

January 31, 2014

Warden Brian Milne  
Corporation of the County of Grey  
224340 Southgate Road 22  
Holstein, ON N0G 2A0

Dear Warden Milne:

During the January 9, 2014 Grey County Council meeting, Grey County Council ("Council") deferred, to the next Grey County Transportation and Public Safety ("TAPS") meeting, a decision on Motion TAPS15-14, carried by the TAPS Committee at the December 19, 2013 TAPS meeting. Motion TAPS15-14 relates to East Durham Wind, Inc.'s ("East Durham") proposed Road Use Agreements ("Agreements") as negotiated between East Durham and Grey County's Director of Transportation, in consultation with Grey County's Solicitor. Grey County's meeting minutes suggest that some members of Council have concerns regarding the Agreements. Based on observation of such meeting, the following concerns were raised:

- a) East Durham assuming that Grey County is in agreement with its requests if a response is not received within 5 days;
- b) Discrepancies in the amount of time East Durham has to cure issues related to construction work or encroachment activities (throughout various sections of the Agreements); and
- c) Whether or not East Durham has provided the appropriate insurance as required under the Agreements.

East Durham understands that, since the January 9, 2014 Council meeting, these issues have been discussed between certain members of Council, the Grey County Solicitor, and the Grey County Director of Transportation on multiple occasions. Explanations on certain provisions were provided and other proposed modifications to the draft Agreements will be sent by the Grey County Solicitor to East Durham within the next day or two. East Durham will work with the Grey County Solicitor to incorporate these comments into the Agreements in order to satisfy Council's concerns prior to the next Grey County TAPS and Council meetings. Regarding item c) above, although such proof of insurance is not required to be submitted under the Agreements until such time as the work is to be performed (and not prior to the execution of the Agreements), East Durham did submit relevant Certificates of Insurance to the Director of Transportation on January 30, 2014.

In addition, Grey County Council deferred, to the next TAPS meeting, a decision on Motion TAPS05-14, carried by the TAPS Committee at the December 5, 2013 TAPS meeting regarding East Durham's Entrance Permit applications. Such entrance locations, permit applications, and all other relevant supplemental documentation have been received and deemed complete by Grey County Transportation staff. Grey County Transportation staff has recommended that East Durham's permit applications be approved; such recommendation comes after much correspondence over the past few months and only after certain required studies were undertaken by East Durham and approved by Grey County staff.

Thank you in advance for your review and consideration of the revised Agreements at the next scheduled TAPS meeting on February 20, 2014, and subsequently at the next scheduled Council meeting on March 4, 2014. East Durham looks forward to finalizing the Agreements and Entrance Permit applications with Grey County.

Sincerely,

A handwritten signature in black ink, appearing to read 'AR', is written over the word 'Sincerely,'.

Adam Rickel  
Project Manager, East Durham Wind, Inc.

cc: Mr. Rob Robinson, Solicitor, County of Grey  
Ms. Sharon Vokes, Clerk, County of Grey  
Mr. Michael Kelly, Director of Transportation Services, County of Grey  
Tyson Dyck, Torys, LLP