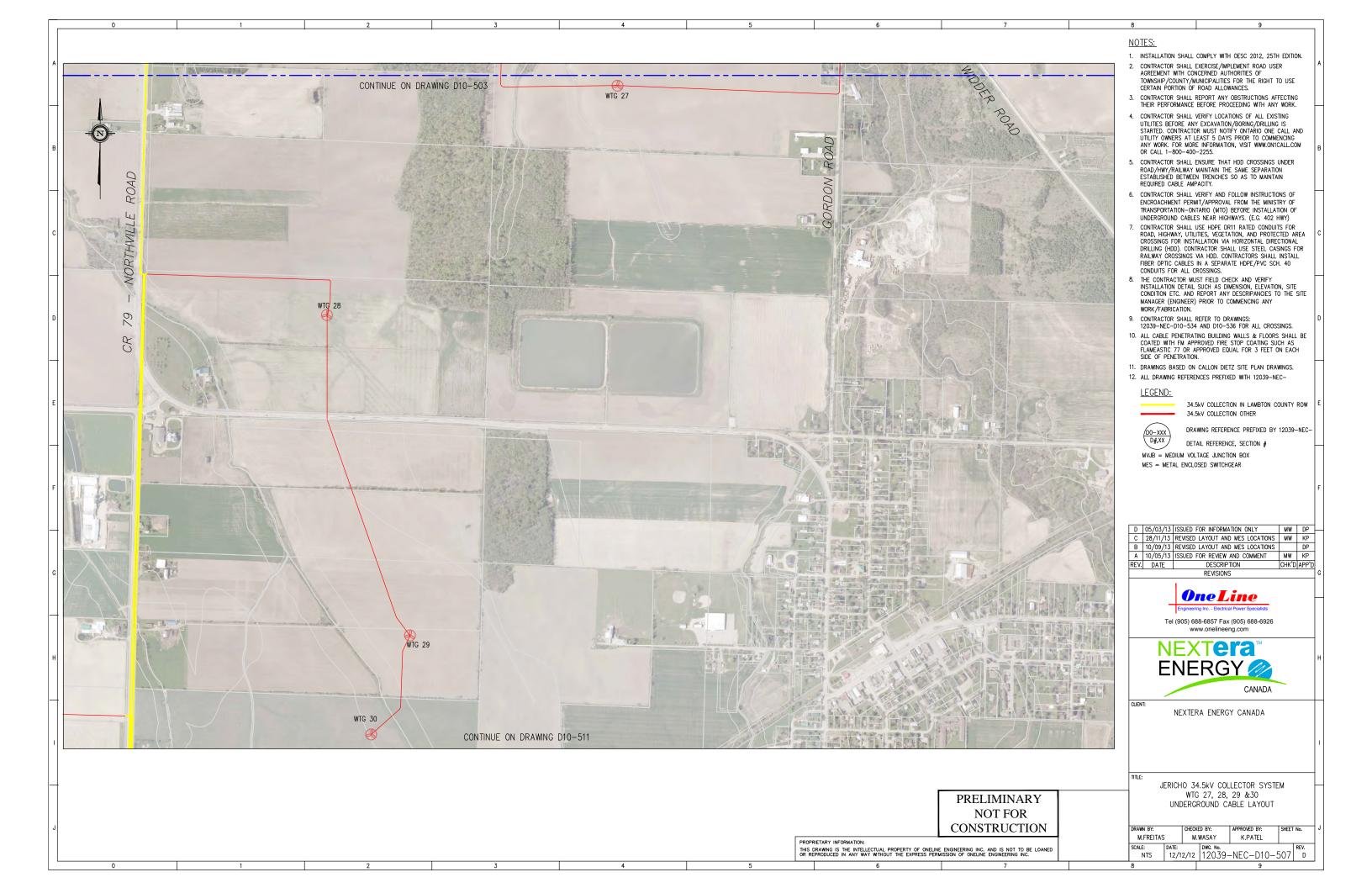
APPENDIX 'B'

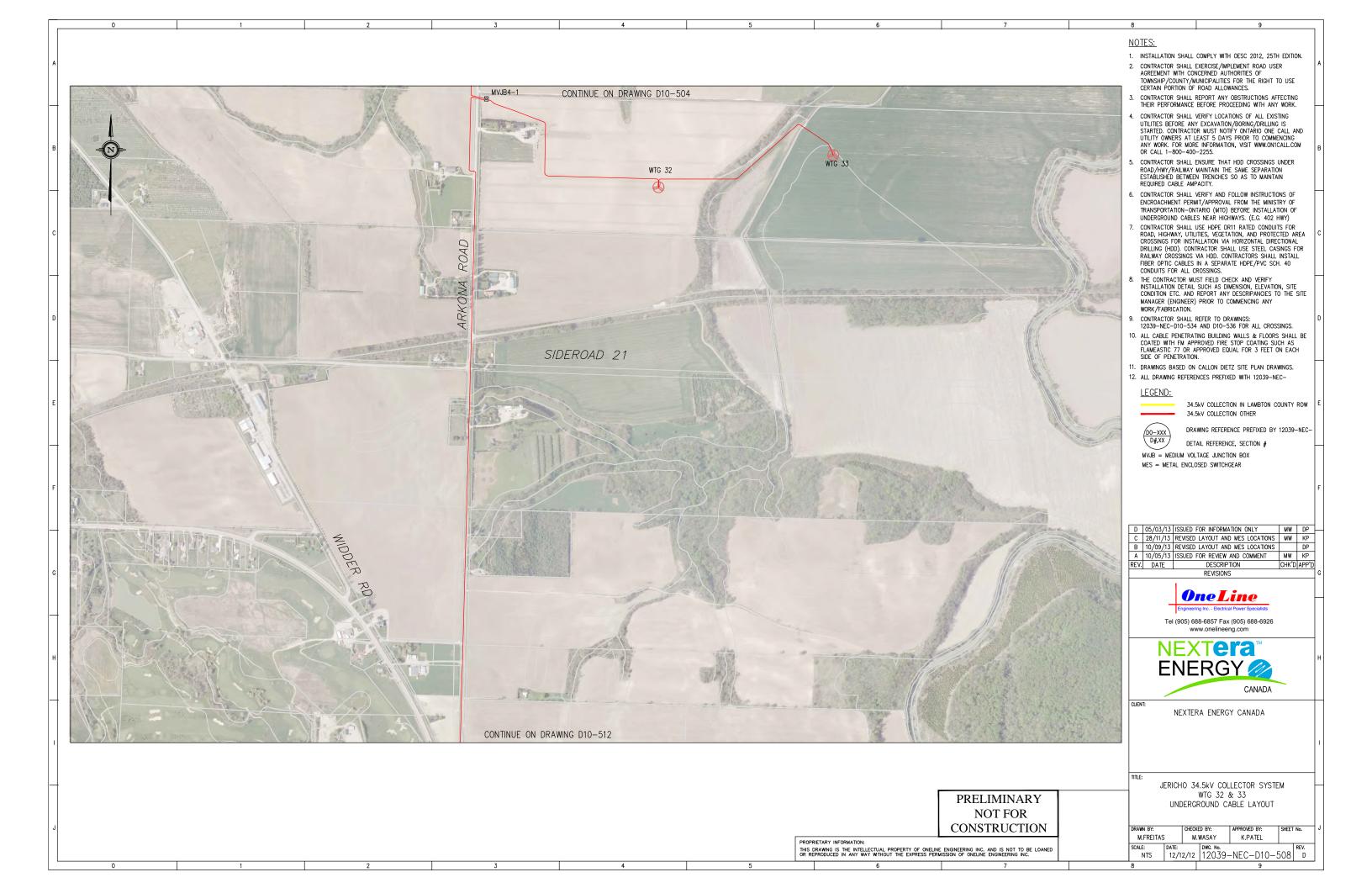
DRAWINGS SHOWING LOCATION OF DISTRIBUTION SYSTEM WITHIN COUNTY ROAD ALLOWANCES

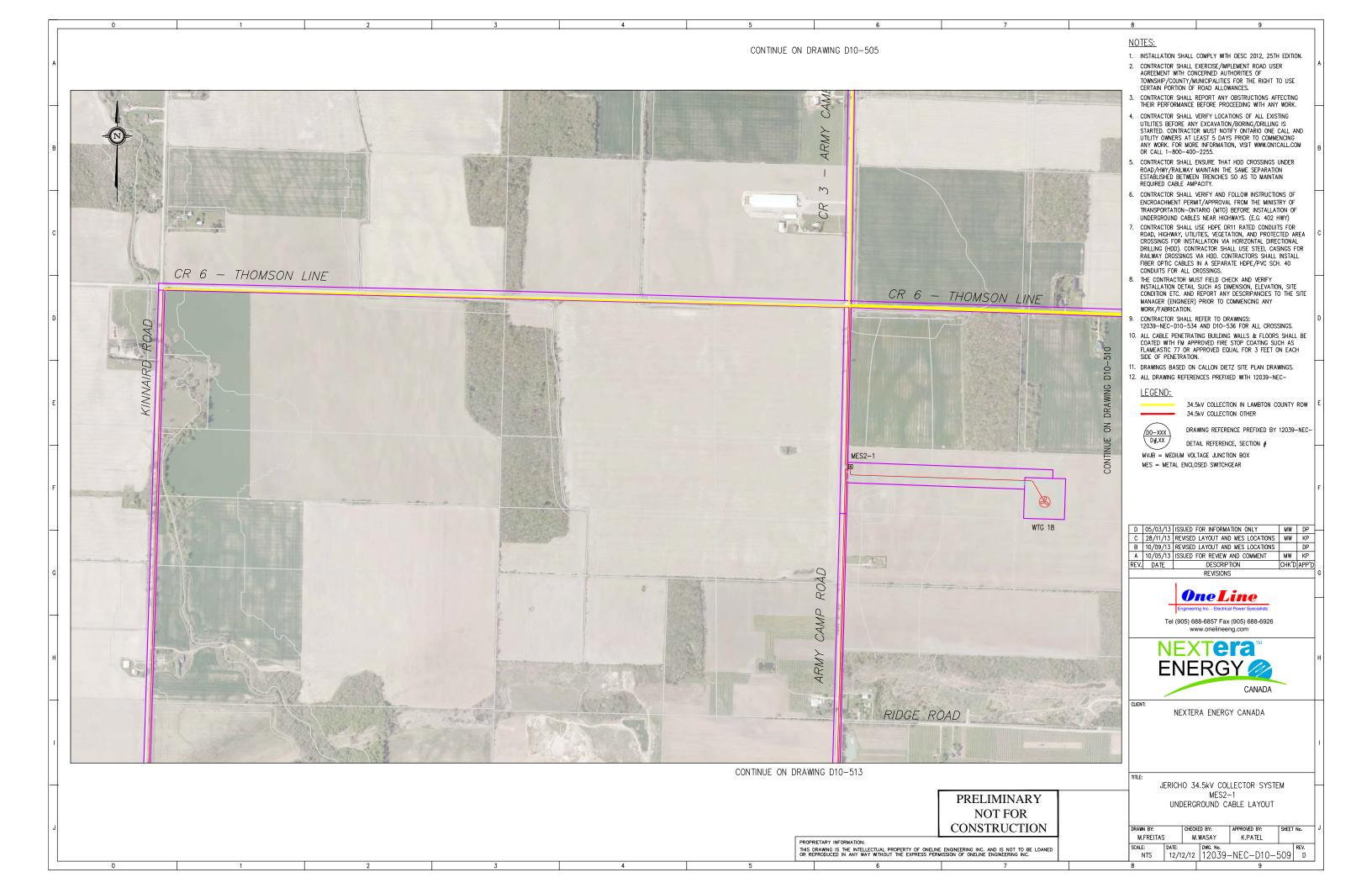


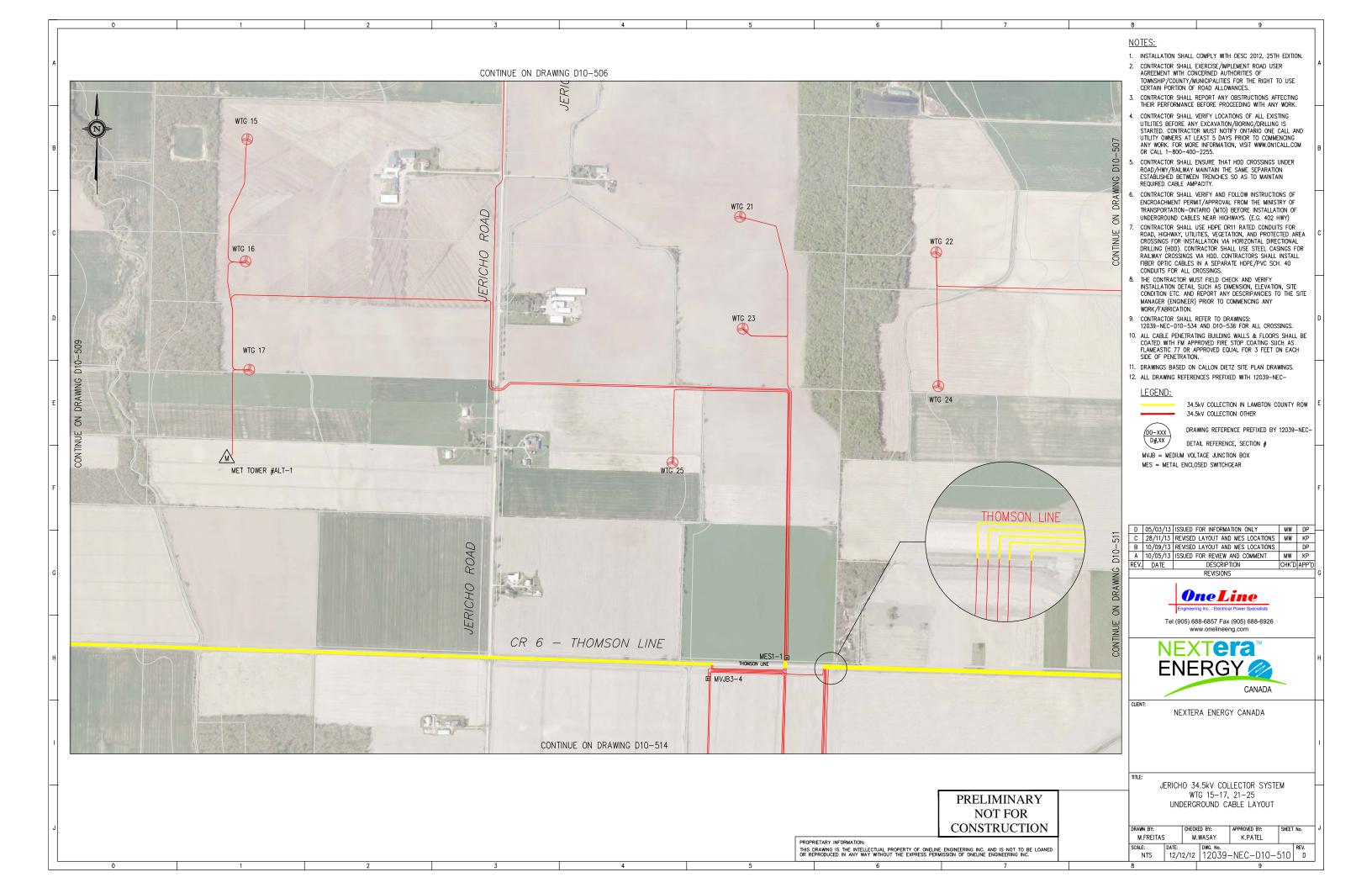


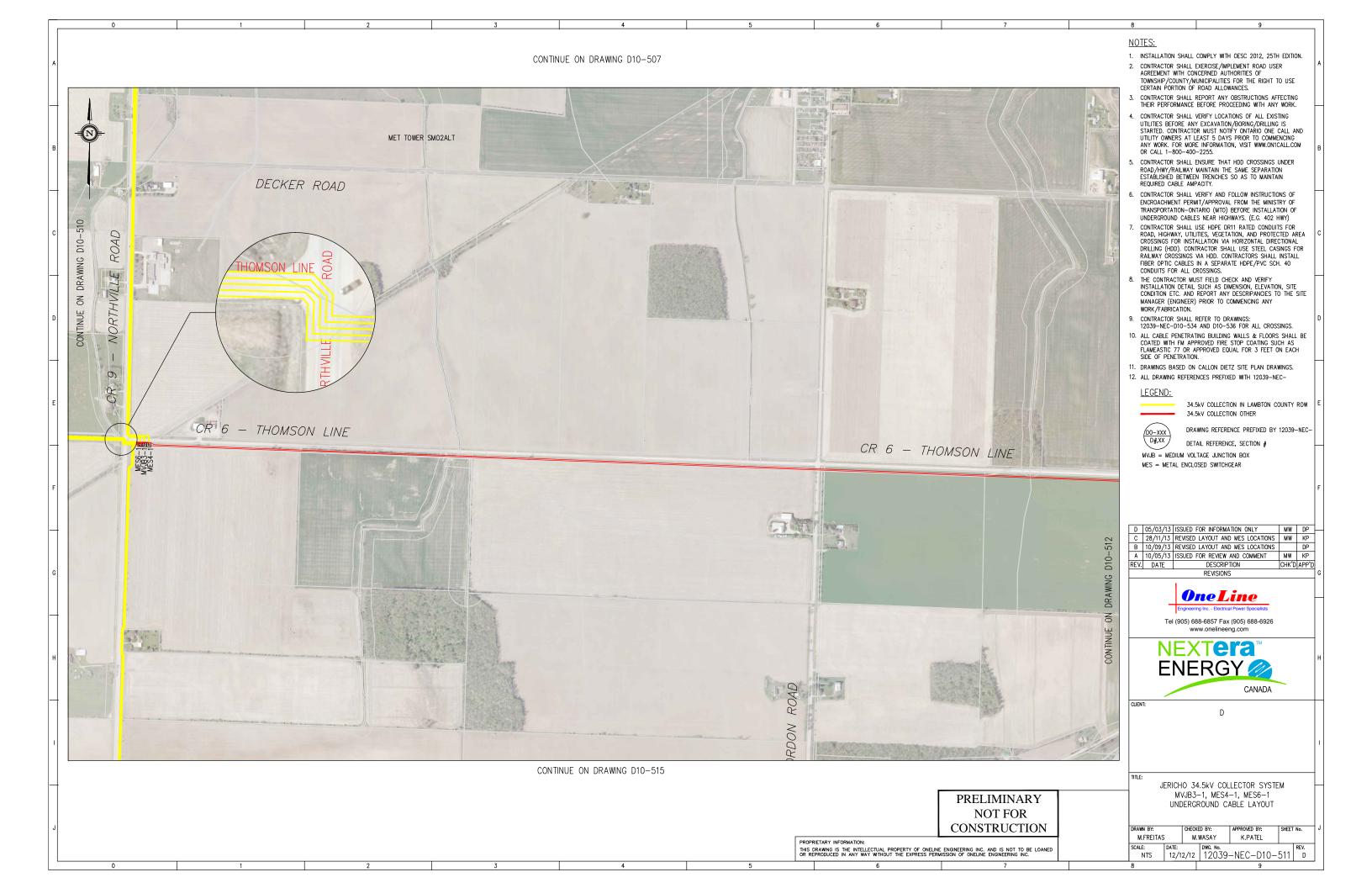


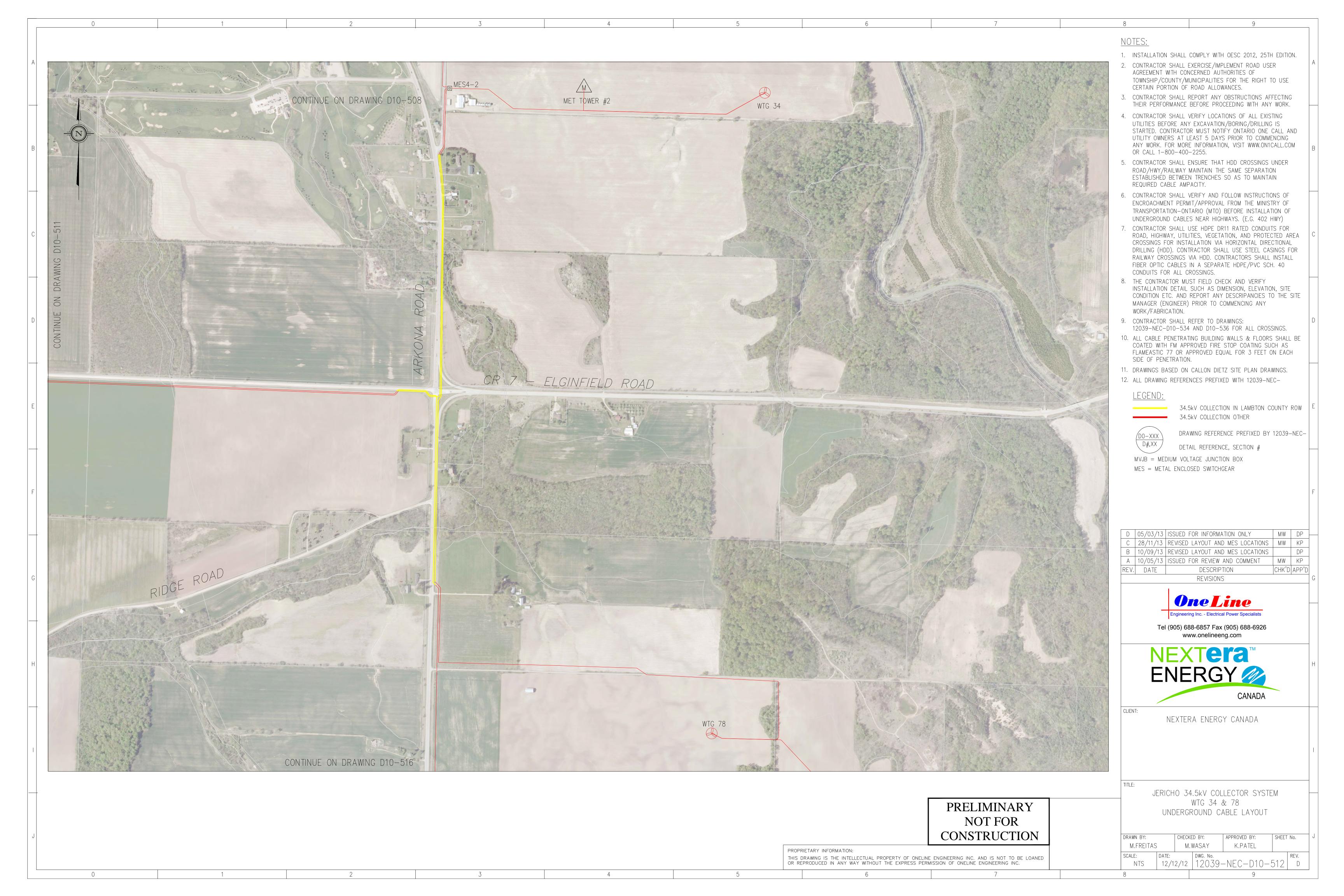














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- 2. CONTRACTOR SHALL EXERCISE/IMPLEMENT ROAD USER AGREEMENT WITH CONCERNED AUTHORITIES OF TOWNSHIP/COUNTY/MUNICIPALITIES FOR THE RIGHT TO USE CERTAIN PORTION OF ROAD ALLOWANCES.
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- 5. CONTRACTOR SHALL ENSURE THAT HDD CROSSINGS UNDER ROAD/HWY/RAILWAY MAINTAIN THE SAME SEPARATION ESTABLISHED BETWEEN TRENCHES SO AS TO MAINTAIN REQUIRED CABLE AMPACITY.
- 6. CONTRACTOR SHALL VERIFY AND FOLLOW INSTRUCTIONS OF ENCROACHMENT PERMIT/APPROVAL FROM THE MINISTRY OF TRANSPORTATION—ONTARIO (MTO) BEFORE INSTALLATION OF UNDERGROUND CABLES NEAR HIGHWAYS. (E.G. 402 HWY)
- 7. CONTRACTOR SHALL USE HDPE DR11 RATED CONDUITS FOR ROAD, HIGHWAY, UTILITIES, VEGETATION, AND PROTECTED AREA CROSSINGS FOR INSTALLATION VIA HORIZONTAL DIRECTIONAL DRILLING (HDD). CONTRACTOR SHALL USE STEEL CASINGS FOR RAILWAY CROSSINGS VIA HDD. CONTRACTORS SHALL INSTALL FIBER OPTIC CABLES IN A SEPARATE HDPE/PVC SCH. 40 CONDUITS FOR ALL CROSSINGS.
- 8. THE CONTRACTOR MUST FIELD CHECK AND VERIFY INSTALLATION DETAIL SUCH AS DIMENSION, ELEVATION, SITE CONDITION ETC. AND REPORT ANY DESCRIPANCIES TO THE SITE MANAGER (ENGINEER) PRIOR TO COMMENCING ANY WORK/FABRICATION.
- 9. CONTRACTOR SHALL REFER TO DRAWINGS: 12039-NEC-D10-534 AND D10-536 FOR ALL CROSSINGS.
- 10. ALL CABLE PENETRATING BUILDING WALLS & FLOORS SHALL BE COATED WITH FM APPROVED FIRE STOP COATING SUCH AS FLAMEASTIC 77 OR APPROVED EQUAL FOR 3 FEET ON EACH SIDE OF PENETRATION.
- 11. DRAWINGS BASED ON CALLON DIETZ SITE PLAN DRAWINGS.
- 12. ALL DRAWING REFERENCES PREFIXED WITH 12039-NEC-

LEGEND:

34.5kV COLLECTION IN LAMBTON COUNTY ROW
34.5kV COLLECTION OTHER

D0-XXX D#,XX

DRAWING REFERENCE PREFIXED BY 12039-NEC-

D#,XX DETAIL REFERENCE, SECTION #

MVJB = MEDIUM VOLTAGE JUNCTION BOX

MES = METAL ENCLOSED SWITCHGEAR

D 05/03/13 ISSUED FOR INFORMATION ONLY MW DP
C 28/11/13 REVISED LAYOUT AND MES LOCATIONS MW KP
B 10/09/13 REVISED LAYOUT AND MES LOCATIONS MW DP
A 10/05/13 ISSUED FOR REVIEW AND COMMENT MW KP
REV. DATE DESCRIPTION CHK'D APP'D
REVISIONS



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CLIENT:

NEXTERA ENERGY CANADA

111122.

JERICHO 34.5kV COLLECTOR SYSTEM WTG 26 & 45 UNDERGROUND CABLE LAYOUT

DRAWN BY: CHECKED BY: APPROVED BY: SHEET No.

M.FREITAS M.WASAY K.PATEL

SCALE: DATE: DWG. No.

NTS 12/12/12 12039—NEC—D10—514 D

PROPRIETARY INFORMATION:

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CONSTRUCTION



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LEGEND:

34.5kV COLLECTION IN LAMBTON COUNTY ROW
34.5kV COLLECTION OTHER

D0-XXX D#,XX

DRAWING REFERENCE PREFIXED BY 12039-NEC-

DETAIL REFERENCE, SECTION #

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MES = METAL ENCLOSED SWITCHGEAR

D	05/03/13	ISSUED FOR INFORMATION ONLY	MW	l DP
С	28/11/13	REVISED LAYOUT AND MES LOCATIONS	MW	KP
В	10/09/13	REVISED LAYOUT AND MES LOCATIONS		DP
Α	10/05/13	ISSUED FOR REVIEW AND COMMENT	MW	KP
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		REVISIONS	•	



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CONTINUE ON DRAWING D10-519

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JERICHO 34.5kV COLLECTOR SYSTEM WTG 56,66,68 &69 UNDERGROUND CABLE LAYOUT

DRAWN BY: CHECKED BY: APPROVED BY: SHEET No.

M.FREITAS M.WASAY K.PATEL

SCALE: DATE: DWG. No.

NTS 12/12/12 12039-NEC-D10-515 D



- 1. INSTALLATION SHALL COMPLY WITH OESC 2012, 25TH EDITION.
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- 12. ALL DRAWING REFERENCES PREFIXED WITH 12039-NEC-

LEGEND:

34.5kV COLLECTION IN LAMBTON COUNTY ROW 34.5kV COLLECTION OTHER

/DO-XXX` D#,XX

DRAWING REFERENCE PREFIXED BY 12039-NEC-

DETAIL REFERENCE, SECTION #

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Mr.	Α	10/05/13	ISSUED FOR REVIEW AND COMMENT	MW	KP
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		•	REVISIONS		



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JERICHO 34.5kV COLLECTOR SYSTEM WTG 65,67,79, 80-82, & 107 UNDERGROUND CABLE LAYOUT

DRAWN BY: CHECKED BY: APPROVED BY: SHEET No. M.FREITAS M.WASAY K.PATEL DATE: DWG. No. 12/12/12 12039—NEC—D10—516 C

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LEGEND:

34.5kV COLLECTION IN LAMBTON COUNTY ROW 34.5kV COLLECTION OTHER

/DO-XXX` D#,XX

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REVISIONS					



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NEXTERA ENERGY CANADA

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PROPRIETARY INFORMATION:

JERICHO 34.5kV COLLECTOR SYSTEM WTG 41,42, 46-48 UNDERGROUND CABLE LAYOUT

DRAWN BY: CHECKED BY: APPROVED BY: SHEET No. M.FREITAS M.WASAY K.PATEL DATE: DWG. No. 12/12/12 12039-NEC-D10-518 D